

Brad Livingston, Executive Director  
Texas Department of Criminal Justice

Carey Welebob, Director  
TDCJ - Community Justice Assistance Division (TDCJ-CJAD)

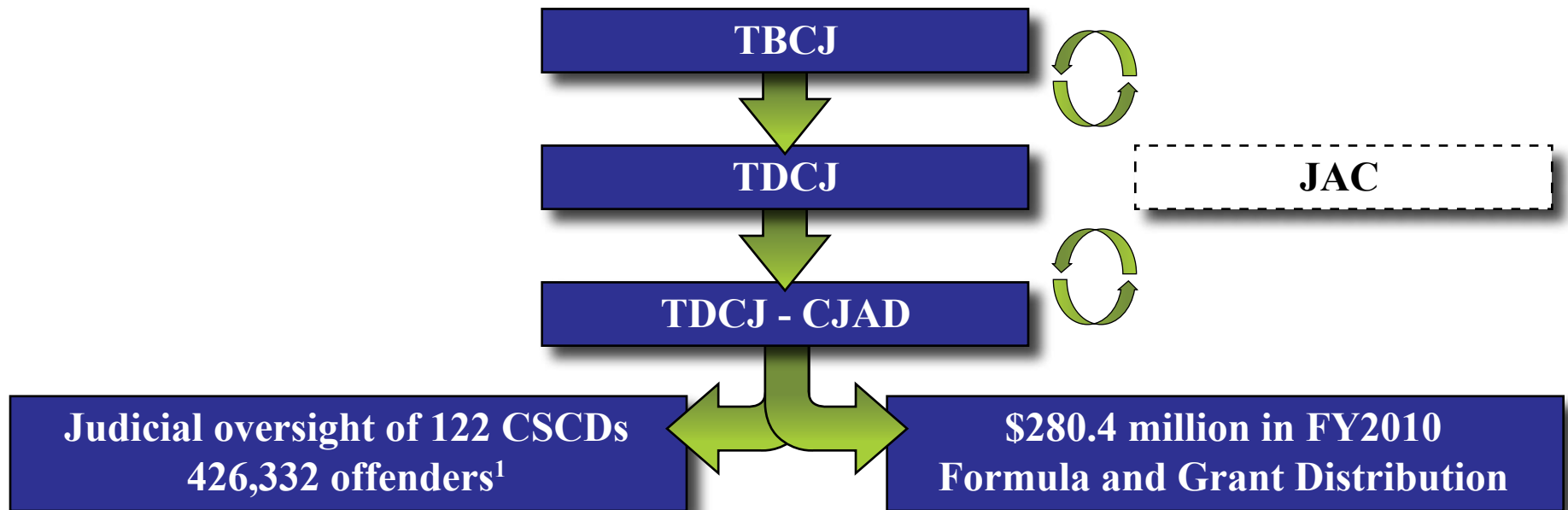


# Community Supervision in Texas

Presentation to the House Committee on Corrections

March 16, 2010

# Community Supervision in Texas



- ▶ The Texas Board of Criminal Justice (TBCJ) and TDCJ-CJAD are advised by the 12 member Judicial Advisory Council (JAC)
  - 6 members are appointed by the Chief Justice of the Texas Supreme Court and
  - 6 members are appointed by the Presiding Judge of the Texas Court of Criminal Appeals

