

Report to the Governor and  
Legislative Budget Board on the  
Monitoring of Community Supervision  
Diversion Funds



December 1, 2009

Report to the  
Governor and  
Legislative  
Budget Board  
on the  
Monitoring of  
Community  
Supervision  
Diversion Funds

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## INTRODUCTION

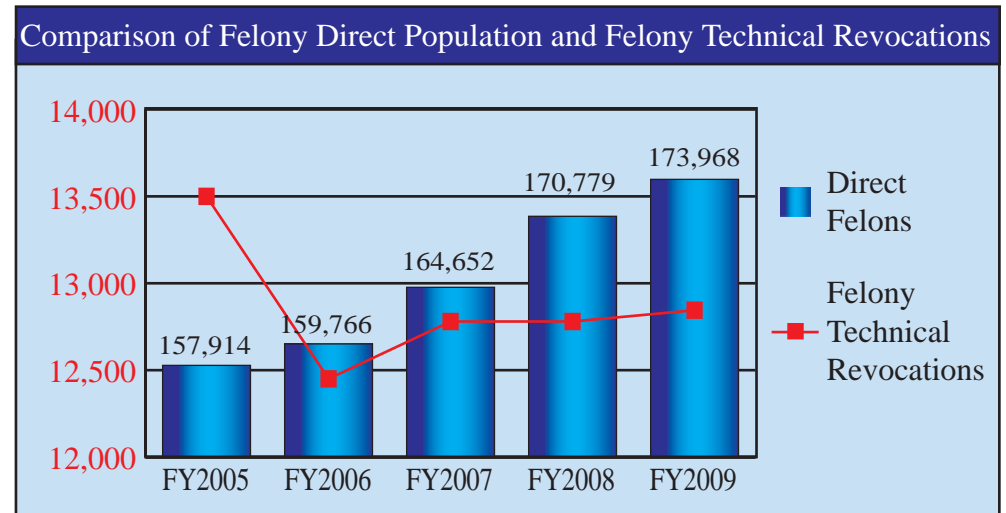
The 79<sup>th</sup> Legislature allocated approximately \$55.5 million in new funds for Strategy A.1.2. Diversion Programs for the FY2006-2007 biennium. As a result of this funding, the Texas Department of Criminal Justice-Community Justice Assistance Division (TDCJ-CJAD) awarded 26 caseload reduction and aftercare caseload diversion grants, and 11 residential treatment diversion grants.

The 80<sup>th</sup> Legislature provided new funding that allowed TDCJ-CJAD to award an additional 36 outpatient substance abuse treatment grants and provide for new residential treatment beds. These funds are intended to strengthen community supervision by reducing caseloads, increasing availability of substance abuse treatment options, reducing revocations to prison by utilizing progressive sanctions models, and providing more community supervision options for residential treatment and aftercare.

The Legislature required TDCJ-CJAD to publish an annual monitoring report on the impact of this new funding. This report will further document the impact that these new initiatives have had on community supervision in Texas. This series of reports has been published since 2005 under the title of *Report to the Governor and Legislative Budget Board on the Monitoring of Community Supervision Diversion Funds* (the Monitoring Report) and is available on the TDCJ website.

## IMPACT OF ADDITIONAL DIVERSION FUNDING

The felony direct community supervision population increased 10.2% from August 31, 2005 (157,914 offenders) to August 31, 2009 (173,968 offenders). The additional diversion funding from the 79<sup>th</sup> and 80<sup>th</sup> Texas Legislatures provides resources to Community Supervision and Corrections Departments (CSCDs) to work with offenders and keep them in the community while maintaining public safety.



The following pages provide detailed information on the impact and outcome of:

- Additional diversion funds allocated by the 79<sup>th</sup> and 80<sup>th</sup> Texas Legislatures
- House Bill (HB) 530: DWI Court Funding (80<sup>th</sup> Texas Legislature)



# Effectiveness of Diversion Funds Allocated by the 79<sup>th</sup> and 80<sup>th</sup> Texas Legislatures

## EFFECTIVENESS OF DIVERSION FUNDS ALLOCATED BY THE 79<sup>TH</sup> AND 80<sup>TH</sup> TEXAS LEGISLATURES

Detailed information on the allocation of additional diversion funding provided by the 79<sup>th</sup> and 80<sup>th</sup> Texas Legislatures was reported in previous reports. The Legislature directed that funding preference should be given to CSCDs using a progressive sanctions model.

### Additional Funding Provided by the Texas Legislature

#### 79<sup>th</sup> Legislature

Provided an additional \$55.5 million per biennium intended to:

- reduce caseloads and
- provide additional residential treatment beds.

#### 80<sup>th</sup> Legislature

Provided significant new funding intended to further strengthen community supervision.

#### CSCD Operated

- \$32.3 million increase for 800 new Community Corrections Facility (CCF) beds
- \$10.0 million increase in Outpatient Substance Abuse Treatment
- \$17.5 million Basic Supervision funding
  - \$10.0 million increase in Basic Supervision funding
  - \$7.5 million increase due to increases in population projections

#### TDCJ Operated

- \$63.1 million increase for 1,500 new Substance Abuse Felony Punishment (SAFP) treatment beds
- \$28.8 million increase for 1,400 new Intermediate Sanction Facility (ISF) beds (shared with parole)
- \$10.0 million increase for Mental Health Treatment through Texas Correctional Office on Offenders with Medical or Mental Impairments (TCOOMMI)



# Effectiveness of Diversion Funds Allocated by the 79<sup>th</sup> and 80<sup>th</sup> Texas Legislatures

## Implementation of Funding Provided by the 80<sup>th</sup> Texas Legislature

The implementation of the new funding allocated by the 80<sup>th</sup> Texas Legislature began in April 2007 when TDCJ-CJAD established the Community Supervision Stakeholders Committee (CSSC) to aid the division with the effective and efficient implementation of the new diversion funding. The CSSC is composed of a diverse representation of community supervision practitioners who include representatives from the:

- Judicial Advisory Council
- Probation Advisory Committee
- Strategic Planning Committee
- Texas Probation Association
- Texas Department of Criminal Justice

The CSSC recommended that TDCJ operate the new ISF beds funded by the Legislature on behalf of the CSCDs. The committee also recommended that the ISFs should include a cognitive treatment track, a substance abuse treatment track, and a substance abuse relapse track. The CSSC worked closely with TDCJ-CJAD to develop the policies and procedures manual for admitting community supervision offenders to the new ISF.

With the increase in treatment resources for community supervision, the CSSC determined the importance of not only educating community supervision stakeholders about these resources, but also creating a simple method for community supervision officers to place the right probationer in the right treatment program. The CSSC met numerous times in 2008 and 2009, and in July 2009 published the Continuum of Care for Substance Abuse Treatment, a statewide model for intervention with probationers who have substance abuse problems. The continuum is founded on evidence-based principles which indicate that interventions should be driven by individual assessment with treatment conducted in the least restrictive setting as indicated by that assessment. Copies of the continuum are available from TDCJ-CJAD.

The CSSC continues work to strengthen community supervision in Texas through:

- Studying the feasibility of developing and validating a new statewide criminogenic risk and needs assessment that reflects current evidence-based research on criminality to effectively target community supervision resources; and
- The development of curriculum and training on the Continuum of Care for Substance Abuse Treatment and the additional diversion initiatives for CSCD staff, judges, the prosecutor and defense bars, and the public.



# Effectiveness of Diversion Funds Allocated by the 79<sup>th</sup> and 80<sup>th</sup> Texas Legislatures

TDCJ-CJAD continues to inform stakeholders about current evidence-based practice research and diversion programs available throughout the state. The July 2009 SKILLS Conference focused on community supervision officers and mid-level supervisors using evidence-based practices to assess probationers and place them in the appropriate treatment programs. The November 2009 Sentencing Conference continued with the theme of evidence-based discretionary sentencing practices in a court environment.

## CSCD OPERATED RESOURCES FOR COMMUNITY SUPERVISION

Rider 84.a. (outpatient substance abuse treatment) and Rider 84.c. (residential substance abuse treatment) funds provided by the 80<sup>th</sup> Legislature were distributed to CSCDs in FY2008. The distribution of FY2008 Rider 84.a. and 84.c., GAA 2007, are detailed in the 2008 Monitoring Report. Distribution of FY2009 Rider 84 funds is detailed in Appendix A of this report.

## TDCJ OPERATED RESOURCES FOR COMMUNITY SUPERVISION

The 80<sup>th</sup> Legislature also provided TDCJ with funds to strengthen community supervision by providing both Substance Abuse Felony Punishment Facility (SAFPF) and Intermediate Sanction Facility (ISF) beds that are available to all 122 CSCDs.

### Substance Abuse Felony Punishment Facilities

Adult probation utilizes approximately 90% of the agency's total SAFPF beds. Prior to FY2008, there were 3,250 SAFPF beds in TDCJ. The 80<sup>th</sup> Legislature provided funding for an additional 1,500 SAFPF beds. To date, at the end of FY2009, 920 of the new SAFPF beds have been made operational. The remaining 580 beds will be phased in beginning September 2009, and will be fully operational by February 2010.

### Intermediate Sanction Facilities

As previously noted, the Community Supervision Stakeholders Committee recommended that TDCJ manage the operation of the ISF beds allocated by Rider 84.b., 2007 GAA. To date, 240 SC-ISF beds for community supervision are operational, with the remaining 460 expected to come online by September 1, 2010.





