



Texas Department of Criminal Justice

Bryan Collier
Executive Director

February 7, 2024

To: Each County Sheriff in the State of Texas

Dear Sheriff:

During the 88th Texas Legislative Session, House Bill (HB) 2620 was enacted. The new legislation further defined requirements for the Texas Department of Criminal Justice (TDCJ) and counties regarding the transfer of inmates from county custody to the TDCJ. As we enter this new year, I wanted to provide a brief reminder of the changes that were implemented:

HB 2620 requires TDCJ to:

- Review documents received under Section 8(a) and (c), Article 42.09, Code of Criminal Procedure (pen packet), and certify the documents as complete within five (5) business days of receiving them. If the agency is unable to certify, TDCJ must then notify the county of missing documentation or that documents require corrective action. If a pen packet is incomplete or inaccurate, the intake timeframe requirements are placed “on hold” until all completed documents are received.
- Accept persons not later than the 45th day following the certification of documents.

If the TDCJ does not take custody of an inmate within the prescribed timeframe, the agency will be responsible for the cost of confinement each day the person remains confined in the county jail beyond the 45 days following document certification. “Cost of confinement” is defined to mean the amount that TDCJ would have incurred to confine the person.

The Legislative Budget Board produces the Criminal and Juvenile Justice Uniform Cost Report which calculates the average cost per day for prison inmates. According to the latest report, the average cost per day is \$77.49. Furthermore, the TDCJ will not be responsible for costs if the delay is caused by the county. Notably, this specific section of the legislation became effective October 1, 2023.

Although HB 2620 does not impose any additional duties upon the counties, it does heighten the importance of sending TDCJ complete paperwork as required by the Code of Criminal Procedure. Complete and accurate paperwork will ensure that TDCJ can timely process intake paperwork to facilitate the transfer of inmates into TDCJ custody.

If corrective action is needed on submitted documents, the agency will contact the county. For your convenience and reference, a pen packet document checklist can be found on the agency’s website at https://www.tdcj.texas.gov/divisions/cid/supt_ops_class_pen_packet.html.

Additionally, should you need them, guidelines for completing county compensation request forms can be found at https://www.tdcj.texas.gov/divisions/cid/supt_ops_class.html.

While not addressed in HB 2620, counties are eligible to receive reimbursement for the cost of transporting state-ready inmates to TDCJ facilities. Should you decide to transport inmates, counties are paid \$0.50 per mile for 1 - 3 inmates, \$1.50 per mile for 4 - 12 inmates, and \$3.00 per mile for 13 or more inmates. A reimbursement form can be found at https://www.tdcj.texas.gov/divisions/cid/supt_ops_class.html.

Our mission is to provide public safety, promote change in inmate behavior, reintegrate inmates into society and assist victims of crime

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Inmate Property:

The property which an inmate may bring into the Texas Department of Criminal Justice (TDCJ) is limited; therefore, please advise inmates in your custody, who are awaiting transfer to the TDCJ, to dispose of unauthorized property prior to being transported to the TDCJ. The TDCJ does not allow inmate body piercings. Please encourage inmates to remove piercings prior to their departure for the TDCJ. Upon arrival at the TDCJ, any unauthorized property items in their possession will be confiscated. Any dangerous contraband will be destroyed. Other unauthorized items will be returned to the inmate's home at the expense of the inmate, donated to a charitable organization (if appropriate), or destroyed.

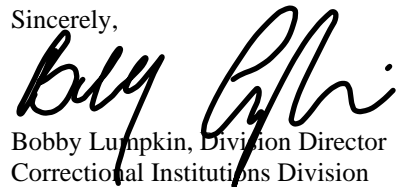
The property an inmate is permitted to possess at the time of intake processing into the TDCJ is limited to the following:

- One of each of those items specific to the inmate's declared faith, if the items are consistent with chaplaincy guidelines. Rosaries and other prayer beads are prohibited at the time of intake;
- Substance abuse literature;
- Jewelry items – one wedding ring and one wristwatch (which may be denied if determined to be excessive in size or value);
- Legal material (limited to official documents pertaining to a current case; no unused stationary items);
- Shower shoes – one pair;
- Photographs, except those of a sexually explicit nature.
- Money – cash, money orders, cashier's and law enforcement agency checks will be deposited into the inmate's individual trust fund account; no personal checks accepted;
- Family or friends' names, addresses, and phone numbers for use when compiling Visitors List;
- Identification documents – if an inmate brings in items such as a birth certificate, social security card, or driver's license, those documents will be taken and mailed to the Reentry and Integration Division in Austin, and returned to the inmate during final departure from the TDCJ;
- Health Care Devices and Supplies – Medically prescribed items will be evaluated for approval by the TDCJ Health Services staff; current contact lenses will be allowed only until state-issued eyeglasses are provided to the inmate; and
- One pair of shoes will be allowed only if a state-issued pair is initially unavailable in the inmate's size; once a state-issued pair is available, the personal shoes must be disposed of.

An inmate returning to the TDCJ following a bench warrant or emergency absence will not be permitted to return with food or hygiene items. However, other property taken with the inmate at the time of departure from the TDCJ may accompany the inmate when returning if it is not determined to pose a safety or security concern. Items purchased from the county jails that are not sold in the TDCJ commissary may not be allowed into the TDCJ. Items requiring registration must be supported by a TDCJ "Registered Property Receipt." Questions regarding the foregoing information may be directed to the Plans and Operations Department of the Correctional Institutions Division at (936) 437-8407.

Thank you for your continued efforts to keep the citizens of this state safe. If you have any questions regarding the intake process, please contact the TDCJ-Admissions Office at 936.437.6387 or 936.437.6236 or email us at paperready@tdcj.texas.gov.

Sincerely,



Bobby Lumpkin, Division Director
Correctional Institutions Division

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