<sup>1</sup> As of December 2009

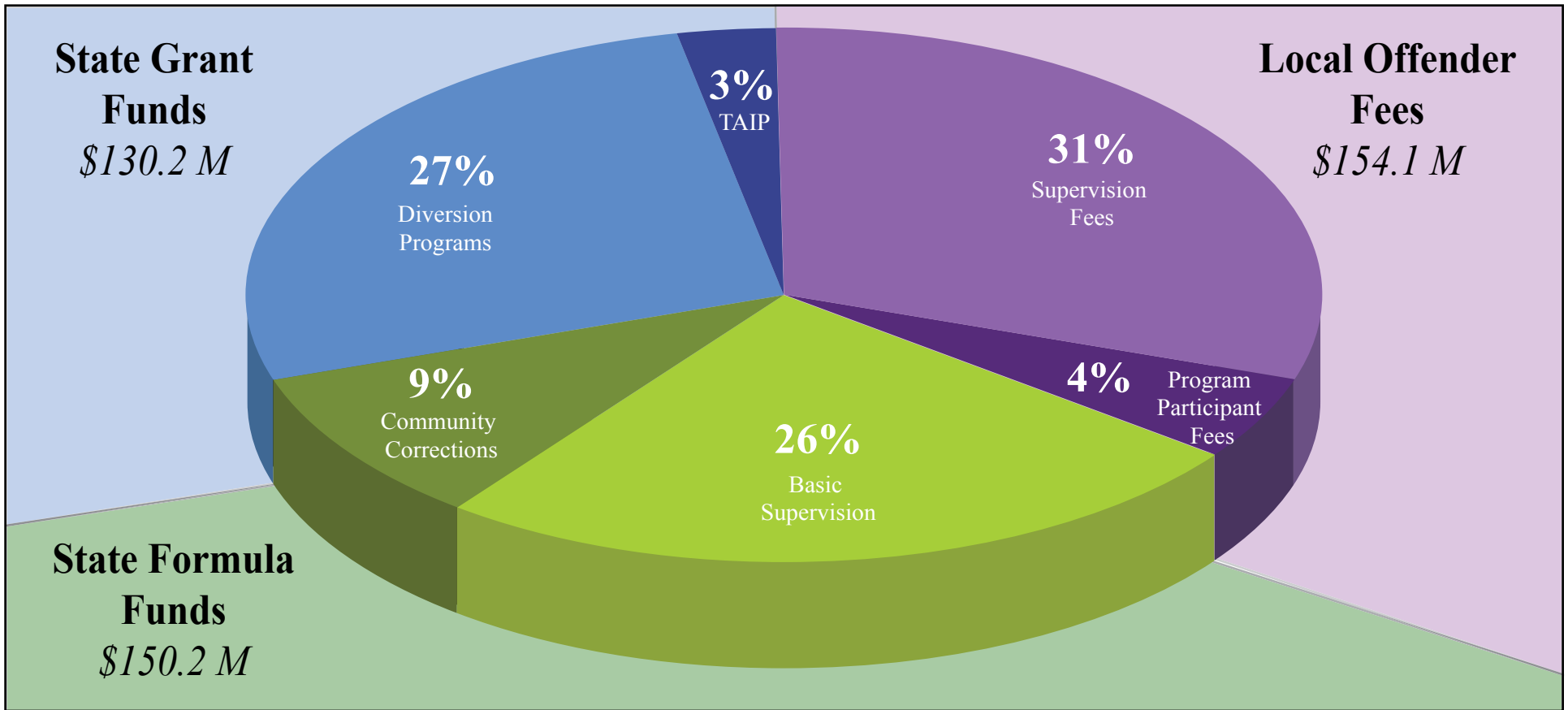
# Responsibilities of TDCJ-CJAD

- ▶ Distribute formula and grant funds
- ▶ Develop standards, including best-practice treatment standards
- ▶ Approve Community Justice Plans and budgets
- ▶ Conduct program and fiscal audits
- ▶ Provide training and certification of community supervision officers
- ▶ Provide technical assistance to Community Supervision and Corrections Departments (CSCDs)
- ▶ Provide direction on allowable and unallowable expenditures
  - CSCDs are required to abide by both the TDCJ-CJAD Financial Management Manual and the TDCJ-CJAD Contract Management Manual
- ▶ Evaluate program effectiveness
- ▶ Report statistical data to federal, state and local governing bodies
- ▶ Maintain the Community Supervision Tracking System (offender tracking system)

# Role of CSCDs

- ▶ Administer and provide pretrial services and diversion programming for the courts
- ▶ Prepare presentence investigation reports
- ▶ Conduct criminogenic risk/needs assessments prior to and/or during the term of supervision
- ▶ Supervise, monitor compliance and rehabilitate offenders placed on community supervision
- ▶ Provide differential supervision for offenders as assessed by criminogenic risk/needs, and as may be defined by offense, including specialized caseloads
- ▶ Collect and/or monitor the collection of court ordered restitution, fines, and/or fees
- ▶ Report and address violations through department's progressive sanctions and interventions models
- ▶ Refer probationers to appropriate community resources, CSCD or TDCJ programs
- ▶ Report statistical and financial data

# Sources of Funding for CSCDs



State Funding	FY2010	Local Offender Fees	FY2009
Basic Supervision	\$111.4 million	Supervision Fees	\$135.2 million
Community Corrections	\$38.8 million	Program Participant Fees	\$18.9 million
Diversion Programs	\$118.6 million		
TAIP	\$11.6 million		
	\$280.4 million		\$154.1 million
<b>TOTAL</b>		<b>\$434.5 million</b>	