# Effectiveness of Diversion Funds Allocated by the 79<sup>th</sup> and 80<sup>th</sup> Texas Legislatures

## Mental Health Treatment

The 80<sup>th</sup> Legislature allocated \$10 million for the FY2008-2009 biennium to the Texas Correctional Office on Offenders with Medical or Mental Impairments (TCOOMMI) to provide mental health services, medications, and continuity of care to juvenile and adult offenders with mental impairments. TCOOMMI and TDCJ-CJAD have targeted a portion of the new funds for 190 residential treatment beds for offenders with mental illnesses and a substance abuse disorder. These targeted beds, located in Bexar, Dallas and Harris counties, provide the courts with a much-needed alternative to incarceration for dually diagnosed probationers.

## MONITORING

TDCJ-CJAD developed new audit plans to monitor the new diversion funds:

- Caseload reduction audits to determine accuracy of caseload reports submitted to TDCJ-CJAD;
- Progressive sanctions audits to determine if departments met requirements of the progressive sanctions model and if the models were being implemented as designed;
- Aftercare program audits to review compliance with requirements of aftercare caseload programs; and
- Revocation audits to ensure the effective delivery of programs and services through proper application of progressive sanctions prior to filing a motion to revoke.

Caseload reduction funding allocated by the 79<sup>th</sup> Legislature was distributed to 26 CSCDs beginning in FY2006. To date, 20 of the 26 CSCDs have been audited for the presence and application of progressive sanctions and aftercare caseloads. These CSCDs have also received revocation audits to determine if developed progressive sanctions and supervision strategies are effective.

During FY2008-2009, TDCJ-CJAD conducted five (5) progressive sanctions audits and one (1) aftercare caseload audit. To address revocations, TDCJ-CJAD conducted four (4) revocation study audits in Bexar, Collin, Hidalgo, and Nueces County CSCDs. These audits have proven effective in assisting CSCDs with implementing progressive sanctions models, improving utilization of aftercare caseloads, and ensuring effective delivery of programs and services in lieu of filing a motion to revoke.



# Effectiveness of Diversion Funds Allocated by the 79<sup>th</sup> and 80<sup>th</sup> Texas Legislatures

## MEASURING EFFECTIVENESS

The 2005 Monitoring Report established and subsequent reports used evaluation criteria to monitor the impact of new diversion funds. TDCJ-CJAD is using seven criteria in this report to monitor the impact of the additional diversion funding appropriated by the 80<sup>th</sup> Texas Legislature. The evaluation criteria are listed below, and definitions of each are in Appendix B:

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

For purposes of analyzing the impact of diversion funds appropriated by the 79<sup>th</sup> and 80<sup>th</sup> Texas Legislatures, CSCDs were classified into three categories:

% of Statewide Felony Population	Category
66%	<b>FY2006-2007 and FY2008-2009 Diversion Funded</b> CSCDs (26) which received funding from the additional diversion funds appropriated by the 79 <sup>th</sup> and 80 <sup>th</sup> Texas Legislatures. One CSCD continued FY2006-2007 additional diversion funding and did not receive new FY2008-2009 diversion funding.
12%	<b>FY2008-2009 Diversion Funded Only</b> CSCDs (23) which received funding from the additional diversion funds appropriated by the 80 <sup>th</sup> Texas Legislature that did not receive diversion funds in FY2006-2007.
22%	<b>Did Not Receive New Funding</b> CSCDs (73) which did not receive any of the additional diversion funds appropriated in FY2006-2007 or FY2008-2009.

FY2004-2005 is used as a baseline against which to evaluate results, as additional diversion funding was first distributed in FY2006-2007.



# Effectiveness of Diversion Funds Allocated by the 79<sup>th</sup> and 80<sup>th</sup> Texas Legislatures

## OUTCOME OVERVIEW

Although the percentage of felony revocations has shown decreases between FY2004 and FY2009, it is reasonable to expect that the *number* of revocations will increase as the total felony community supervision population increases. The additional diversion funding from the 79<sup>th</sup> and 80<sup>th</sup> Texas Legislatures provides resources to CSCDs to work with offenders and keep them in the community while maintaining public safety. Outcome results indicate that these resources are working despite numerical increases in felony revocations to TDCJ.

Numerically, felony revocations to TDCJ are returning to FY2004-2005 levels after a decrease in the FY2006-2007 biennium. Felony revocations to TDCJ decreased 3.3% from FY2004-2005 to FY2006-2007, and then increased 3.2% from FY2006-2007 to FY2008-2009. However, the felony direct and indirect population has grown steadily since the FY2004-2005 biennium. The population increased 1.5% from FY2004-2005 to FY2006-2007 and 2.0% from FY2006-2007 to FY2008-2009.

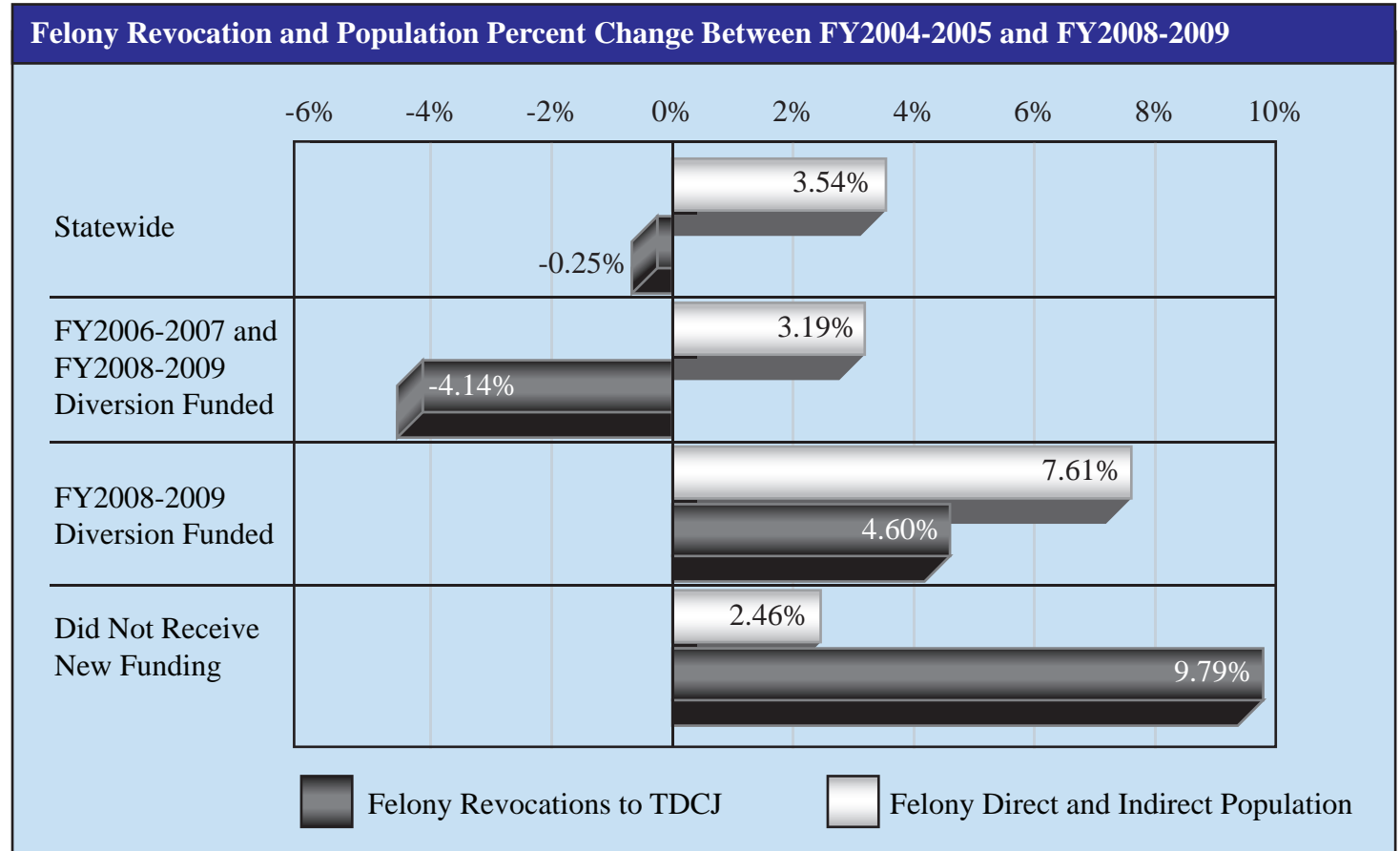
Between FY2004-2005 and FY2008-2009 the felony direct and indirect population increased 3.5% from 233,152 on August 31, 2005 to 241,414 on August 31, 2009. As the chart below illustrates, the direct and indirect population is increasing at a faster rate than felony revocations, meaning a smaller percentage of the total population is being revoked even though the total number of revocations has increased.

