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FACT SHEET

H.B. 1678 STRENGTHENS PROBATION TO STOP THE COSTLY AND INEFFECTIVE FLOW INTO PRISONS

WHAT DOES H.B. 1678 DO?

- Allows the successful completion of a treatment program to count against a deferred adjudication sentence, state jail, or county jail term;
- Reduces maximum probation lengths from 10 to 5 years ONLY for third degree felony drug and property crimes;
- Gives judges discretion in whether to impose or not impose onerous community service requirements for all levels of offenders;
- Allows a judge to continue probation for the full term for offenders who threaten public safety;
- Eliminates caps on community service hour requirements;
- Mandates early release review after half of the probation period is served, unless the defendant has not paid all fines to his best ability or completed required treatment or counseling;
- Requires judges to issue a written list of unfulfilled requirements to probationers whose early release is denied;
- Requires a showing of good cause prior to extending supervision;
- Allows credit or debit card payment of fines/fees; and
- Excludes 3g offenders, registered sex offenders, alcohol-related offenses including DWI.

SHORTER PROBATION TERMS WILL REDUCE RECIDIVISM AND ABSCONDING, RESULTING IN COST SAVINGS AND INCREASED PUBLIC SAFETY.

Strengthening and shortening probation terms will increase probation officers' effectiveness in promoting success by freeing up more resources for intense supervision of high-risk individuals and probationers during the critical early period of their terms. This will reduce crime and save taxpayers money by eliminating needless spending on long, ineffective supervision.

Shortening probation terms and reducing caseloads will also correct the problem of probationers absconding (16,000 individuals are currently avoiding supervision) by allowing officers to spend more time tracking and providing close supervision to individuals with high flight risk, thereby increasing public safety by reducing these individuals' likelihood of recidivating.

ADOPTING INDIVIDUALIZED SUPERVISION AND PROVIDING INCENTIVES FOR SUCCESS CAN LEAD TO MORE SUCCESSFUL PROBATION.

Texas probation departments must have the resources to provide individually tailored supervision and services for each probationer. Adopting flexible and realistic penalties for probationer misconduct can improve morale and eliminate unnecessary revocations. By eliminating mandatory community service and implementing incentives for treatment and counseling for those who need it, departments can address probationers' direct criminogenic (criminal tendency) needs instead of levying burdensome requirements that are likely to have little effect on their success.

Furthermore, by implementing more uniform requirements during judicial evaluation of early release, departments can give offenders concrete and meaningful incentives to complete their requirements and pay their fines in a timely and effective manner, increasing their success and saving taxpayers money.