# Sources of Funding for CSCDs

- ▶ Departments must comply with TDCJ-CJAD Standards for CSCDs
- ▶ State Formula Funds
  - Basic Supervision (Basic) Funds
    - Provide core community supervision services that meet required levels of supervision
    - Distributed based on the previous calendar year's number of misdemeanor placements, direct felons and pretrial counts of offenders on community supervision, in comparison to the State's totals
  - Community Corrections (CC) Funds
    - Provide state funding to community-based correctional programs
    - Distributed based on the previous calendar year's direct felony offender count and the county's civil population

# Sources of Funding for CSCDs

- ▶ State Grant Funds
  - Diversion Program (DP) Funds
    - Target the diversion of offenders from incarceration
  - Treatment Alternative to Incarceration Program (TAIP) Funds
    - Primary statewide community-based substance abuse treatment program for probationers
  - To receive grant funding, CSCDs must submit signed special grant conditions that
    - Target specific programs
    - Help ensure that programs have the essential components that reduce recidivism
    - Apply a standardized and validated assessment instrument to potential referrals
- ▶ Local Offender Fees
  - Supervision fees - by statute are not less than \$25 and not more than \$60 per month
  - Program participant fees - amount depends on the CSCD and type of program

# Legislative Investments in Community Supervision

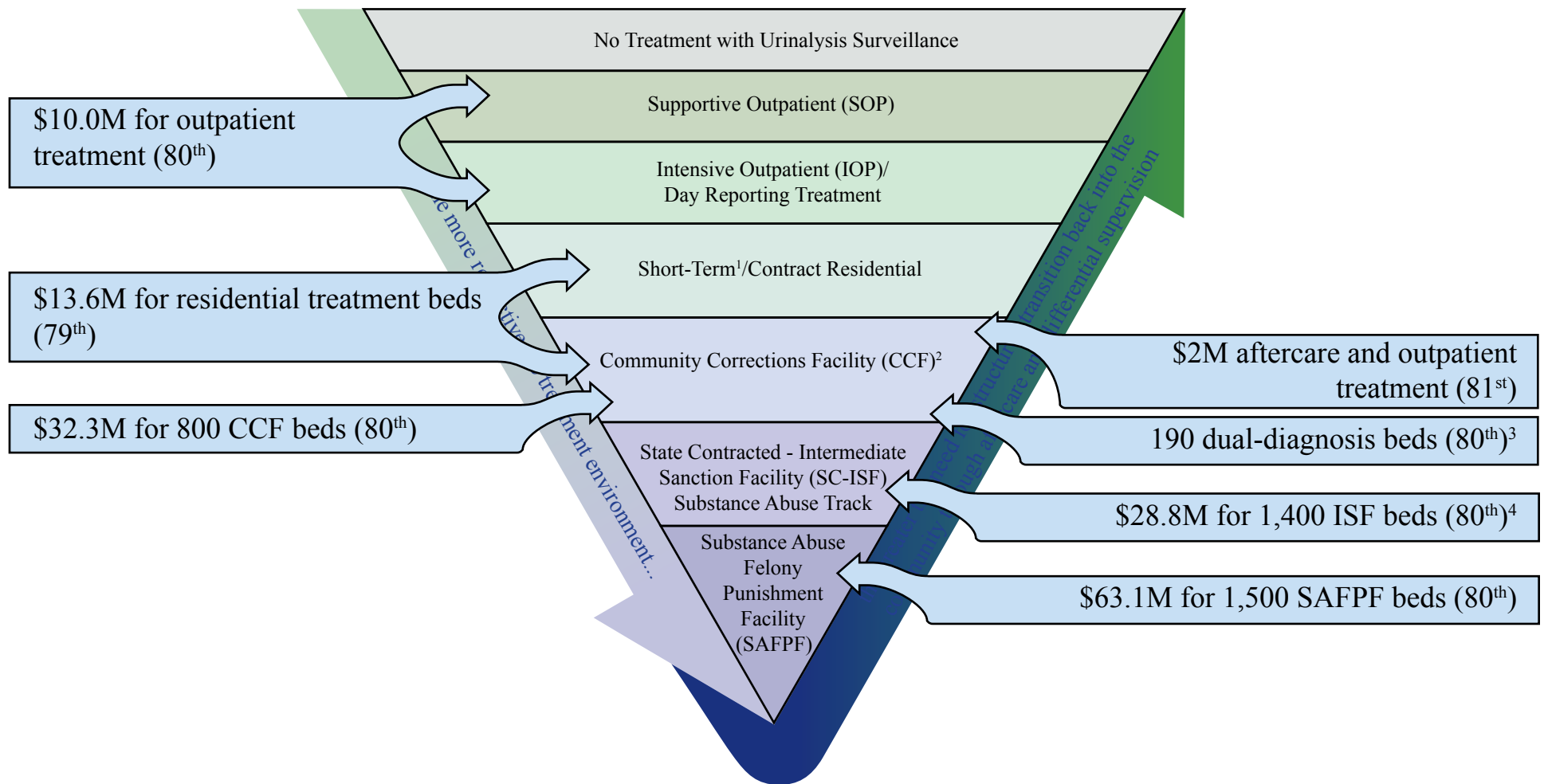
- ▶ 79th Legislature
  - An additional \$55.5M per biennium intended to reduce caseloads, increase the utilization of progressive sanctions models, and provide additional residential treatment beds
  