Felony Revocations to TDCJ and Felony Direct and Indirect Population			
	FY04 - FY05	FY06 - FY07	FY08 - FY09
Felony Revocations to TDCJ	48,841	47,209	48,720
Felony Direct and Indirect Population	233,152	236,617	241,414



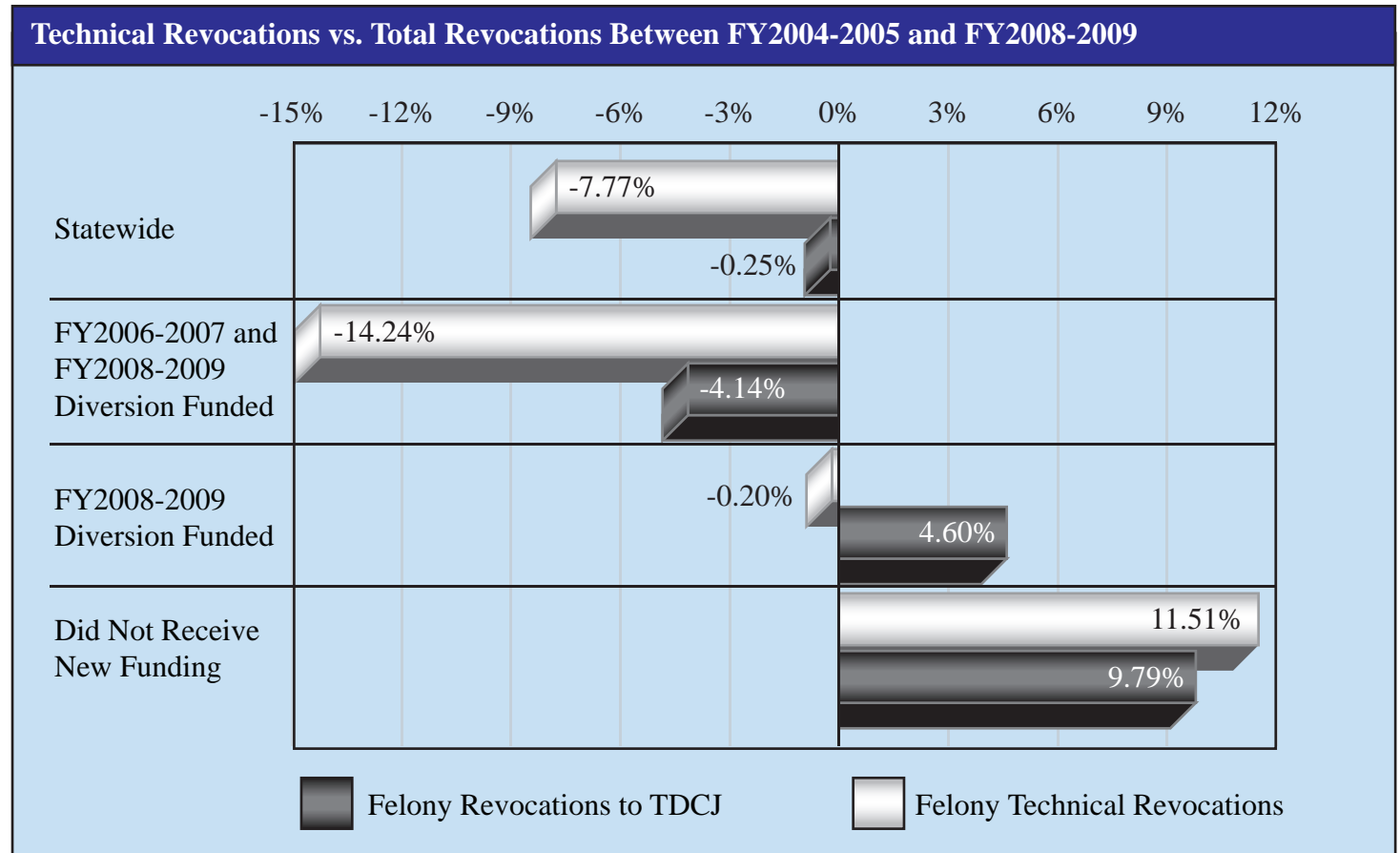
# Effectiveness of Diversion Funds Allocated by the 79<sup>th</sup> and 80<sup>th</sup> Texas Legislatures

As the following table demonstrates, felony revocations to TDCJ have not increased at the same rate as the direct and indirect population in CSCDs that received additional funding, while CSCDs that did not receive additional diversion funding had growth in felony revocations to TDCJ that outpaced growth in the felony direct and indirect population.



# Effectiveness of Diversion Funds Allocated by the 79<sup>th</sup> and 80<sup>th</sup> Texas Legislatures

Additionally, decreases in felony technical revocations in CSCDs that received additional funding have outpaced decreases in total felony revocations to TDCJ. CSCDs that did not receive additional diversion funding have increased felony technical revocations by 11.5% while felony revocations to TDCJ increased by 9.8% from FY2004-2005 to FY2008-2009. This data indicates that CSCDs which received additional diversion funding have utilized the additional resources to apply progressive sanctions and continue to work with offenders who violate conditions of community supervision.



# Effectiveness of Diversion Funds Allocated by the 79<sup>th</sup> and 80<sup>th</sup> Texas Legislatures

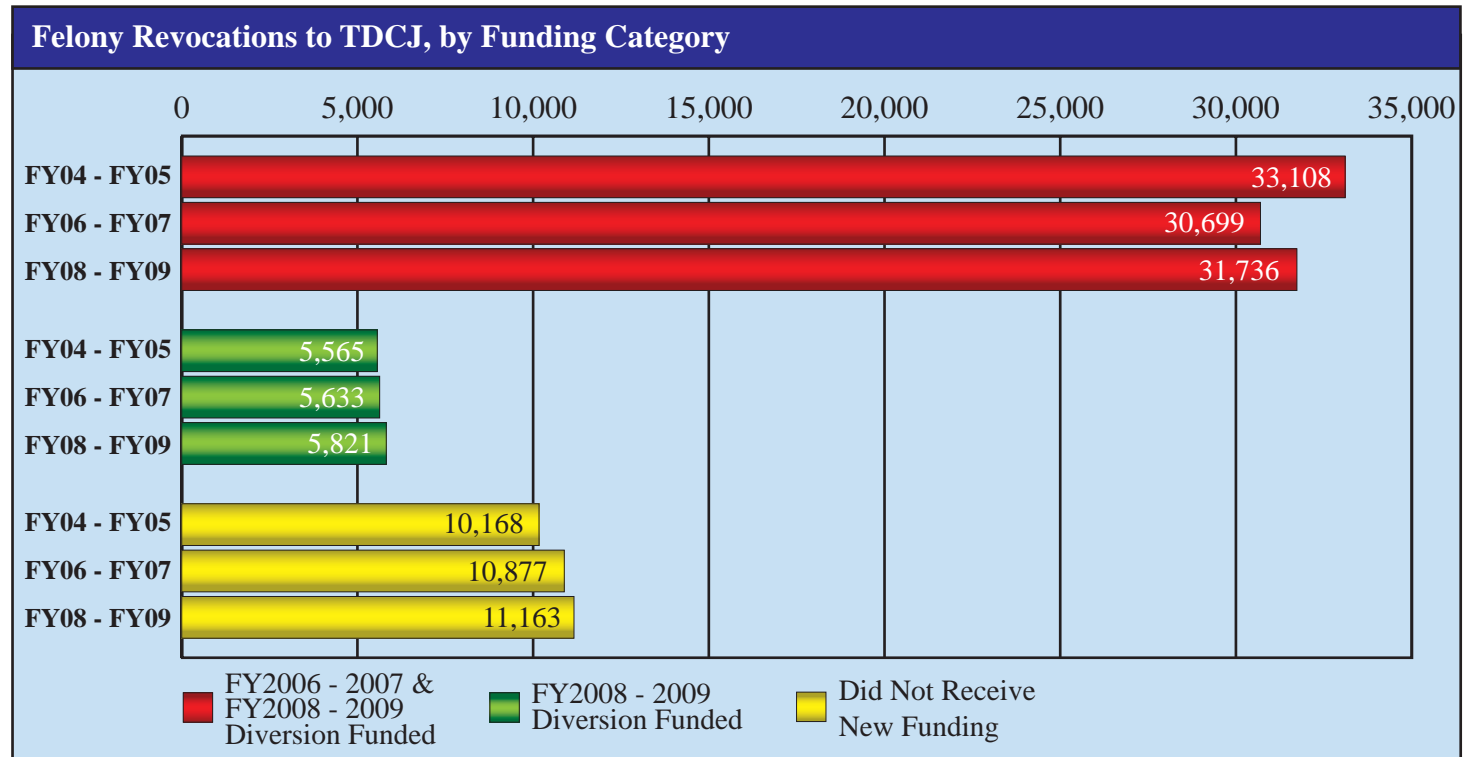
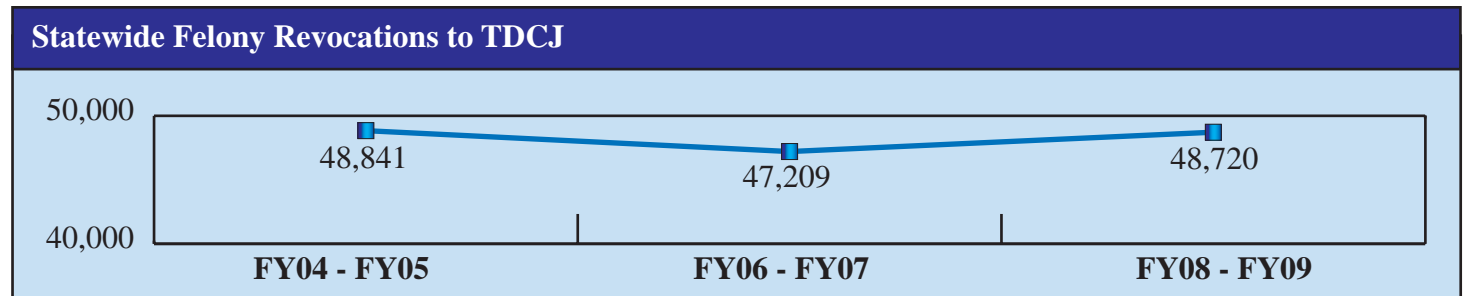
## OUTCOME RESULTS

Analysis of the evaluation criteria shows that CSCDs receiving additional diversion funding had the most positive outcomes. Cumulatively, departments that received additional diversion funding in FY2006-2007 and FY2008-2009 had the largest percentage:

- Reductions in felony revocations;
- Reductions in felony technical revocations;
- Reduction in caseload size; and
- Increase in felony community supervision placements.



# Effectiveness of Diversion Funds Allocated by the 79<sup>th</sup> and 80<sup>th</sup> Texas Legislatures



Statewide felony revocations to the Texas Department of Criminal Justice-Correctional Institutions Division (TDCJ-CID) increased 3.2% from FY2006-2007 to FY2008-2009; however, felony revocations decreased 0.2% from the baseline biennium of FY2004-2005.

