

Executive Order

WPC-40

Establishing the Governor's Task Force on Intellectually Handicapped Citizens and the Criminal Justice System

WHEREAS, the Texas Department of Corrections (TDC) is presently attempting to meet the needs of a broad spectrum of incarcerated adult offenders; and

WHEREAS, among this varied inmate population are an estimated 2,000 inmates who are functioning within the ranges of mental retardation and probably a greater number of inmates possess only borderline intellectual capabilities; and

WHEREAS, the results of a recent survey of TDC personnel indicate that these particular inmates frequently experience significant problems adjusting and functioning within TDC's present institutional setting; and

WHEREAS, it appears that the alternatives to incarceration and the probation and parole supervision offered to these particular citizens may be inadequate; and

WHEREAS, it is suspected that citizens who fall in the above category of inmates may often be sentenced inappropriately, experience repeated failures, and have recidivistic contacts with the criminal justice system; and

WHEREAS, the determination of needs for this particular citizen population and the development of an equitable response to such needs lie beyond the present prison setting.

NOW, THEREFORE, I, William P. Clements, Jr., Governor of Texas, under the authority vested in me do hereby create and establish the Governor's Task Force on Intellectually Handicapped Citizens and the Criminal Justice System, hereinafter referred to as task force.

The task force will consist of not more than 20 members appointed by the governor who shall serve for one-year terms and at the pleasure of the governor. The governor shall designate a chairman and vice-chairman from the membership who shall serve in those positions at the pleasure of the governor.

The task force is charged with the following responsibilities:

- (a) examine in detail the needs of intellectually handicapped inmates in adjusting and functioning within the institutional setting of the Texas Department of Corrections;
- (b) examine in detail the alternatives to incarceration and the probation and parole supervision which can be offered to this category of citizens;
- (c) recommend how and at what stage of contact with the criminal justice system this category of citizen can best be identified;
- (d) recommend to the governor necessary legislation or action by the governor's office which will promote the purpose of the task force;
- (e) perform other duties as may be requested by the governor.

As soon as possible, the task force shall make a complete written report of its activities, findings, and recommendations to the governor.

The task force shall meet regularly at the call of the chairman. A majority of the membership shall constitute a quorum. The chairman shall, with the consultation of the governor, establish the agenda for task force meetings.

The members of the task force shall serve without compensation and without reimbursement for their travel and expenses.

All agencies of state and local governments are hereby directed to cooperate with and assist the task force in the performance of its duties.

This executive order shall be effective immediately and shall remain in full force and effect until modified, amended, or rescinded by me.

Issued in Austin, Texas on December 15, 1981.

TRD-820062

William P. Clements, Jr.
Governor of Texas