

## **BILL ANALYSIS**

Senate Research Center

C.S.H.B. 818  
By: Cuellar (Patterson)  
Criminal Justice  
5-16-97  
Committee Report (Substituted)

### **DIGEST**

Currently, two divisions of the Texas Department of Criminal Justice (TDCJ), the Community Justice Assistance Division (CJAD) and the Pardons and Paroles Division (PPD), are involved in the daily supervision of offenders who are released from prison or given probation instead of a prison sentence. An offender can be required to report to both a parole officer and a probation officer on a regular basis, a practice known as dual supervision. However, outdated computers, poor record keeping, and poor communication between the two entities have created problems within the dual supervision system. Furthermore, concerns have been raised regarding the program's cost-effectiveness. This legislation requires TDCJ to conduct a study regarding the incidence of dual supervision and report its findings to the legislature and to the Sunset Advisory Commission by December 1, 1998, in an effort to better determine the efficacy of continuing this practice. This bill also provides for the reporting of certain arrests to prevent dual supervision.

### **PURPOSE**

As proposed, C.S.H.B. 818 provides for the study of the incidence of dual supervision of certain persons by the pardons and paroles division of the Texas Department of Criminal Justice and community supervision and corrections departments; and for the reporting of certain arrests to prevent dual supervision.

### **RULEMAKING AUTHORITY**

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Article 42.18, Code of Criminal Procedure, by adding Section 30, as follows:

Sec. 30. DUAL SUPERVISION. Requires the Texas Department of Criminal Justice (TDCJ), using data included in the community supervision tracking system and other information available to TDCJ, to determine the number of persons who at any time during a certain period are under the supervision of both the pardons and paroles division of the TDCJ and a community supervision and corrections department; determine the number of persons supervised following a grant of deferred adjudication for, or a conviction of, a misdemeanor or felony; determine the duration of the period of supervision and dual supervision to which the person is subject; determine the geographic distribution of incidents of dual supervision; and report its findings not later than December 1, 1998. Sets forth the terms by which the agency is required to inquire of the criminal justice information system as to whether an arrested person at the time of the arrest is under the supervision of TDCJ; and is required to notify the division of TDCJ supervising the person if information in the system indicates that the person arrested is under the supervision of TDCJ. Provides that this section expires January 1, 1999.

SECTION 2. Emergency clause.

Effective date: upon passage.

**SUMMARY OF COMMITTEE CHANGES**

Amends the relating clause to include the reporting of certain arrests to prevent dual supervision.

**SECTION 1.**

Amends Section 30, Article 42.18, Code of Criminal Procedure, regarding the reporting of certain arrests to prevent dual supervision.