Departments receiving FY2006-2007 and FY2008-2009 diversion funding had 1,037 more felony revocations in FY2008-2009 than in FY2006-2007, representing a 3.4% increase. However, felony revocations decreased 4.1% (1,372 revocations) from FY2004-2005.



# Effectiveness of Diversion Funds Allocated by the 79<sup>th</sup> and 80<sup>th</sup> Texas Legislatures

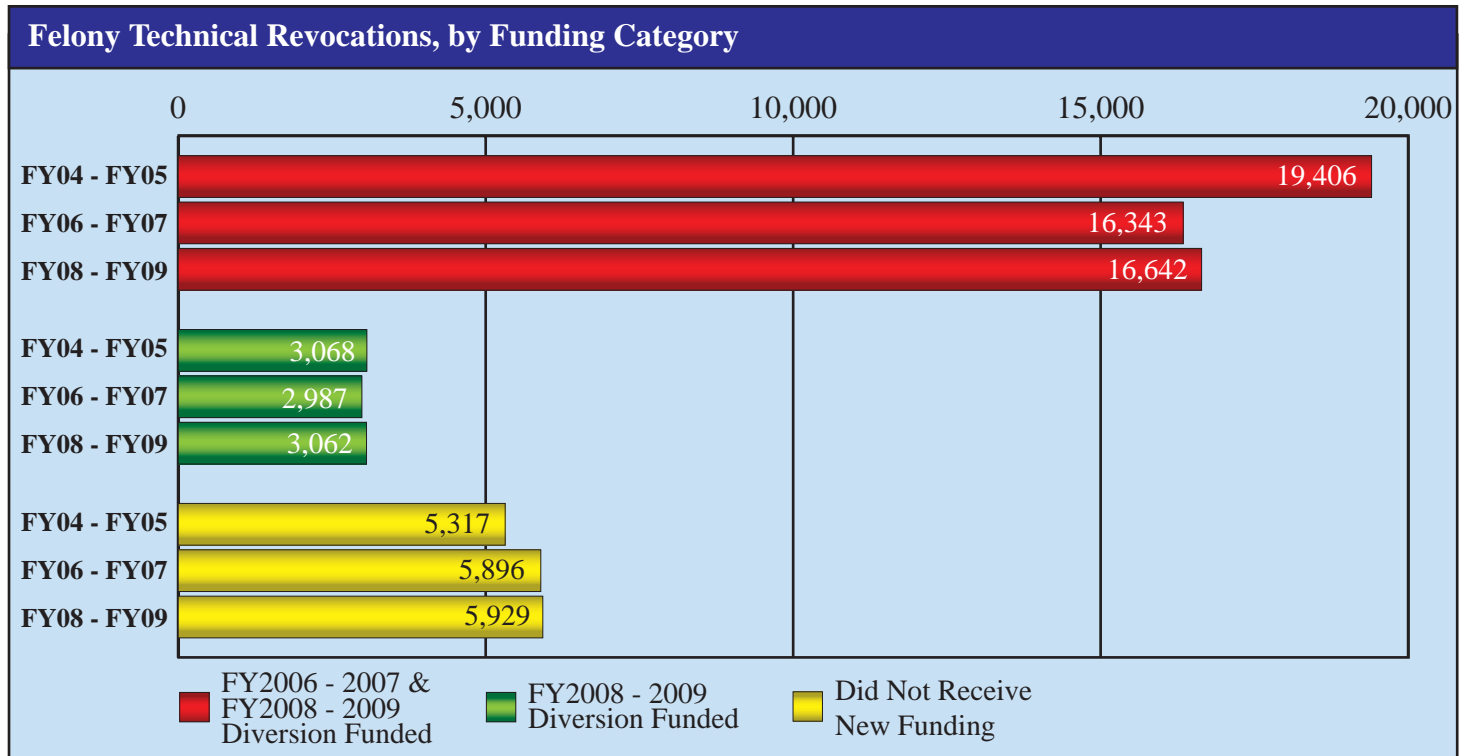
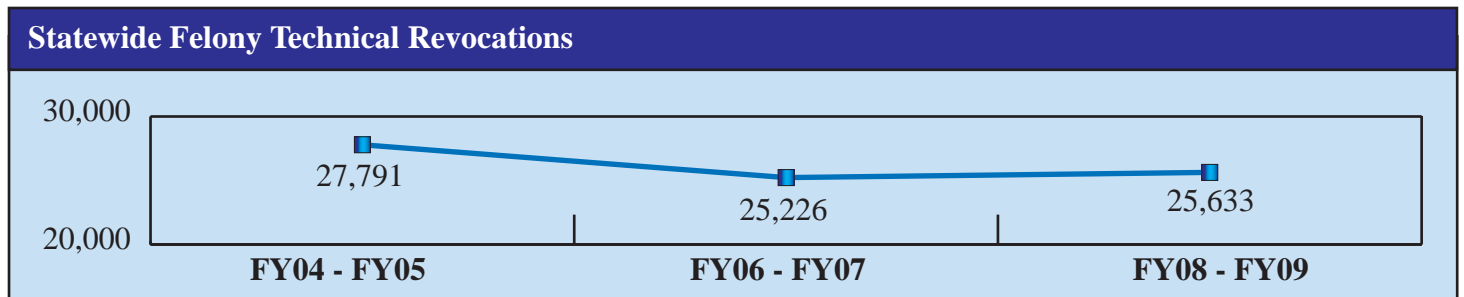
Departments receiving funding beginning in the FY2008-2009 biennium increased revocations 3.3% from FY2006-2007 to FY2008-2009, and departments not receiving any additional diversion funding increased revocations by 2.6% from FY2006-2007 to FY2008-2009.

Changes in felony revocations for the ten most populous CSCDs are presented on page 23 and for all CSCDs in Appendix C.





# Effectiveness of Diversion Funds Allocated by the 79<sup>th</sup> and 80<sup>th</sup> Texas Legislatures

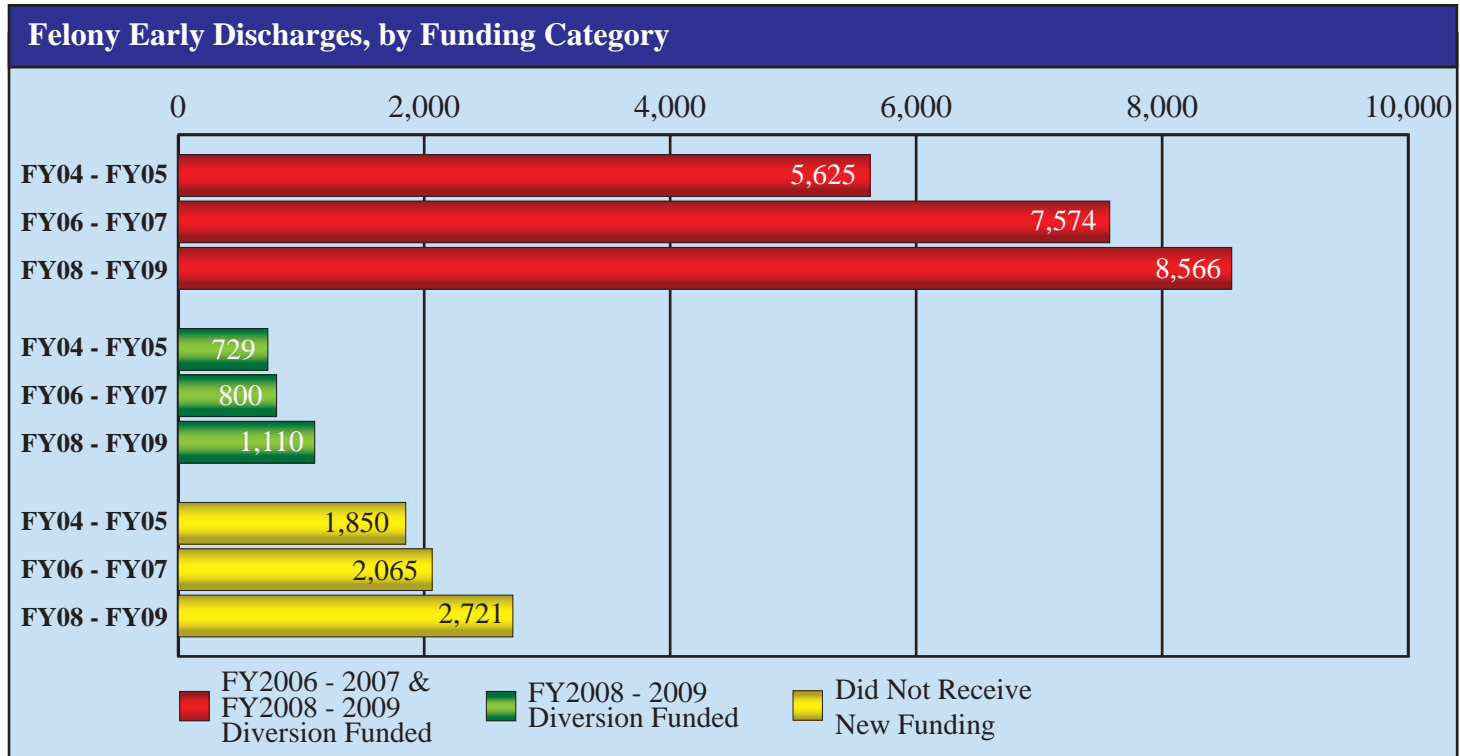
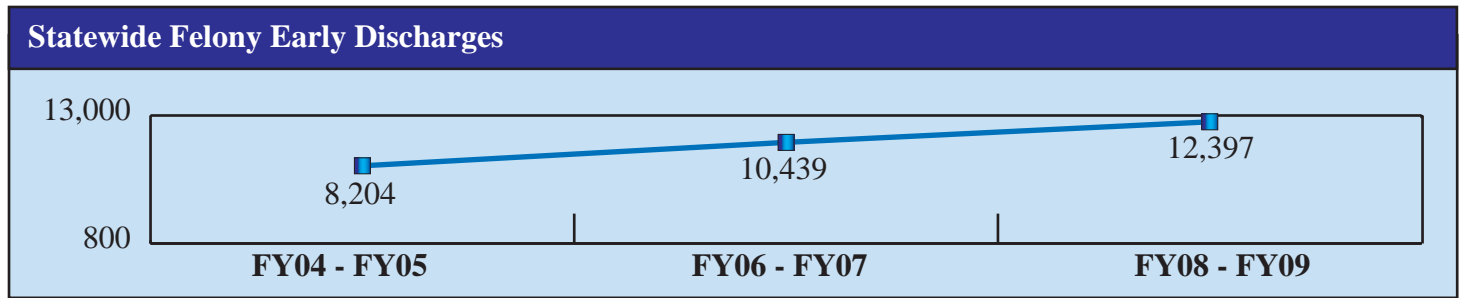


