



Texas Department of Criminal Justice

Brad Livingston, Executive Director

Community Justice Assistance Division

Bonita White, Director

CJAD Update

35th Annual Chief Probation Officers Conference
San Antonio, Texas

October 1, 2007

1:30 PM

Moving Forward



- Community Supervision has been the subject of 14 legislative interim charges since 2002.
- Numerous reports made key recommendations for strengthening community supervision.
 - Reduce caseload sizes for Community Supervision Officers (CSOs).
 - Increase outpatient and residential treatment.
 - Develop a system of progressive sanctions to address technical violations.
- Both the 79th and 80th Legislature greatly expanded the menu of supervision and treatment options available to community supervision.
- Our task now is to strengthen community supervision by
 - Having a complete and accurate Community Supervision and Tracking System (CSTS)
 - Implementing the new diversion funding
 - Increasing assessment driven supervision and treatment
 - Continuing the focus toward a culture of success

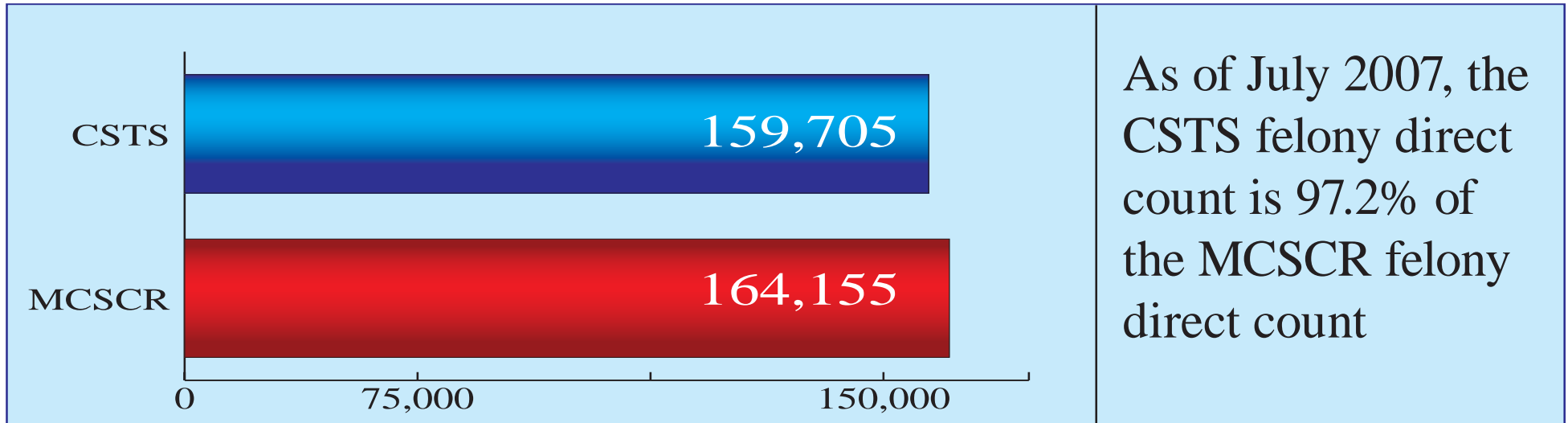


Having a Complete and Accurate CSTS

Having a Complete and Accurate CSTS



Where Is CSTS Today?



- 43 CSCDs are at 99.0% or higher when comparing the number of felony direct offenders in CSTS to the number of felony direct offenders in the MCSCR.
- 84 CSCDs are at 97.0% or higher when comparing the number of felony direct offenders in CSTS to the number of felony direct offenders in the MCSCR.

Having a Complete and Accurate CSTS



Where Are We Going?

- Beginning January 1, 2008 funding will be based on Community Supervision and Corrections Department (CSCD) population counts reported on CSTS.
- The Resource Advisory Committee (RAC) was established to provide input and guidance during the final implementation of CSTS. The membership of this committee includes:
 - Judicial Advisory Council (JAC) members,
 - Probation Advisory Committee (PAC) representatives,
 - CSCD directors and staff,
 - Private software vendors, and
 - TDCJ-CJAD staff.
- Based on progress in developing CSTS, the RAC (at its February 8, 2007 meeting) voted to begin using CSTS data for calculating offender populations for funding purposes.

Having a Complete and Accurate CSTS



What Does This Mean?

