

**SUBJECT:** Increasing limit on stays in state boot camp program to 180 days

**COMMITTEE:** Corrections — favorable, without amendment

**VOTE:** 5 ayes — Allen, Hopson, Stick, Haggerty, Mabry  
0 nays  
2 absent — Alonzo, Farrar

**WITNESSES:** For — *(Registering, but not testifying:)* Barry Macha, Wichita County District Attorney  
Against — None

**BACKGROUND:** Government Code sec. 499.052 and Code of Criminal Procedure art. 42.12 sec. 8(a) establish a boot camp program in the institutional division of the Texas Department of Criminal Justice (TDCJ) for offenders who are required to serve in the boot camp as a condition of probation. Time spent in the boot camp program is limited to 90 days.

**DIGEST:** HB 1180 would increase the limit on the number of days that probationers can be required to serve in the state boot camp program from 90 to 180 days.  
The bill would take effect September 1, 2003.

**SUPPORTERS SAY:** HB 1180 would make the state boot camp program more effective by allowing persons to stay in the program longer than the 90 days currently allowed. Courts send offenders to the boot camp program as a condition of probation, but it might take several days or weeks for offenders to be processed and undergo orientation before arriving at the boot camp. This means that offenders can experience substantially less than 90 days of boot camp activities. In addition, young inmates often are sent to the boot camp, and these youths sometimes need to spend more time in the program to benefit from the physical activities and rehabilitation programs.

Even with longer terms, the boot camp would retain its shock value because the days spent at the camp would be less than six months. Stays longer than 90 days could result in offenders taking the rest of their probation more seriously so that they are not sent to prison for violating their probation conditions. If an offender were sent to prison for a probation violation, the costs to the state would be even more than any increased cost for longer stays at the boot camp.

HB 1180 only would raise the upper limit on the time spent in the program, but would not mandate 180 day stays. Judges still would have discretion about the length of stay they prescribe for offenders in the boot camp program.

TDCJ easily would be able to handle longer stays at the boot camp, because the camp generally has fewer than 100 participants but has a capacity of about 450. Beds at the boot camp are designed only for use by boot camp probationers and could not be used to increase prison bed capacity for TDCJ. The bill's fiscal note says that no significant fiscal implication to the state is anticipated, and the criminal justice impact statement says that TDCJ does not anticipate a significant impact on its programs or workloads or on the demand for resources and services.

**OPPONENTS  
SAY:**

The state boot camp program was designed to be a short-duration program for probationers who could benefit from its shock value and straighten out their lives. Keeping the terms limited to 90 days allows persons to get back to the free world and their jobs and families without long absences. Lengthening the time spent in the boot camp could lessen its shock value and turn it into more of a residential program than a quick learning program that gets offenders back in their jobs and with their families.

Increasing the length of stays of persons in the state boot camp could increase costs to the state. Ninety days in the program is long enough to get offenders attention without a high cost to the state.