Statewide, felony technical revocations increased 1.6% from FY2006-2007 to FY2008-2009; however, felony technical revocations declined 7.8% from the baseline biennium of FY2004-2005.

Despite a 1.8% increase in felony technical revocations from FY2006-2007 to FY2008-2009, departments receiving FY2006-2007 and FY2008-2009 diversion funding had a 14.2% reduction in felony technical revocations from FY2004-2005 to FY2008-2009. Departments receiving no funding had a 10.9% increase in felony technical revocations from FY2004-2005 to FY2006-2007 and leveled off with a 0.6% increase from FY2006-2007 to FY2008-2009.



# Effectiveness of Diversion Funds Allocated by the 79<sup>th</sup> and 80<sup>th</sup> Texas Legislatures

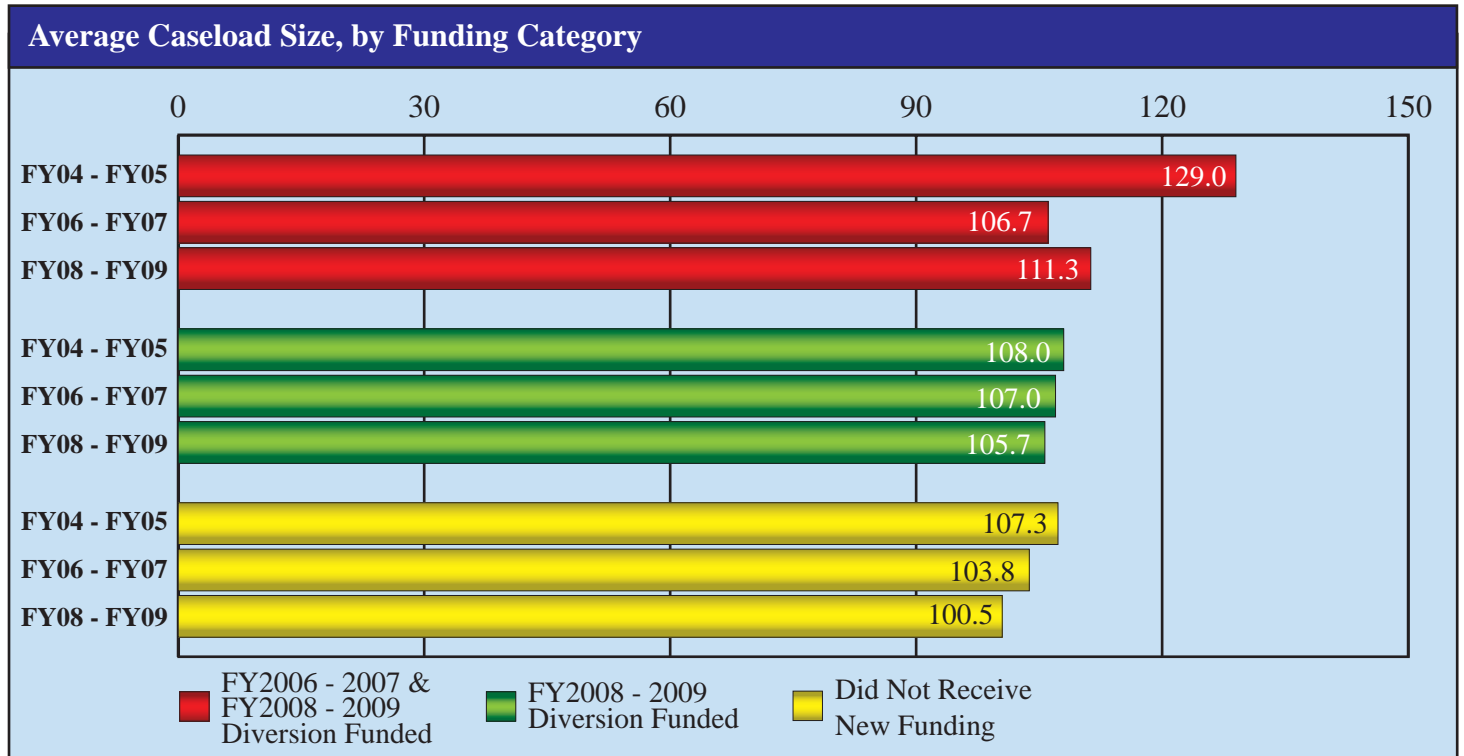
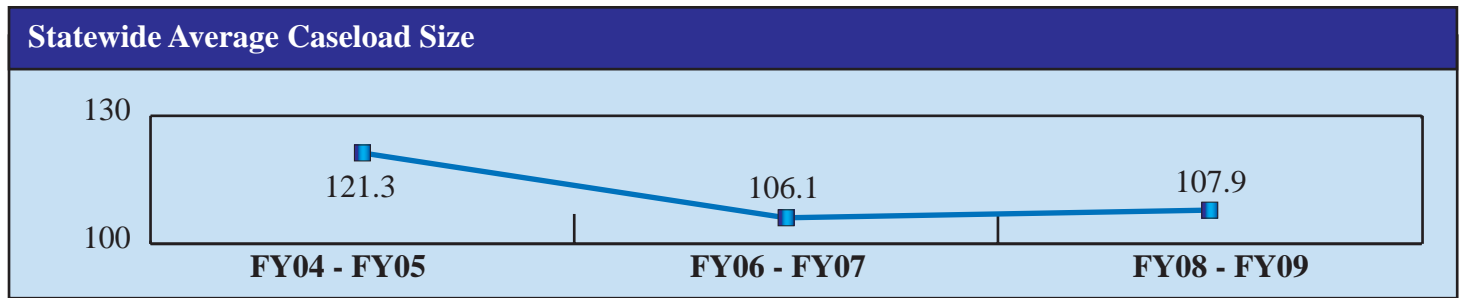


Early discharge for successful probationers was incorporated into progressive sanctions models to provide incentives for probationers to be successful and to decrease caseload sizes. Early discharges from community supervision for successful probationers (as provided in Article 42.12 of the Texas Code of Criminal Procedure) have consistently increased since FY2005.

Statewide, felony early discharges have increased by 51.1% from FY2004-2005 to FY2008-2009. CSCDs receiving additional diversion funding increased early discharges 52.3% from FY2004-2005 to FY2008-2009, while departments that received no additional funding increased early discharges 47.1%.



