



**WRITTEN TESTIMONY**

**SUBMITTED BY ANA YÁÑEZ-CORREA, EXECUTIVE DIRECTOR  
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**REGARDING HOUSE BILL 403**

**HOUSE OF REPRESENTATIVES  
COMMITTEE ON CRIMINAL JURISPRUDENCE**

**MARCH 20, 2007**

Dear Members of the Committee,

My name is Ana Yáñez-Correa. I am the Executive Director of the Texas Criminal Justice Coalition. Thank you for allowing me this opportunity to present testimony regarding House Bill 403 by Representative Hodge.

Now more than ever, tremendous demands are being put on parole resources. In order to avoid perpetuating the revolving door to the prison system – whereby inmates are being released into the community only to return to prison shortly thereafter – Texas must tailor its parole system so that offenders have tools to aid them in their re-entry into society so that they can live responsible lives. In addition, in order to maintain faith in the system and the hope that rehabilitation is attainable, parolees need to be given real incentives to fully participate.

### **WHAT DOES H.B. 403 DO?**

H.B. 403 would require the Texas Board of Pardons and Paroles (TBPP) to grant early termination of parole or mandatory supervision for individuals who, as a condition of release, participate in and successfully complete a substance abuse treatment program approved by the Department of State Health Services (DSHS). A person whose parole or mandatory supervision was terminated under this section would be considered to have completed his or her full period of parole or mandatory supervision.

The bill would also require that all revenue generated from participants' fees be deposited into the state's general revenue fund to be appropriated only for the purpose of administrating and providing substance abuse treatment.

### **H.B. 403 WILL BETTER FACILITATE OFFENDER RE-INTEGRATION.**

H.B. 403 will provide a meaningful incentive for offenders to not only participate but to make real progress in substance abuse treatment that will allow them to successfully complete the program by truly rehabilitating themselves.

Although successful re-entry preoccupies parolees, they are less able to meet minor parole requirements as they make continued personal progressions (including obtaining a job, maintaining a family, and participating in community activities). In other words, when low-risk parolees are supervised longer than necessary, their likelihood of committing a minor infraction increases. A low-level parolee who fails to avoid persons or places of disreputable or harmful character, who misses an appointment with a parole officer, or who fails to pay the monthly supervision and administrative fee could be revoked from parole and sent back to prison.

Research has revealed that parolees currently returning to prison after a revocation “will have served longer prison sentences than in the past, be more disconnected from family and friends, have a higher prevalence of untreated substance abuse and mental illness, and be less educated and employable than their predecessors.”<sup>21</sup>

**H.B. 403 INCREASES PUBLIC SAFETY BY FOCUSING ON INDIVIDUALS WHO POSE MORE RISK.**

Allowing for early termination of parole and mandatory supervision for qualifying former offenders (those whose primary ailment is drug addiction) will enable parole officers who perform field operations to give more attention to high-risk parolees. Ultimately, H.B. 403 will strengthen parole officers' effectiveness in promoting success by freeing up more resources for intense supervision of high-risk individuals during the critical early period of their sentences. This will reduce crime and save taxpayers' money by eliminating needless spending on long, superfluous supervision.

Furthermore, reducing caseloads will also reduce the likeliness of a parolee absconding, since officers would be able to spend more time tracking and providing close supervision of individuals with a high flight risk, thereby increasing public safety by reducing these individuals' likelihood of recidivating.

In addition, early termination has the potential to free up space in already crowded halfway houses that currently have long waiting lists. This, in conjunction with increased availability of treatment, could allow for the release of more low-level parolees and, in turn, a decrease in the Texas prison population, which has put prisons at maximum capacity.

**TREATMENT IS AN EFFECTIVE AND WISE INVESTMENT, BUT SUCCESS CANNOT BE ACHIEVED THROUGH THE "ONE-SIZE-FITS-ALL" APPROACH**

Styles and modes of treatment service must be matched to the learning styles and criminogenic (criminal tendency) needs of the offender. Depending on individual attributes (e.g., intelligence, levels of anxiety), s/he may have different learning styles and thus respond more readily to some techniques than others.

I appreciate the opportunity to testify before this committee, and to offer our organization's comments on this important issue. I would like to commend Representative Hodge for her leadership in improving our state's criminal justice system through emphasizing treatment and rehabilitation. I hope the committee passes H.B. 403.

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<sup>1</sup> Joan Petersilia, "What Works in Prisoner Reentry? Reviewing and Questioning the Evidence," *Federal Probation*, vol. 68, no. 2, pp. 4-8; and Edward Latessa, "From Theory to Practice," *State of Crime and Justice in Ohio* (2004), pp. 170-171.