- ▶ 80th Legislature
  - Provided significant new funding intended to further strengthen community supervision
    - CSCD Operated
      - ◆ \$32.3M increase for 800 new Community Corrections Facility (CCF) beds
      - ◆ \$10.0M increase in Outpatient Substance Abuse Treatment
      - ◆ \$17.5M increase in Basic Supervision funding (\$7.5M due to increased population projections)
    - TDCJ Operated
      - ◆ \$63.1M increase for 1,500 new Substance Abuse Felony Punishment (SAFP) treatment beds
      - ◆ \$28.8M increase for 1,400 new Intermediate Sanction Facility (ISF) beds (shared with parole)
      - ◆ \$10.0M increase for Mental Health Treatment through Texas Correctional Office on Offenders with Medical or Mental Impairments (TCOOMMI)



# Legislative Investments in Community Supervision

- ▶ 81st Legislature
  - Provided funding to recruit and retain quality community supervision officers and direct care staff, as well as operationalizing treatment resources from the previous session
    - \$11.1M increase for increased population projections in Basic Supervision funding
    - \$13.1M increase for community supervision officers and direct care staff salary increases
      - ◆ 3.5% pay increase in FY2010 and
      - ◆ an additional 3.5% salary increase in FY2011
    - \$20M increase to operationalize the phase in of SAFP, ISF and CCF beds
    - \$2M for substance abuse aftercare and outpatient treatment for offenders completing contract residential or CCF placement for substance abuse

# Continuum of Care for Substance Abuse Treatment



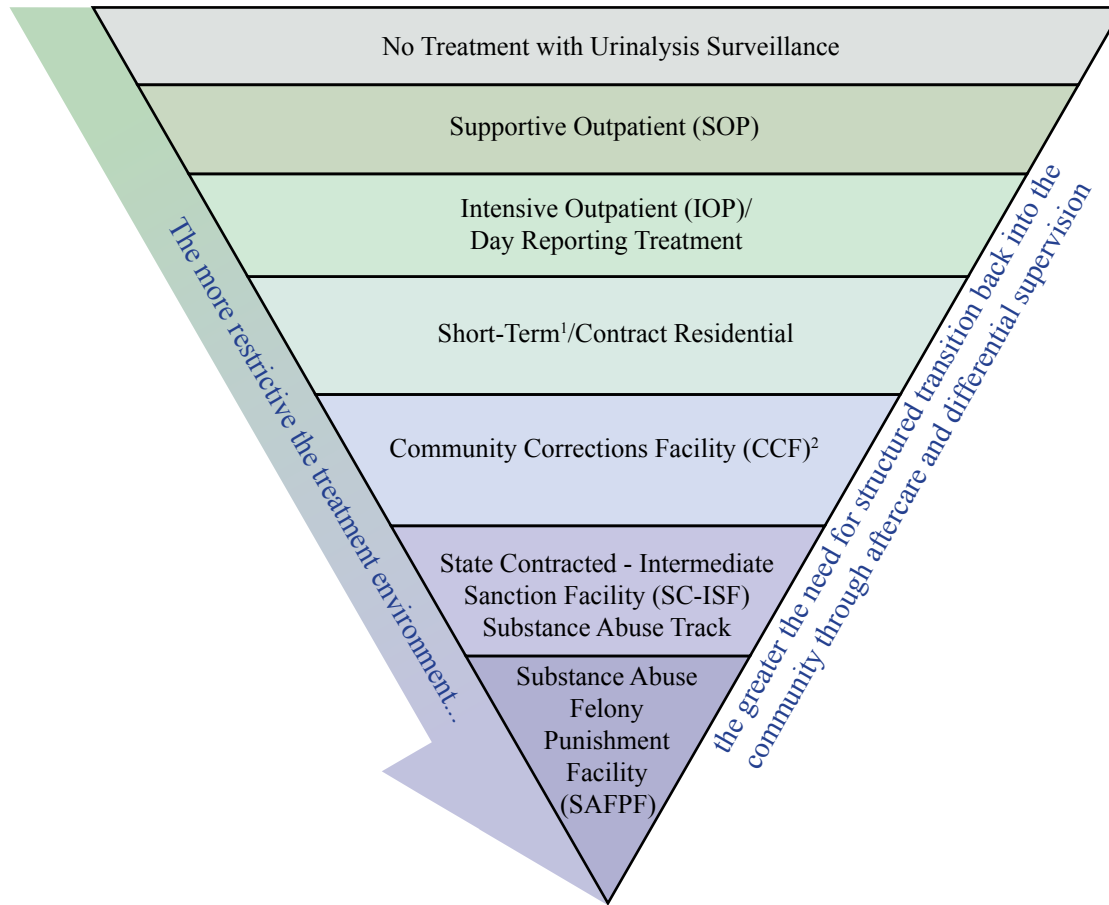
<sup>1</sup>Short-Term Residential: A treatment term of 30 days or less in a residential substance abuse treatment program, including but not limited to a private program, contract residential treatment program, regional drug abuse halfway house funded thru the Texas Department of State Health Services (DSHS), or a relapse track return to the original CCF.