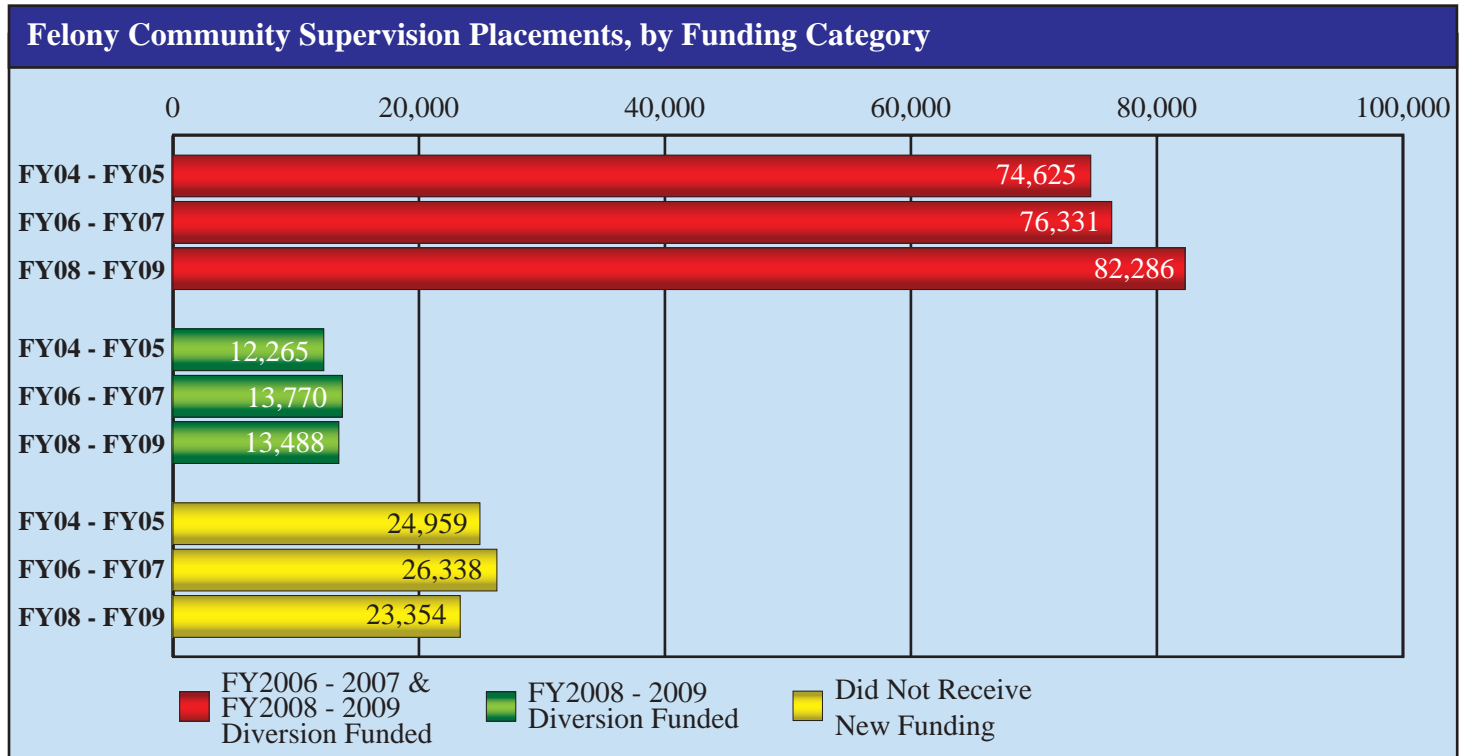
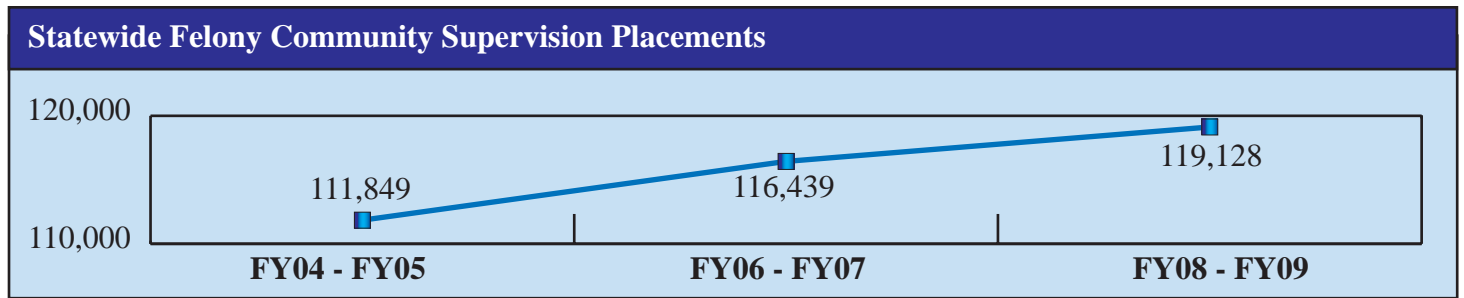
# Effectiveness of Diversion Funds Allocated by the 79<sup>th</sup> and 80<sup>th</sup> Texas Legislatures



Statewide average caseload size decreased 11.0% from the FY2004-2005 biennium to the FY2008-2009 biennium, led by a 13.7% reduction in caseload size for departments receiving additional diversion funding in FY2006-2007 and FY2008-2009. The increase in average caseload size between FY2006-2007 and FY2008-2009 is due to an increase in community supervision populations in urban areas.



# Effectiveness of Diversion Funds Allocated by the 79<sup>th</sup> and 80<sup>th</sup> Texas Legislatures



Felony community supervision placements have been consistently increasing since the baseline biennium. Statewide, felony placements increased 4.1% from FY2004-2005 to FY2006-2007, and increased 2.3% from FY2006-2007 to FY2008-2009. CSCDs receiving additional diversion funding in FY2006-2007 and FY2008-2009 increased felony community supervision placements by 10.3%, and CSCDs receiving additional diversion funding in FY2008-2009 increased felony community supervision placements 10.0% from FY2004-2005 to FY2008-2009. CSCDs receiving no additional diversion funding decreased felony community supervision placements 6.4% from FY2004-2005 to FY2008-2009.



Effectiveness  
of Diversion  
Funds Allocated  
by the 79<sup>th</sup>  
and 80<sup>th</sup> Texas  
Legislatures

Average Community Corrections Facility Population			
Categories	FY04 - FY05	FY06 - FY07	FY08 - FY09
Statewide	2,358	2,594	2,850
FY06 - FY07 & FY08 - FY09 Diversion Funded	1,881	2,110	2,287
FY08 - FY09 Diversion Funded	384	391	469
Did Not Receive New Funding	93	93	94

Average Number of Community Supervision Officers Employed			
Categories	FY04 - FY05	FY06 - FY07	FY08 - FY09
Statewide	3,333	3,477	3,489
FY06 - FY07 & FY08 - FY09 Diversion Funded	2,179	2,337	2,348
FY08 - FY09 Diversion Funded	478	471	469
Did Not Receive New Funding	676	669	672

The evaluation criteria discussed in this report point to a community supervision system that is benefitting from the investments made by the 79<sup>th</sup> and 80<sup>th</sup> Texas Legislatures. Community supervision placements are increasing, which is driving an increase in the community supervision population. Despite the increase in population, felony revocations to TDCJ are increasing at a slower pace. In addition, felony technical revocations are increasing at a slower rate than the total felony revocations, indicating that CSCDs are continuing to work with offenders in the community prior to revoking them to prison. *These outcomes indicate that the investments in community supervision are continuing to provide positive results.*



# Effectiveness of Diversion Funds Allocated by the 79<sup>th</sup> and 80<sup>th</sup> Texas Legislatures

## MAINTAINING MOMENTUM

### Revocations for the Top Ten Most Populous CSCDs

TDCJ-CJAD and the CSCDs are working together to decrease felony revocations with the new funding provided by the Legislature. The following chart highlights the ten most populous CSCDs (all of which received funding from both the 79<sup>th</sup> and 80<sup>th</sup> Texas Legislative Sessions) and captures their felony revocations from FY2004-2005 compared to FY2008-2009.

Top Ten Most Populous CSCDs						
CSCD	FY2009 Felony Population	Percent of State Felony Population	FY2004-2005 Revocations	FY2008-2009 Revocations	Change in Revocations	Percent Change in Revocations
Dallas	32,235	13.35%	6,596	5,862	-734	-11.1%
Harris	25,456	10.54%	7,409	6,224	-1,185	-16.0%
Bexar	13,724	5.68%	1,750	2,889	1,139	65.1%
Tarrant	12,456	5.16%	3,304	2,981	-323	-9.8%
Hidalgo	10,268	4.25%	1,409	1,375	-34	-2.4%
El Paso	9,641	3.99%	1,243	1,101	-142	-11.4%
Travis	8,836	3.66%	2,060	1,646	-414	-20.1%
Cameron	5,335	2.21%	703	668	-35	-5.0%
Nueces	4,913	2.04%	1,034	1,251	217	21.0%
Collin	3,950	1.64%	465	891	426	91.6%

Decrease in Revocations

Increase in Revocations

Although Bexar and Collin County CSCDs have increased revocations in the FY2008-2009 biennium when compared to FY2004-2005, both CSCDs decreased revocations between FY2008 and FY2009. Bexar County CSCD revoked 3.2% fewer offenders in FY2009 than in FY2008, while Collin County CSCD decreased revocations by 5.5% during the same time.

Despite new funding, a number of CSCDs still have increasing felony revocation rates. Nueces County CSCD increased revocations by 23.8% from FY2008 to FY2009. Nueces County CSCD is working on a comprehensive analysis of their revoked cases to gain more information about increasing revocation rates. TDCJ-CJAD will continue to work with all CSCDs to identify and assist them with factors contributing to their revocation rates.



# Effectiveness of Diversion Funds Allocated by the 79<sup>th</sup> and 80<sup>th</sup> Texas Legislatures

## Recruit and Retain Quality Community Supervision Officers and Direct Care Staff

One of the challenges to reducing felony revocations is recruiting and retaining a qualified workforce. The TDCJ Legislative Appropriations Request (LAR) to the 81<sup>st</sup> Texas Legislature specified that in order to have a positive impact on public safety, community supervision must be able to:

- Recruit and retain high-quality community supervision officers and direct care staff to provide vital offender supervision, and
- Maintain resources needed for successful offender behavior change.

The 81<sup>st</sup> Texas Legislature appropriated \$4,375,000 in FY2010 and \$8,750,000 in FY2011 for salary increases for community supervision officers and direct care staff:

- 3.5% pay increase in FY2010; and
- An additional 3.5% pay increase in FY2011.

## Community Supervision Tracking System (CSTS)

FY2010-2011 represents the first biennium in which CSCD funding amounts were based on data extracted from the Community Supervision Tracking System (CSTS). CSTS is a database which collects detailed information on offenders under community supervision. The ability to access statewide offender-level data will assist TDCJ-CJAD in implementing evidence-based practices through more detailed program evaluations, monitoring of community supervision trends, evaluating implementation of progressive sanctions, and identifying offender characteristics that impact success under community supervision.



