

## **BILL ANALYSIS**

Senate Research Center  
83R2839 PEP-D

S.B. 345  
By: Whitmire  
Criminal Justice  
2/28/2013  
As Filed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

S.B. 345 repeals Section 8 (State Boot Camp Program), Article 42.12 (Community Supervision), Code of Criminal Procedure, which establishes the authority of a criminal district court to sentence a defendant to a correctional boot camp program operated by the Texas Department of Criminal Justice (TDCJ). Also repealed is Section 499.052 (State Boot Camp Program), Government Code, which mandates TDCJ to operate and provide beds for inmates sentenced to the correctional boot camps.

Correctional boot camps increased in popularity during the 1980s, with 52 camps being established across the United States and in Texas. In Texas, TDCJ was directed to operate a sentencing program and several community supervision and corrections departments also developed and operated correctional boot camp programs. All are now closed due to research that has proven them to be ineffective and costly, with high recidivism rates.

TDCJ still is required to operate a 400-bed facility that is utilized at less than 10 percent of capacity. TDCJ also operates an eight-bed female facility that is rarely utilized and has no inmates at this time. This legislation relieves TDCJ from having to operate a correctional boot camp program for male and female inmates.

As proposed, S.B. 345 amends current law relating to the abolition of the state boot camp program.

### **RULEMAKING AUTHORITY**

Rulemaking authority previously granted to the institutional division of the Texas Department of Criminal Justice is rescinded in SECTION 1 (Section 499.052, Government Code) of this bill.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Repealer: Section 8 (State Boot Camp Program), Article 42.12, Code of Criminal Procedure.

Repealer: Section 499.052 (State Boot Camp Program), Government Code.

SECTION 2. (a) Provides that on and after the effective date of this Act, a judge may not recommend a person for placement in the state boot camp program under Section 499.052, Government Code, and a participant in the state boot camp program remains a participant in the program only until either the date on which the convicting court suspends further execution of the sentence and reassumes custody of the person or the date on which the Texas Department of Criminal Justice (TDCJ) transfers the person to another unit in TDCJ, whichever is later.

(b) Provides that Section 8, Article 42.12, Code of Criminal Procedure, and Section 499.052, Government Code, repealed by this Act, are continued in effect for the limited purpose of the orderly abolition of the state boot camp program created by those provisions.

SECTION 3. Effective date: September 1, 2013.