- Calendar Year (CY) 2008 felony direct population counts and misdemeanor placements from CSTS will be used to calculate FY 2010 formula fund allocations.
- Calculations for FY 2010 funding will be made in June of 2009.
- This allows CSCDs significant time to update and correct their CY 2008 CSTS data prior to the calculation of the felony direct supervision population for funding purposes.

Having a Complete and Accurate CSTS



Timeline for Implementation of CSTS

2007

- | | |
|---------------|---|
| February 2007 | Resource Advisory Committee votes to use offender population counts in CSTS in calendar year 2008 as the basis for calculating funding allocations for FY 2010. |
| July 2007 | Project log website established to allow CSTS vendors and CSCDs to post CSTS issues and to receive updates on resolution of issues. |
| August 2007 | RAC committee meets to discuss issues and timelines for addressing these issues. |
| October 2007 | Announcement to CSCDs regarding decision to utilize CSTS for calculating offender populations for use in funding allocation formulas based on populations. |

Having a Complete and Accurate CSTS



Timeline for Implementation of CSTS

2008

January 2008 CSTS population counts to be used as basis for offender counts for fund allocation.

January 2008 – June 2009 CSCDs and TDCJ-CJAD work to insure accurate offender counts in CSTS for CY 2008.

March 2009 Preliminary analysis of CY 2008 offender counts to identify remaining differences in CSTS/MCSCR counts and focus on resolving differences with departments.

June 2009 CSTS offender counts for CY 2008 extracted from CSTS to use in calculating funding allocations.

Having a Complete and Accurate CSTS



The vast majority of CSCDs are in the final stages of fully and accurately populating CSTS. However, several challenges remain.

- Challenge:
 - CSCDs and CSTS vendors indicate that the CSTS/MCSCR Comparison percentages are not 100% accurate due to:
 - ◆ duplicate or inaccurate offender information
 - ◆ offenders still in the system past projected termination date
 - ◆ incomplete transfer information not complete
- Solution:
 - TDCJ-CJAD will develop additional or enhanced reports to facilitate correct and complete data.
- The TDCJ-CJAD Data Manual provides a single source overview of the major data submission requirements of TDCJ-CJAD, including:
 - policies and procedures,
 - instructions,
 - forms, and
 - frequently asked questions associated with data reporting requirements.