# House Bill 530: DWI Court Funding

## HOUSE BILL (HB) 530: DWI COURT FUNDING

House Bill (HB) 530 of the 80<sup>th</sup> Legislature expanded the number of counties required to establish drug courts, instituted a fee to help fund drug courts, and established drug court programs for persons arrested for, charged with, or convicted of a DWI offense. Additionally, a contingency rider (Article IX, Section 19.08[b]) to this legislation required TDCJ to transfer \$270,000 from strategy C.1.10 Contracted Temporary Capacity to Strategy A.1.2 Diversion Programs in FY2008 for the purpose of providing grants to DWI courts or drug courts operating dual DWI/Drug Court programs. No funding was appropriated for this transfer in FY2009. In addition, the rider requires:

*“Counties receiving these grants shall be required to report historical and annual information on DWI offenders to the Community Justice Assistance Division of the Department of Criminal Justice. The Community Justice Assistance Division shall create a uniform data collection instrument to record the progress of the offenders in those programs and shall submit a report on the implementation and effectiveness of the programs to the Legislative Budget Board and the Governor by December 1 of each year.”*

TDCJ-CJAD awarded a DWI Court grant in the amount of \$270,000 to Harris County CSCD. Appropriations not expended in FY2008 were used in FY2009 to continue providing services to offenders. The uniform data collection instrument was published in the 2007 Monitoring Report. In January 2008, TDCJ-CJAD staff met with Harris County program staff to discuss the uniform data collection instrument. The data collection instrument was edited to accommodate program information specific to the Harris County DWI Court program.

### Harris County CSCD DWI Court Program

The Harris County CSCD DWI Court program is a 24-month program that incorporates the 10 essential characteristics of a drug court program (as stipulated in §469.001, Health and Safety Code) for repeat misdemeanor DWI offenders. The first three phases include approximately 12 months of substance abuse treatment (outpatient and/or residential, as needed) while the fourth phase includes an additional 12 months of aftercare.

All participants are tested randomly for drugs and alcohol and may be monitored using ignition

Harris County Criminal Courts Participating in DWI Court Program	
Criminal Court At Law	Judge
No. 4	Judge James E. Anderson
No. 5	Judge Margaret Harris
No. 6	Judge Larry Standley
No. 7	Judge Pam Derbyshire
No. 8	Judge Jay Karahan
No. 9	Judge Analia Wilkerson
No. 10	Judge Sherman Ross
No. 11	Judge Diane Bull
No. 12	Judge Robin Brown
No. 15	Judge Jean Spradling Hughes





# House Bill 530: DWI Court Funding

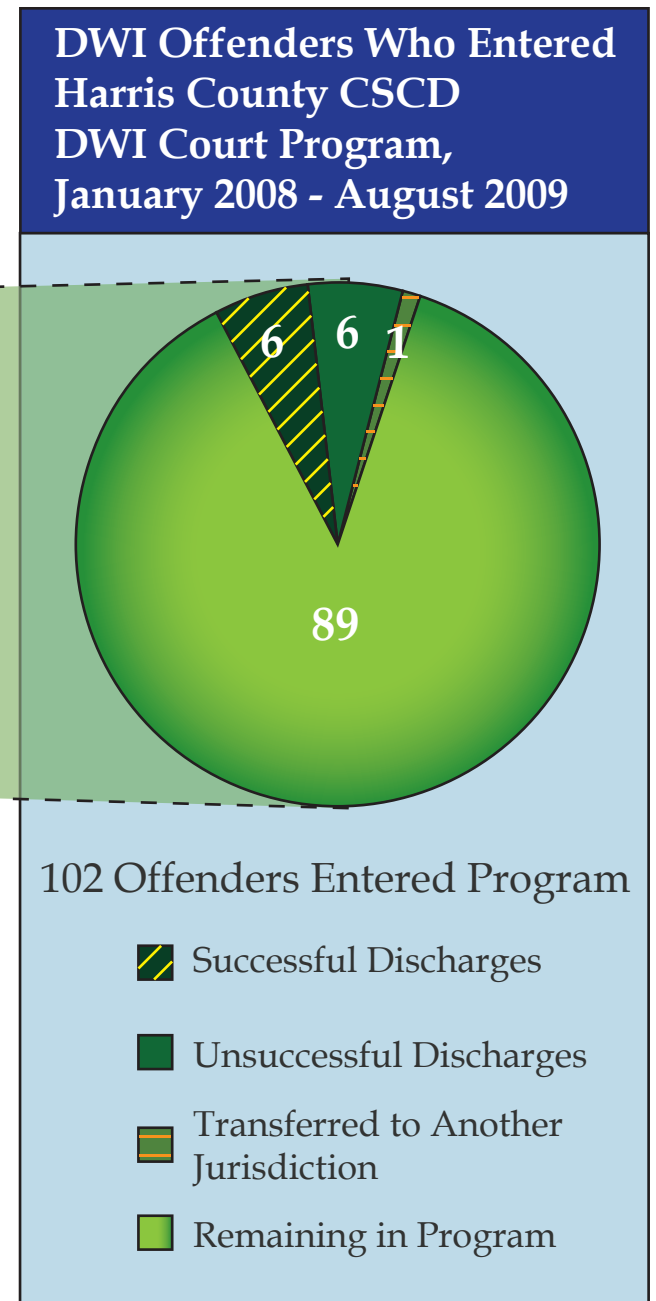
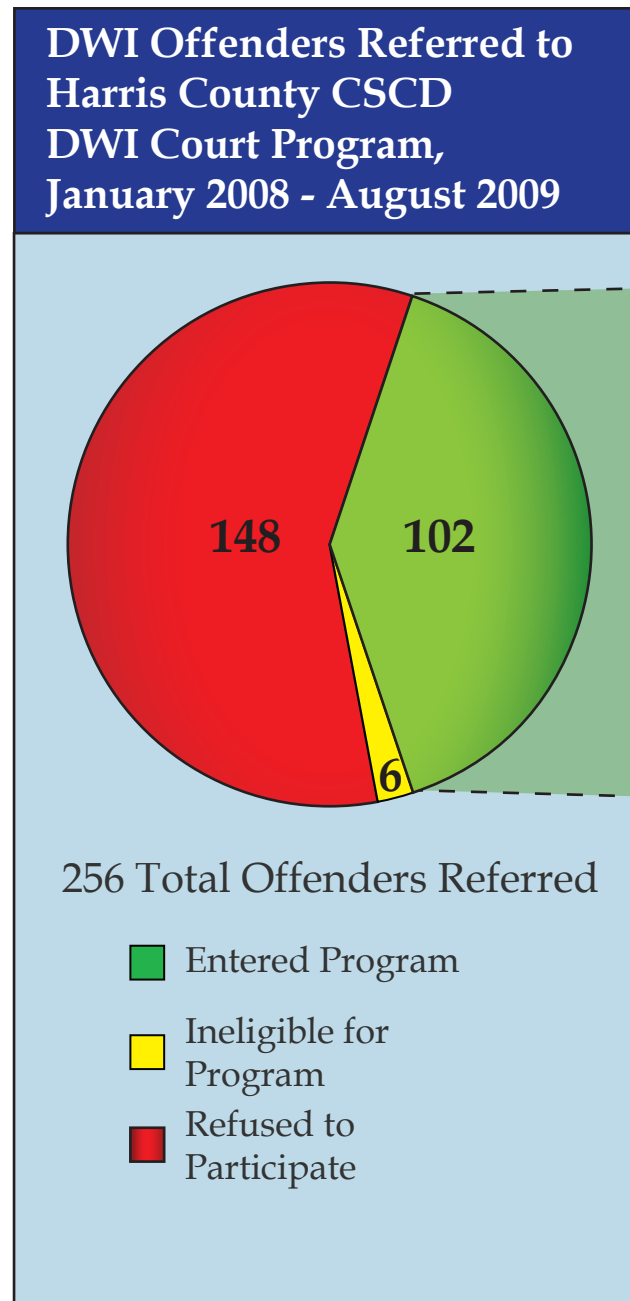
interlock devices and transdermal alcohol monitoring. Participants attend individual and group counseling sessions and 12-step program meetings, attend court, meet with a community supervision officer, attend a DWI repeat offender course, and pay fees. Participants were rewarded for program compliance with various incentives including reduction in the level of supervision, removal from transdermal alcohol monitoring, or the judges' praise. Sanctions utilized for program violations included verbal warnings, time in jail, and participation in a residential treatment program.

## Harris County DWI Court Program Outputs

The Harris County CSCD DWI Court began serving offenders on January 5, 2008. A total of 30 offenders were served during FY2008. There were 29 offenders in the program at the close of FY2008. An additional 72 offenders participated in the program during FY2009. Eighty-nine offenders remained in the program on August 31, 2009 and will continue participating in the DWI Court program.



# House Bill 530: DWI Court Funding



# House Bill 530: DWI Court Funding

<b>Comparison of Harris County DWI Court Participants to Harris County DWI Offenders</b>		
	Harris County DWI Court Participants	Harris County DWI Offenders on Direct Supervision
<b>Gender</b>		
Male	83%	76%
Female	17%	24%
<b>Ethnicity</b>		
African American	4%	13%
Caucasian	22%	67%
Hispanic	33%	18%
Other	20%	2%
Not Reported	21%	N/A
<b>Age</b>		
17-21	2%	5%
22-25	15%	16%
26-30	14%	21%
31-40	40%	29%
41-50	23%	17%
51 & over	6%	12%



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(By Numeric Change)



## APPENDIX A: DISTRIBUTION OF FY2009 RIDER 84 DIVERSION PROGRAM FUNDING

FY2009 Outpatient Treatment as Directed by Rider 84a			
CSCD	FY2009 Grant	CSCD	FY2009 Grant
Angelina	\$56,671	Lavaca	\$8,160
Bell	\$15,000	Lubbock	\$210,823
Bexar	\$184,593	McLennan	\$14,400
Brazoria	\$116,472	Midland	\$61,854
Brazos	\$40,229	Moore	\$12,102
Caldwell	\$199,444	Nueces	\$58,771
Cameron	\$48,221	Orange	\$15,000
Dallas	\$521,383	Potter	\$187,930
Deaf Smith	\$35,050	Reeves	\$71,232
El Paso	\$277,994	Scurry	\$115,316
Ellis	\$102,350	Tarrant	\$60,327
Fort Bend	\$201,000	Taylor	\$88,469
Grayson	\$209,725	Tom Green	\$125,303
Guadalupe	\$18,000	Travis	\$630,444
Harris	\$821,706	Upshur	\$35,157
Hill	\$57,510	Uvalde	\$7,030
Jefferson	\$105,250	Victoria	\$34,769
Kleberg	\$176,938	Webb	\$75,377
<b>Total Allocated</b>			<b>\$5,000,000</b>