<sup>2</sup>Community Corrections Facilities (CCFs): Not all CSCD-operated CCFs provide substance abuse treatment. The two types of CCFs providing primarily substance abuse treatment are Court Residential Treatment Centers (CRTCs) and Substance Abuse Treatment Facilities (SATFs).

<sup>3</sup>TCOOMMI used a portion of its \$10.0M to partner with CSCDs to provide 190 dual diagnosis beds in CCFs.

<sup>4</sup>Shared with Parole.

# Continuum of Care for Substance Abuse Treatment



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# Substance Abuse Felony Punishment Population

- ▶ Current Capacity and Population as of 2/28/2010
  - Total Capacity: 4,170 beds
  - Total Vacancies: 1,052 beds
  
- ▶ Initiatives to Fill Vacant Treatment Beds
  - Mailed letters to judges trying criminal cases
  - Mailed letters to district attorneys
  - Included the Continuum of Care for Substance Abuse Treatment in the *2009 Texas Progressive Interventions and Sanctions Bench Manual*
  - Presented at the 2009 Skills for Effective Intervention Conference about the Continuum of Care for Substance Abuse Treatment and TDCJ resources
  - Presented at the 2009 Sentencing Conference advising of the available treatment beds
  - Presented a panel at the 2009 Sentencing Conference answering questions in regard to accessing resources within TDCJ
  - Presented to the Association of Substance Abuse Treatment Providers about TDCJ resources
  - Discussed bed utilization with JAC and Probation Advisory Committee members