New

Having a Complete and Accurate CSTS



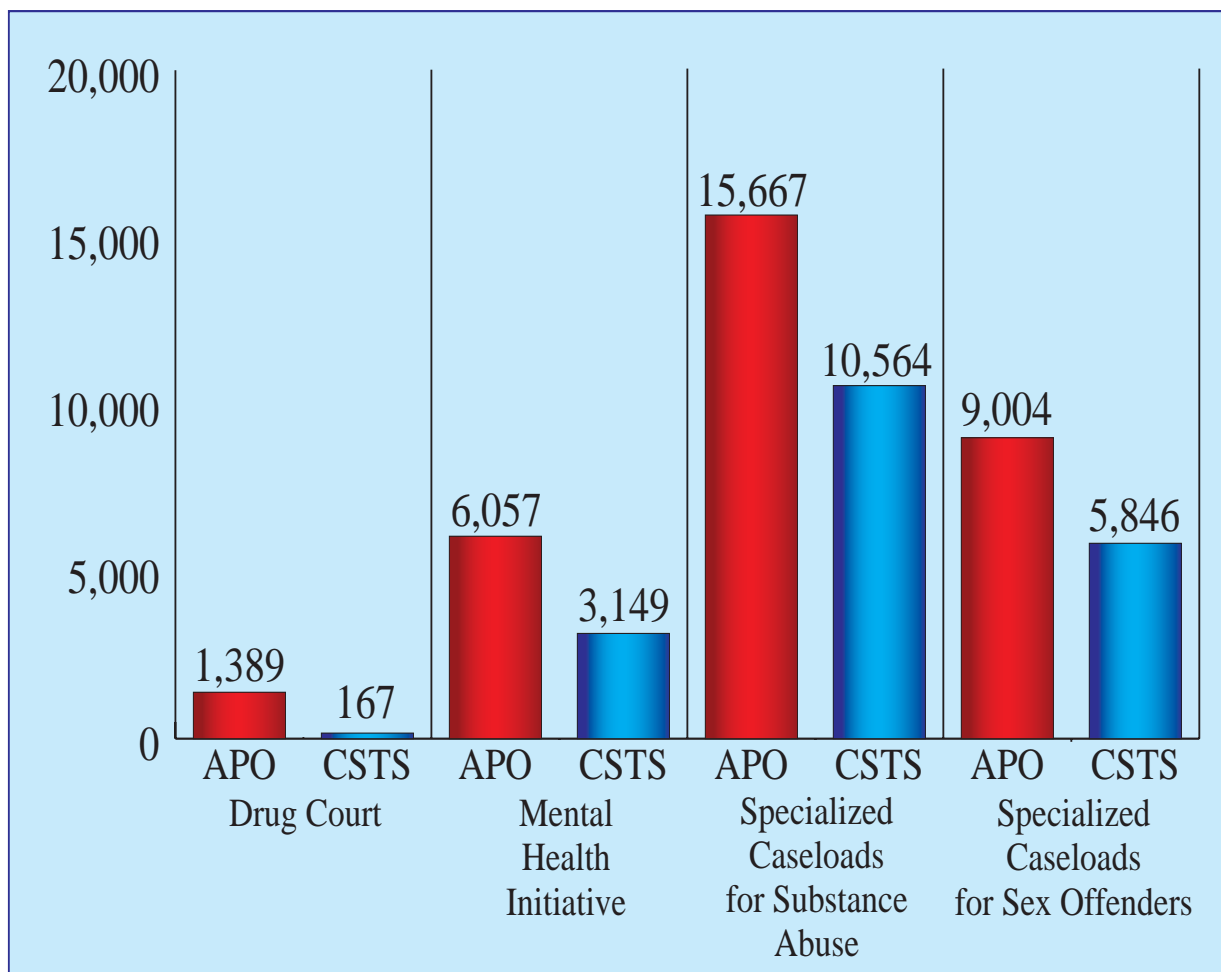
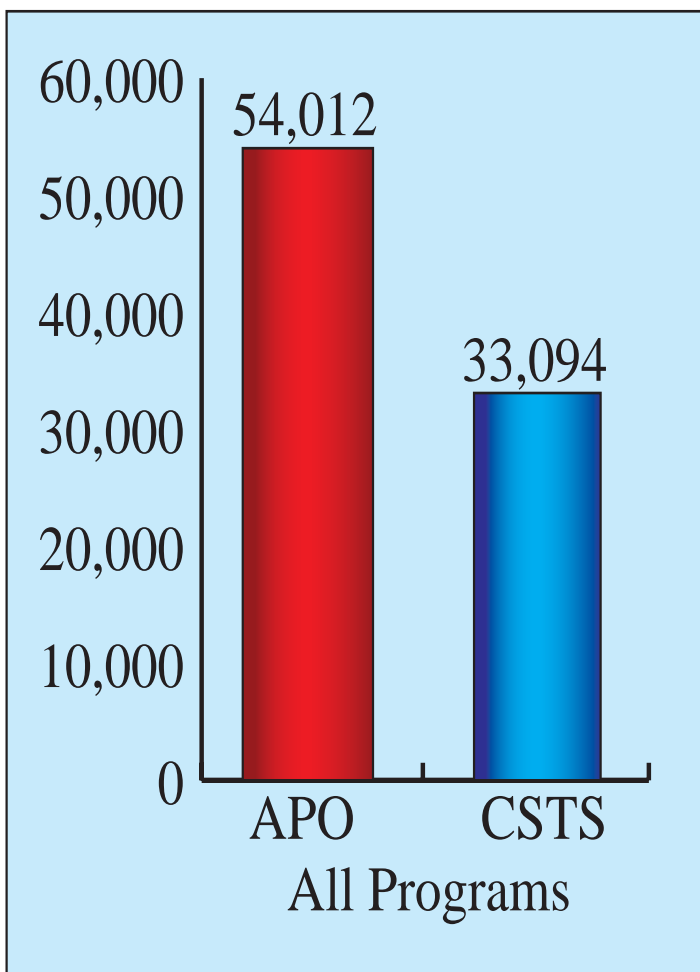
- TDCJ-CJAD Research and Evaluation staff are also available to assist CSCDs in meeting data reporting requirements.
- The Data Management Manual will be found
 - on the FTP Server, in the Research & Evaluation folder
 - on TDCJ-CJAD website (<http://www.tdcj.state.tx.us/cjad/cjad-home.htm> under) “Fact Sheets and Publications”
 - on the TDCJ-CJAD Research and Evaluation website (<http://cjadweb.tdcj.state.tx.us/Research/>)

