

BILL ANALYSIS

Senate Research Center

H.B. 2990
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Criminal Justice
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Currently, those who are incarcerated in, work in, or visit Texas prisons have very little protection for their safety. Lockdowns are common when an incident occurs or when a headcount, which is done manually, deviates from the expected outcome, preventing inmates from attending valuable rehabilitation or work programs. Staff time is devoted to attempting to verify accusations without a databank of evidence for confirmation. Real-time tracking systems within correctional facilities in the State of Texas could automate these functions, creating efficiencies with existing staff and providing a safer prison environment.

Other states have remedied these inefficiencies while reducing assaults within prison facilities by installing radio frequency identification electronic monitoring systems as a deterrent to inmate/inmate and inmate/guard incidents. Behavior modification takes place once persons within the prison know they are being monitored, creating a safer environment for all. Lockdowns can be minimized or shortened in length. Correctional officers and visitors wearing transmitters can summon assistance or report emergencies immediately. Post-incident investigative and litigation time and cost are dramatically reduced with the use of a system that stores historical data. Allegations as minor as an inmate not receiving medication or attending class can quickly be verified. More serious accusations such as sexual assault are easier to prove or disprove because conclusive evidence of participants and bystanders is readily established with such systems.

H.B. 2990 requires certain correctional facilities to be equipped with electronic monitoring and tracking systems to ensure the safety of certain inmates, employees, contractors, and visitors.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 494, Government Code, by adding Section 494.0111, as follows:

Sec. 494.0111. ELECTRONIC MONITORING AND TRACKING SYSTEMS. (a) Defines "electronic monitoring and tracking system."

(b) Requires the Texas Department of Criminal Justice (TDCJ), in any correctional facility the construction of which begins on or after September 1, 2007, to ensure that the correctional facility is designed and built to use an electronic monitoring and tracking system to monitor effectively and efficiently the physical location and safety of certain inmates, employees, contractors, and visitors.

(c) Authorizes TDCJ, in any correctional facility the construction of which began before September 1, 2007, to retrofit the correctional facility to use an electronic monitoring and tracking system to monitor effectively and efficiently the physical location and safety of certain inmates, employees, contractors, and visitors.

(d) Requires TDCJ to require all individuals described by Subsections (b) and (c) to wear radio frequency identification transmitters while they are housed, working

in, or visiting a facility that is designed and built or retrofitted to use an electronic monitoring and tracking system.

(e) Provides that this section does not apply to a jail owned or operated by a municipality.

SECTION 2. Effective date: September 1, 2007.