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Written Testimony, 2011
HOUSE BILL 2352

Dear Members of the Committee,

Thank you for the opportunity to present testimony regarding House Bill 2352. The Texas Criminal Justice Coalition is in favor of this bill because it not only saves taxpayers money, it addresses both state prison and county jail overcrowding while addressing inefficiencies in the criminal justice system.

INCREASE PAROLE BOARD EFFICIENCY, REDUCE PRISON OVERCROWDING, AND IMPROVE THE PAROLE PROCESS

PROBLEM

Under Government Code, Section 508.149, mandatory supervision requires the Texas Board of Pardons and Paroles (Parole Board) to release an individual to parole when his or her good time plus calendar time equals the full sentence. Mandatory supervision is not permitted for individuals with certain violent or sex offenses. Section 508.149, however, also requires the Parole Board to review certain individuals eligible for mandatory supervision and determine at its discretion whether it will release the individual to parole at the pre-determined statutory time. In 2009, the Parole Board reviewed an additional 18,554 persons eligible for mandatory supervision, on top of the 76,607 parole considerations already under evaluation.

H.B. 2352 will amend Section 508.149 to remove certain low-level, low-risk individuals eligible for mandatory supervision from the purview of the Parole Board. Under this bill, the Board will retain discretion over a limited class of individuals to maximize efficiency and public safety. By releasing other individuals who already meet the established mandatory supervision criteria to parole, the Parole Board can devote additional time and attention to more significant parole cases. This legislation will also decrease the burden on prisons by freeing up needed space to house those individuals who pose an actual threat to public safety, and provide significant savings for taxpayers.

FACTS

- The current mandatory supervision system has the effect of granting the Parole Board, in a limited set of cases, the discretion to override pre-determined, statutory release dates.
- Parole Board procedures require a 90-day review period prior to a person's mandatory supervision release date.¹ This additional review effort generates unnecessary inefficiencies, incurs additional costs, and strains resources.
- As of August 31, 2010, the Texas Department of Corrections had a population of 8,068 inmates eligible for mandatory supervision subject to Parole Board review.² This population costs the state **\$409,773.72 per day** to incarcerate.
- A person denied release under the current process must wait one year for his or her next review.³ Thus, a single denial costs the state \$18,358.35.
- Based on the August 31, 2010, TDCJ statistics, under the proposed bill an estimated 5,455 inmates who meet mandatory supervision requirements would no longer be subject to Parole Board review.
- **H.B. 2352 will generate approximately \$187,000,000 in savings over the biennium.**

SOLUTION

- **Support H.B. 2352.** Increase Parole Board efficiency and save taxpayer dollars by allowing the Parole Board to release individuals with nonviolent, low-level offenses who are eligible for mandatory supervision, without subjecting them to further review.

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Endnotes

¹ Texas Board of Pardons and Paroles, Policy Number BPP-POL.145.202, (Jan. 10, 2011), http://www.tdcj.state.tx.us/bpp/policies_directives/POL.145.202%20_DMS.pdf.

² Texas Criminal Justice Department: Statistical Report FY 2010, p. 17.

³ Texas Board of Pardons And Paroles, Board Policy Number BPP-POL.145.202.