Having a Complete and Accurate CSTS



- CSTS Program Data Audit

- 27% (121 out of 440) of programs reported in Actual Program Outputs (APO) had no information in CSTS



Having a Complete and Accurate CSTS



- CSTS Termination Data
 - 11,876 offenders were listed as active in CSTS who were beyond their calculated expiration date (extension cases were excluded).
- CSTS Risk Score Data
 - 28 counties had no risk score data in CSTS.
 - 37 counties had 30% or more of their direct cases missing a risk score.

Implementing the New Diversion Funding

Implementing the New Diversion Funding



Summary of funding provided by the 80th legislature to be utilized by community supervision

\$63.1 million increase for 1,500 new Substance Abuse Felony Punishment treatment beds

\$32.3 million increase for 800 new Community Correctional Facility beds

\$28.8 million increase for 1,400 new Intermediate Sanction Facility (ISF) beds (shared with Parole)

\$17.5 million increase in Basic Supervision funding

\$10 million increase for Outpatient Substance Abuse Treatment

\$10 million increase for Mental Health treatment through Texas Correctional Office on Offenders with Medical or Mental Impairments (TCOOMMI)

Note: The monetary amounts listed above are totals for the FY2008-2009 biennium.

■ CSCD Operated

■ TDCJ Operated

Implementing the New Diversion Funding



2007

July 3	New DP funding Instructions distributed to CSCDs
July 9	SAFP/DWI/ISF RFP Distributed
July 12	TTC RFP Distributed
August 6	New DP funding proposals due to CJAD
August 20	10 CSCDs, who received extensions, submitted Rider 84 Program Proposals
September 1	600 CCF beds/Outpatient Treatment
September 30	Diversion Plan Report due (Rider 86)
October 9	SAFP/DWI/ISF RFP proposal submission deadline
October 12	TTC RFP proposal submission deadline
October 15	New DP funding distributed to CSCDs

■ Deadline set by Legislature

■ Major milestone for the implementation of new funding.

Implementing the New Diversion Funding



2008

January 1	1,300 SAFP beds
January 1	700 Probation/Parole ISF
March 1	SAFP/DWI/ISF service commencement date
March 24	TTC service commencement date
July 1	200 CCF beds
July 1	700 Probation/Parole ISF
September 1	200 SAFP beds

- Deadline set by Legislature
- Major milestone for the implementation of new funding.

Implementing the New Diversion Funding



- New Diversion Funding Rider 84 Grant Awards
 - 42 CSCDs applied
 - ◆ 21 CSCDs requested \$20 Million (M) for Community Corrections Facility Beds during FY 2008
 - ◆ 33 CSCDs requested \$8M for Outpatient Substance Abuse Treatment during FY 2008
 - Outpatient Treatment Rider 84.a. (\$5M)
 - ◆ Restore outpatient substance abuse treatment funding to FY05 level
 - ◆ Cover reduction in CC funds associated with outpatient programs
 - ◆ Provide outpatient services to those CSCDs who do not have local resources
 - Residential Treatment Rider 84.c. (\$14.3M)
 - ◆ Restore outpatient substance abuse treatment funding to FY05 level
 - ◆ Shore up reduction in CC associated with residential programs
 - ◆ Need for Substance Abuse treatment in the area/establishment of a regional CCF
 - ◆ Expansions of CCF beds with minimal construction/adding treatment beds to existing facilities
 - The Rider 84 grant funding will be distributed to CSCDs mid-October.