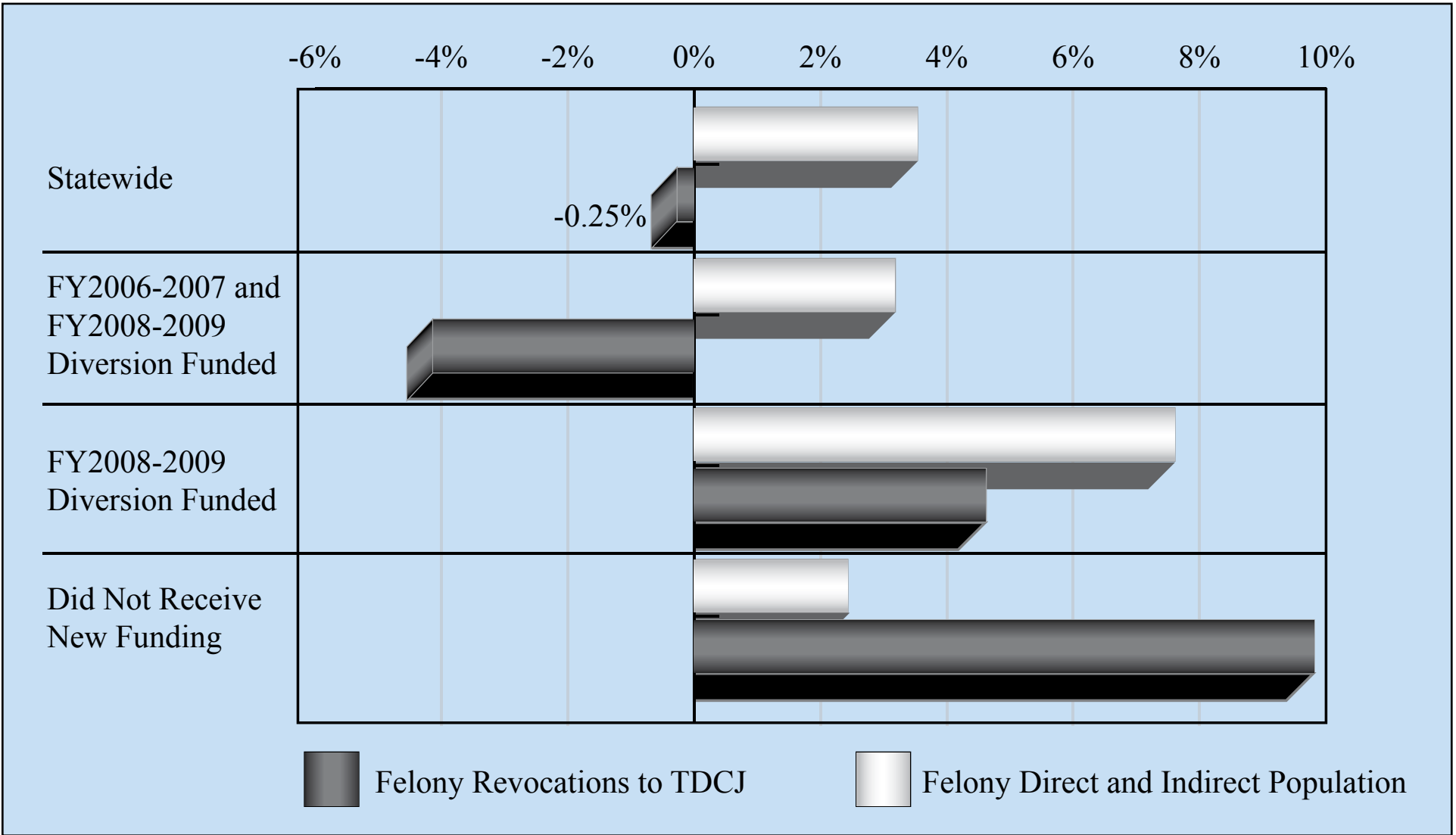
# Evaluation Criteria

- ▶ Change in Felony Revocations
- ▶ Change in Felony Probation Placements
- ▶ Change in Felony Technical Revocations to TDCJ-CID
- ▶ Average Community Corrections Facility Population
