

## **Perry vetoes bill that would reform probation**

*By Marie Delahoussaye*

Substantial changes to Texas probation laws were vetoed by Gov. Rick Perry Friday, leaving critics decrying the state's failure to reform an overcrowded criminal justice system.

House Bill 2193 would have reduced probation terms for less serious offenders in an attempt to focus more attention on higher-risk felons.

Perry, however, was hesitant to reduce the sentences for some of the crimes.

In his veto statement, Perry listed some of the crimes he felt should not be included: assaulting a police officer, kidnapping, child or spousal abuse, intoxication assault and habitual drunk driving.

"These are serious crimes, and I do not believe Texas should reduce probationary sentences for offenders who endanger the lives of others in such crimes," Perry said in his statement.

Rep. Jerry Madden, R-Plano, who authored the bill, said he designed it to reduce the workloads of overburdened probation officers, who can be responsible for up to 150 cases at a time.

Madden said probation officers frequently lose track of serious criminals while monitoring the progress of people who have proven their rehabilitation.

"These people who have been on probation for quite some time are the least likely to take off," Madden said.

By relieving them of low-risk cases, Madden said officers would keep better track of serious offenders who frequently escape under the current system.

"We'd rather have the probation officers finding those guys," Madden said.

Ana Yanez-Correa, Southwest legislative liason for the League of United Latin American Citizens, said Perry's veto shows a lack of concern for public safety.

"I don't feel comfortable walking around and knowing that there's going to be all of these people without supervision," Correa said.

In his statement, Perry said the state budget provides enough additional funding to reduce probation officers' caseloads.

Marc Levin, director of the Texas Public Policy Foundation's Center for Effective Justice, said he sees both sides of the issue.

Levin said he agreed that the probation system is broken and that the probation reform plan had some good suggestions for solutions. Levin said he especially approved of language in the bill that would have ensured intervention each time a probationer misses a meeting.

That way, Levin said, offenders are discouraged from accumulating so many infractions that they are sent to prison, which drains the state's resources. Levin said the state's prison system is expected to exceed capacity by the next legislative session.

He said he was concerned about a few provisions, however. Levin said one worrisome aspect of the bill was the rule that judges cannot deny an early probation request because the probationer is indigent. Levin said indigence can sometimes indicate rehabilitation by showing whether a probationer is willing to work.

"The question is whether somebody is indigent because of a lack of effort," Levin said.

Levin said his organization will work with the next Legislature to come up with a better solution for the state's probation problems.

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