Implementing the New Diversion Funding



- Rider 89. Medically Targeted Substance Abuse Treatment
 - \$1M per year to provide physician supervised acute medical treatment for methamphetamine and/or cocaine-addicted offenders.
 - September 5th; CJAD sent a notice to the 15 CSCDs with the largest direct offender population notifying them of the availability of these funds.
 - ◆ Should those 15 CSCDs not request all of the available funding, additional CSCDs will be invited to apply.
 - September 28, 2007; Due date for program proposals and budgets.
- Contingency Rider for House Bill 530
 - Provides for the (FY 2008 only) transfer of \$270,000 into the Diversion Programs funding line or the purpose of providing grants to DWI courts or courts operating dual DWI/drug court programs
 - August 30th; CJAD sent a notice of the availability of these funds to CSCDs whose county populations exceed 200,000
 - September 24, 2007; Due date for program proposals and budgets

Implementing the New Diversion Funding



- Rider 60. Refunds of Unexpended Balances from CSCDs
 - Prior to this past legislative session this rider specified that
 - ◆ each funding line had a specific amount required to be received for the first year of the biennium
 - ◆ any excess refunds from the individual funding line were required to be allocated to CSCDs within the same funding line
 - During the past session the rider was changed to allow the flexibility to allocate excess refunds to specific areas of need
 - CJAD's first priority will be to use excess refunds to shore up Community Corrections (CC) and outpatient substance abuse treatment funding
 - To reduce future refunds, CJAD will continue to monitor the utilization of these funds.
 - CSCDs determining that excess funds exist should inform CJAD so the funds can be redistributed.
 - We encourage CSCDs to spend allocated funding to provide supervision and treatment services to the offenders.

Implementing the New Diversion Funding



- Rider 85. Withholding of Funds
 - Allows CJAD the ability to withhold funds from CSCDs that refuse to comply with TDCJ data reporting requirements.
 - Examples of failure to report in a timely fashion include:
 - ◆ 28 CSCDs did not report the November 2006 Caseload Report by the established deadline necessary for reporting the Caseload performance measure to the LBB or reported incorrectly.
 - ◆ 29 CSCDs did not submit reports on the number of offenders served in programs funded in FY 2006 by TDCJ-CJAD by the established deadline.
 - ◆ As of 3 months after the deadline, no data had been received on 139 of the 859 programs receiving funding from TDCJ-CJAD.
 - ◆ 27 CSCDs are below 90% compliance on reporting direct felons in the Community Supervision Tracking System (CSTS)

Implementing the New Diversion Funding



- Rider 86. Diversion Plan
 - Requires TDCJ to submit a plan for the expenditures of diversion funding by September 30, 2007.
 - The plan will cover all prison diversion elements including:
 - ◆ Diversion Program funding provided to CSCDs
 - ◆ SAFP Facilities
 - ◆ Intermediate Sanction Facilities
 - ◆ Mental Health treatment funding provided through TCOOMMI
 - ◆ Parole Halfway House Facilities
 - The rider also specifies that the plan should include:
 - ◆ goals to be accomplished,
 - ◆ implementation strategies to accomplish each goal,
 - ◆ expected implementation timelines,
 - ◆ expected recidivism and diversion outcomes for each goal listed,
 - ◆ strategies to identify the most appropriate offenders to participate and complete programs before parole eligibility.



Increasing Assessment Driven Supervision and Treatment

Increasing Assessment Driven Supervision and Treatment



- Through implementation meetings with a committee of community supervision stakeholders, we have been gathering input on effectively and efficiently utilizing these additional resources.
- This committee is made up of members of the:
 - Judicial Advisory Council;
 - Probation Advisory Committee;
 - Strategic Planning Committee;
 - Texas Probation Association; and
 - TDCJ
- To date, there have been 5 implementation meetings (April 19th, May 11th, May 23rd, July 26th, and September 17th - 18th).

Increasing Assessment Driven Supervision and Treatment



- This group of stakeholders' operational and implementation recommendations included:
 - that TDCJ manage the Intermediate Sanction Facility (ISF) beds
 - treatment tracks for offenders in ISF
 - the creation of a community supervision substance abuse continuum
- Strategies for the Intermediate Sanction Facility – Substance Abuse (ISF-SA) program
 - Placement based on an established, validated assessment;
 - Treatment Tracks (both substance abuse and cognitive);
 - Transportation, inappropriate placement, successful completion and coordinating release.