- ▶ Change in Felony Early Discharges
- ▶ Change in Community Supervision Officers Employed
- ▶ Change in Caseload Size

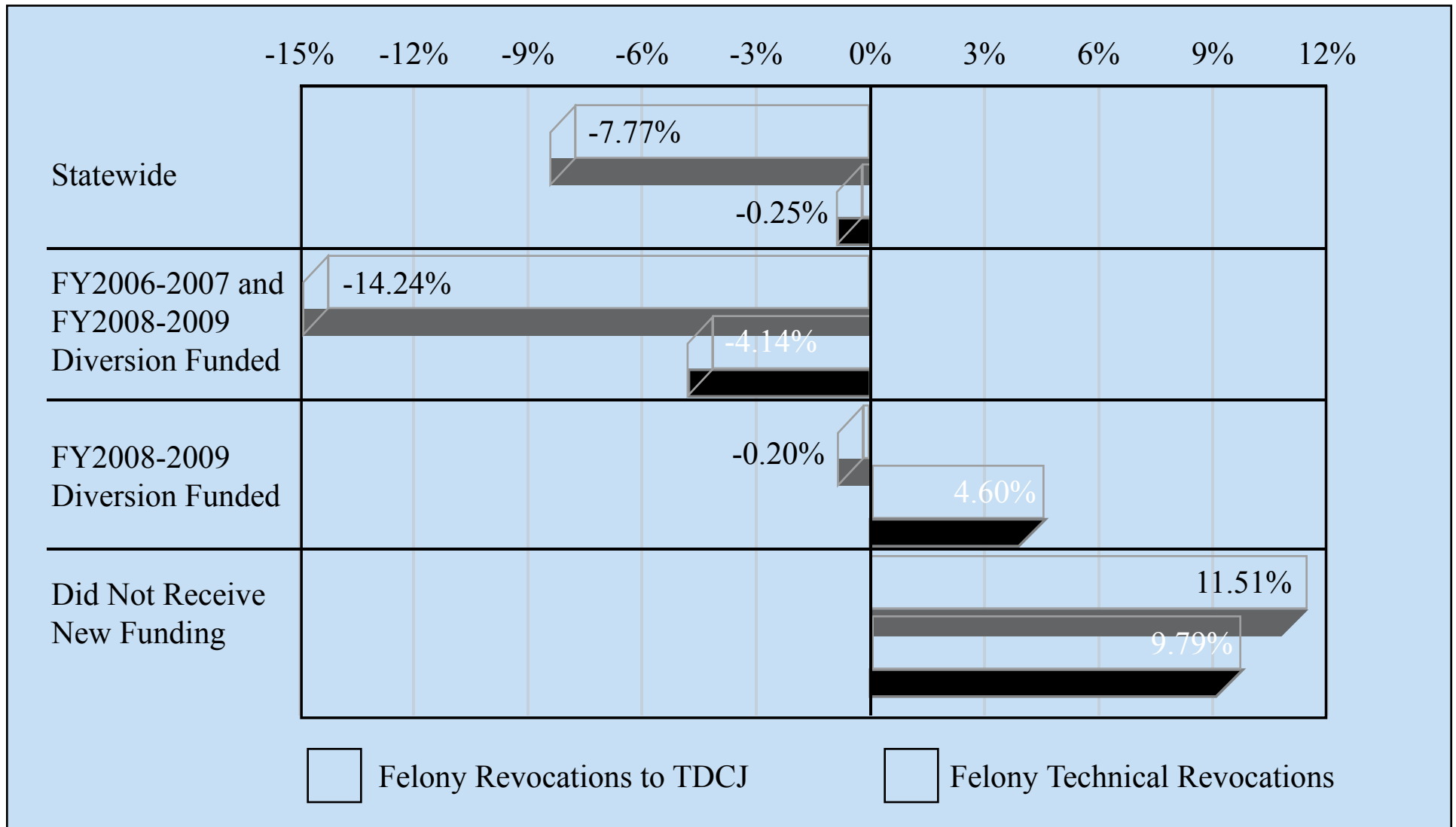
CSCDs were classified into three categories:

