

SUBJECT: Allowing a court to terminate the sentences of certain parolees

COMMITTEE: Corrections — favorable, without amendment

VOTE: 7 ayes — Herrero, Kacal, Allen, V. Jones, R. Lopez, Murr, Sherman,
0 nays
2 absent — Swanson, Toth

WITNESSES: For — Charlie Malouff, Texas C.U.R.E.,Inc. (*Registered, but did not testify*; Terra Tucker, Alliance for Safety and Justice; M Paige Williams, Dallas County Criminal District Attorney John Creuzot; Shea Place, Texas Criminal Defense Lawyers Association; Sarah Mae Jennings, Texas Fair Defense Project; Renee Monroe, Tx CURE Inc; Thomas Parkinson)
Against — None

DIGEST: HJR 11 would amend the Texas Constitution to authorize the Legislature to enact laws authorizing a court to terminate the sentence of a person who had successfully served the required number of years on parole.

The ballot proposal would be presented to voters at an election on November 7, 2023, and would read: “The constitutional amendment authorizing the Legislature to enact laws providing for a court to terminate the sentence of a person who has successfully served the required number of years on parole.”

SUPPORTERS SAY: HJR 11 would allow voters to decide if parolees should receive an opportunity to petition the court for termination of a parole sentence when the parolee had successfully served a specified numbers of years on parole, as provided by the enabling legislation, HB 182.

While current law allows a court to overturn convictions and modify sentences, statute does not provide a process by which parolees could request the early termination of their sentence. HJR 11 would remedy this

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issue by allowing a court to grant termination, subject to certain conditions.

CRITICS
SAY:

No concerns identified.

NOTES:

HB 182, the enabling legislation for HJR 11, was considered in the Calendars Committee on April 20, 2023.

According to the Legislative Budget Board, the cost to the state for publication of the resolution would be \$204,406.