Increasing Assessment Driven Supervision and Treatment

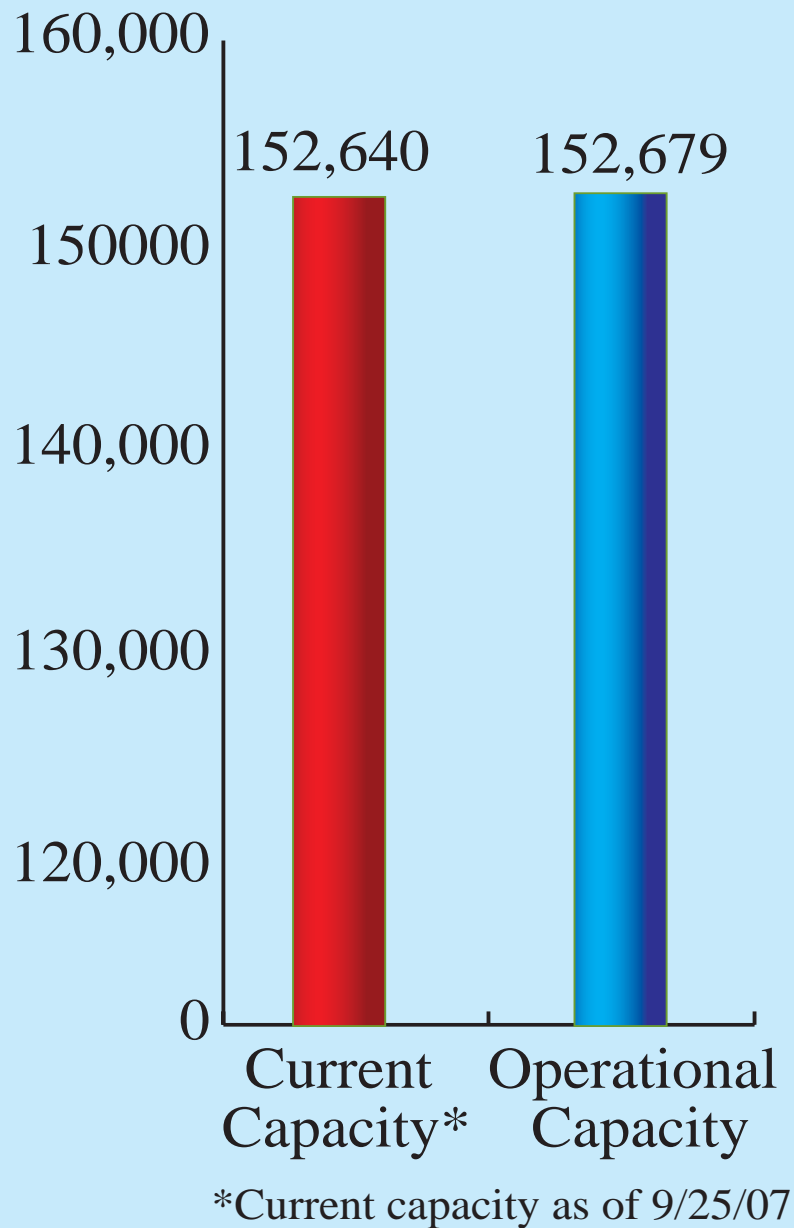


- This group of stakeholders' operational and implementation recommendations included: (continued)
 - Develop an assessment driven Substance Abuse Treatment Continuum of Care
 - ◆ The establishment of a standard for the assessment process before placement in a SA Program;
 - ◆ Development of a Decision Tree based on local and state resources and relevant offender characteristics which are linked to program options.
 - Education
 - ◆ PowerPoint on FTP and TDCJ-CJAD website
 - ◆ Brochure for distribution to CSCDs, Judges, Prosecutors, and other stakeholders.
 - ◆ Inclusion and informational sessions at the Sentencing Conference, Texas Center for Judiciary, Texas District & County Attorneys Association etc.
 - ◆ Recommendation for a pilot program to test liaison function.



Continuing the Focus Toward a Culture of Success

Continuing the Focus Toward a Culture of Success



- New Prison Construction
 - Beginning in January, the Legislative Budget Board will begin making Adult and Juvenile Correctional Population Projections every 6 months (Jan/June).
 - Should the adult correctional population surpass the threshold funds for new prison construction have already been authorized.
- The Legislative Budget Board continues to profile revoked felons in their *Texas Community Supervision Revocation Project*.

Threshold - TDCJ Correctional Institutions Division operational capacity which is equal to 97.5 percent of the total combined capacity.

Continuing the Focus Toward a Culture of Success



What does that mean to me?

1 less revocation per officer