- ▶ FY2006-2007 and FY2008-2009 Diversion Funded (66% of the statewide felony population, 26 CSCDs)
  - Received additional funding from funds appropriated by the 79th and 80th Legislatures
- ▶ FY2008-2009 Diversion Funded Only (12% of the statewide felony population, 23 CSCDs)
  - Received additional funding from funds appropriated by the 80th Texas Legislature
- ▶ Did Not Receive New Funding (22% of the statewide felony population, 73 CSCDs)

# Felony Revocation and Population Percent Change Between FY2004-2005 and FY2008-2009

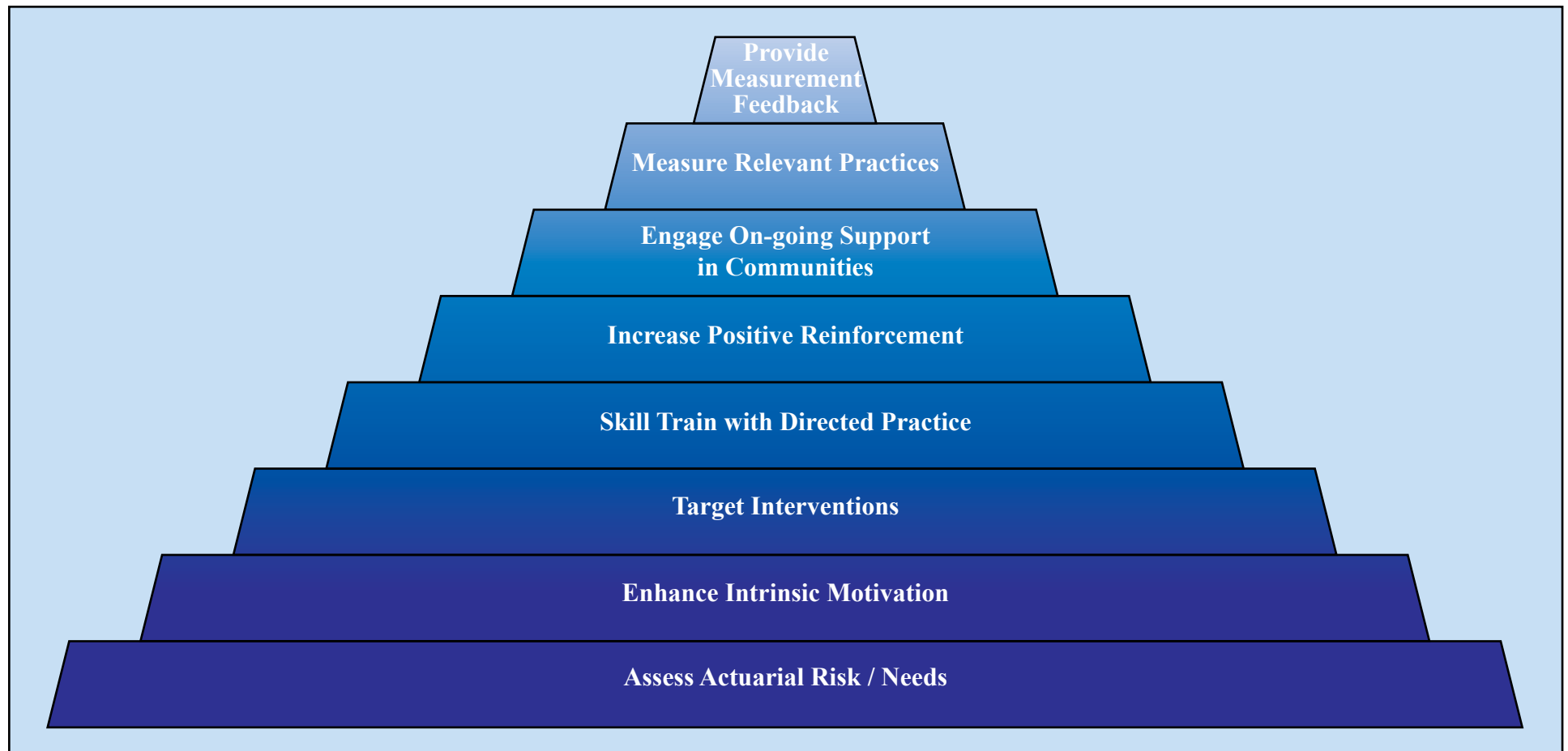


# Technical Revocations vs. Total Revocations Between FY2004-2005 and FY2008-2009



# Evidence-Based Principles

- ▶ By using the best available evidence from research as the foundation of policy development and program implementation, supervision can be individualized to address offender risks and needs
- ▶ The meta-analyses of hundreds of research studies have identified eight highly-interdependent principles that, when used to develop criminal justice programs, can lead to a reduction in recidivism.





## Foundation: Assess Actuarial Risk/Needs

- ▶ CSCDs are required to conduct both risk and needs assessments
- ▶ The Texas risk assessment instrument consists of 11 weighted items associated with recidivism
  - Normed to the Texas community supervision population
  - Validated, most recently, by TDCJ-CJAD's Research and Evaluation Section in 2005
- ▶ Additionally, the Strategies for Case Supervision (SCS) assessment is required for all felony offenders classified as high-risk
  - SCS is a companion tool to the risk and needs assessments and is used as a case management tool that promotes differential caseload supervision
- ▶ TDCJ-CJAD and the CSCDs have been collaborating on the development and implementation of a public domain risk/needs assessment which will give officers in-depth information regarding offender criminogenic needs and responsivity

# Evidence-Based Practices in Texas

- ▶ TDCJ-CJAD began using Evidence-Based Practices (EBP) in 1999, when the division was trained by the National Institute of Corrections on “Changing Offender Behavior” and subsequently implemented training programs statewide
- ▶ In 2003, over \$15M was reallocated from programs categorized as non-diversionary and allocated to programs categorized as diversionary in nature
- ▶ In 2003, the Legislature directed TDCJ-CJAD to incorporate EBP into substance abuse treatment standards
- ▶ Diversionary program proposals are required to provide research or a sound theoretical rationale regarding the program design and expected reduction in recidivism
- ▶ Programs are required to:
  - Use assessments to drive placement of offenders that meet the program’s target population
  - Provide programming that targets criminogenic needs and includes a cognitive behavioral component
  - Collect data to be used for outcome evaluations

# Evidence-Based Practices in Texas

- ▶ Since FY2006, TDCJ-CJAD has given grant funding preference to CSCDs that
  - Agreed to develop and utilize progressive sanctions models for their departments
  - Submitted their locally developed progressive sanctions models
  - Based their progressive sanctions models on elements described in SB166 passed by the 80<sup>th</sup> Texas Legislature
- ▶ TDCJ-CJAD uses the research-based Correctional Program Checklist (CPC) to evaluate residential programs; the CPC score and outcomes are then used to evaluate programs, identify needed interventions, and allocate funding
- ▶ TDCJ-CJAD has shifted its audit focus to help ensure that evidence-based practices are utilized in CSCD supervision and program delivery
- ▶ Revisions to the TDCJ-CJAD Standards for CSCDs reflect evidence-based practices
- ▶ The Skills for Effective Intervention Conference and the Sentencing Conference have focused workshops around EBP
- ▶ Every December 1<sup>st</sup>, TDCJ-CJAD publishes the *Report to the Governor and Legislative Budget Board on the Monitoring of Community Supervision Diversion Funds*