## APPENDIX A: DISTRIBUTION OF FY2009 RIDER 84 DIVERSION PROGRAM FUNDING

<b>FY2009 Residential Beds as Directed by Rider 84c (as of August 31, 2009)</b>					
<b>CSCD</b>	<b>Beds</b>	<b>Grant Amount</b>	<b>CSCD</b>	<b>Beds</b>	<b>Grant Amount</b>
Bexar	26	\$871,426	Hidalgo	96	\$1,612,200
Bowie	100	\$1,850,000	Lubbock*	15	\$164,772
Cass	8	\$101,359	Nueces*	21	\$361,085
Dallas	60	\$1,338,909	Terry	14	\$203,116
El Paso	50	\$882,506	Tom Green	150	\$4,230,066
El Paso*	14	\$119,690	Travis	29	\$987,292
Gregg	56	\$1,150,955	Uvalde	20	\$438,000
<b>Total Residential Beds</b>				<b>659</b>	<b>\$14,311,376</b>
<b>Additional Funding Allocated for Residential/Aftercare Treatment</b>					<b>\$816,947</b>
<b>FY2009 Contract Residential</b>					
Angelina		\$21,420	Orange		\$50,000
Brazoria		\$103,088	Potter		\$43,859
Caldwell		\$94,905	San Patricio		\$276,178
Collin		\$11,500	Scurry		\$53,670
Dallas		\$913,405	Tarrant		\$287,154
Denton		\$36,000	Tom Green		\$90,675
Fort Bend		\$181,795	Travis		\$434,640
Hidalgo		\$50,800	Victoria		\$58,000
Lubbock		\$169,311			
<b>Total Contract Residential</b>					<b>\$2,876,400</b>
<b>Total Funding for CCF Beds</b>					<b>\$18,004,723</b>



\* TDCJ-CJAD utilized Rider 84c funds to maintain beds that would have been lost due to reduction in RSAT grant funding.

**Community Supervision Population:** Unless otherwise specified, the community supervision population represents the number of offenders under direct and indirect supervision as of the last day of the reported timeframe (August 31). The population includes offenders under supervision for adjudicated and deferred adjudicated cases, but does not include offenders under pretrial supervision. The source of this data is the number of “Adults Receiving Direct Supervision” and “Adults on Indirect Status” as reported on the Monthly Community Supervision and Corrections Report (MCSCR).

**Evaluation Criteria:** Appropriations Rider 74 (GAA 2007) requires TDCJ-CJAD to develop an accountability system to track the impact of new diversion program funding targeted at making a positive impact on the criminal justice system. TDCJ-CJAD tracks seven evaluation criteria, which are discussed in this report. The primary source of data for the evaluation criteria discussed in this report is the MCSCR, which is a monthly report submitted by Community Supervision and Corrections Departments (CSCDs) reporting aggregate counts of activities. The evaluation criteria definitions and data sources used for this report are detailed below:

**Felony Revocations to TDCJ:** The total number of felony revocations to State Jail and TDCJ during the reporting period. The source of this data is the number of Felony Revocations to State Jail and TDCJ as reported on the MCSCR.

**Felony Technical Revocations:** The total number of “Other Reasons for Revocation” during the reporting period. The source of this data is the number of felony revocations reported as “Other Reasons for Revocation” in the Reasons for Revocations as reported on the MCSCR.

**Felony Early Discharges:** The total number of felony early discharges during the reporting period. The source of this data is the number of felony “Early Terminations” as reported on the MCSCR.

**Average Caseload Size:** The number of direct and pretrial offenders per regular CSO who supervises at least one direct case and spends at least 50% of his or her time on supervision or supervision-related duties. The source of this data is the biannual Caseload Report.

**Felony Community Supervision Placements:** Total number of felony community supervision placements during the reporting period. The source of this data is felony “Community Supervision Placements” as reported on the MCSCR.

**Average Community Correctional Facility (CCF) Population:** The average CCF population for the reporting period. The source of this data is the Community Corrections Facilities population as reported on the MCSCR.

**Community Supervision Officers (CSOs) Employed:** The average number of CSOs employed during the reporting period. The source of this data is the “Number of Paid Full-time CSOs” and “Number of Paid Part-Time CSOs” as reported on the MCSCR.



**APPENDIX C: FELONY REVOCATIONS BY CSCD, FY2004 - 2005 VS. FY2008 - 2009 (BY NUMERIC CHANGE)**

CSCD	FY2004 - FY2005	FY2008 - FY2009	Numeric Change FY0405 - FY0809	Percent Change FY0405 - FY0809	Percent Change Direct and Indirect Population FY2005 - FY2009
Statewide	48,841	48,720	-121	-0.2%	3.5%
Harris	7,409	6,224	-1,185	-16.0%	0.4%
Dallas	6,596	5,862	-734	-11.1%	18.3%
Travis	2,060	1,646	-414	-20.1%	-12.5%
Tarrant	3,304	2,981	-323	-9.8%	7.1%
Lubbock	916	699	-217	-23.7%	-5.5%
Potter	876	719	-157	-17.9%	-0.6%
El Paso	1,243	1,101	-142	-11.4%	-18.9%
Ector	445	324	-121	-27.2%	3.0%
Denton	591	492	-99	-16.8%	18.0%
Angelina	357	263	-94	-26.3%	3.5%
Hale	244	156	-88	-36.1%	-16.7%
Webb	213	133	-80	-37.6%	-12.7%
Bowie	315	239	-76	-24.1%	15.1%
Brown	188	113	-75	-39.9%	11.4%
Kleberg	190	119	-71	-37.4%	-6.4%
Wichita	320	251	-69	-21.6%	-15.1%
Jefferson	843	787	-56	-6.6%	6.3%
Wood	155	101	-54	-34.8%	2.8%
Orange	299	250	-49	-16.4%	-17.2%
Howard	128	80	-48	-37.5%	9.1%
Rockwall	211	165	-46	-21.8%	13.3%
Jim Wells	63	22	-41	-65.1%	-27.5%
Tom Green	472	432	-40	-8.5%	9.4%
Montague	103	66	-37	-35.9%	-2.0%
Cameron	703	668	-35	-5.0%	-5.0%
Hidalgo	1,409	1,375	-34	-2.4%	-2.0%
McLennan	582	548	-34	-5.8%	9.7%
Gregg	270	237	-33	-12.2%	25.4%
Fort Bend	349	317	-32	-9.2%	14.0%
Panola	146	114	-32	-21.9%	18.5%
Palo Pinto	114	85	-29	-25.4%	47.6%

■ FY2006-2007 and FY2008-2009 Diversion Funded

■ FY2008-2009 Diversion Funded

■ Did Not Receive New Funding





**APPENDIX C: FELONY REVOCATIONS BY CSCD, FY2004 - 2005 VS. FY2008 - 2009 (BY NUMERIC CHANGE)**

CSCD	FY2004 - FY2005	FY2008 - FY2009	Numeric Change FY0405 - FY0809	Percent Change FY0405 - FY0809	Percent Change Direct and Indirect Population FY2005 - FY2009
Falls	142	115	-27	-19.0%	-1.6%
Comanche	110	85	-25	-22.7%	-0.7%
Childress	85	62	-23	-27.1%	26.9%
Lavaca	158	138	-20	-12.7%	7.2%
Dawson	129	110	-19	-14.7%	19.7%
Hill	159	141	-18	-11.3%	8.6%
Fayette	138	120	-18	-13.0%	5.2%
Pecos	72	54	-18	-25.0%	-9.2%
Fannin	121	105	-16	-13.2%	15.3%
Burnet	142	128	-14	-9.9%	6.0%
Deaf Smith	137	123	-14	-10.2%	-3.4%
Baylor	31	17	-14	-45.2%	21.8%
Terry	68	56	-12	-17.6%	-0.8%
Cherokee	59	47	-12	-20.3%	-19.7%
Uvalde	130	118	-12	-9.2%	-3.3%
Floyd	23	12	-11	-47.8%	-22.1%
Hockley	75	65	-10	-13.3%	-15.3%
Lamb	49	39	-10	-20.4%	-8.5%
Hardin	92	84	-8	-8.7%	-7.5%
Lamar	173	165	-8	-4.6%	1.0%
Nolan	94	86	-8	-8.5%	16.8%
Cass	92	86	-6	-6.5%	2.5%
Jones	53	47	-6	-11.3%	22.3%
Haskell	38	34	-4	-10.5%	10.2%
Caldwell	553	552	-1	-0.2%	-0.1%
Gray	87	86	-1	-1.1%	23.3%
Winkler	31	30	-1	-3.2%	37.1%
Upshur	159	159	0	0.0%	-0.8%
Bastrop	375	375	0	0.0%	-13.6%
Moore	110	111	1	0.9%	3.8%
Crockett	29	30	1	3.4%	1.1%
Crane	8	11	3	37.5%	-7.5%

■ FY2006-2007 and FY2008-2009 Diversion Funded

■ FY2008-2009 Diversion Funded

■ Did Not Receive New Funding



**APPENDIX C: FELONY REVOCATIONS BY CSCD, FY2004 - 2005 VS. FY2008 - 2009 (BY NUMERIC CHANGE)**

CSCD	FY2004 - FY2005	FY2008 - FY2009	Numeric Change FY0405 - FY0809	Percent Change FY0405 - FY0809	Percent Change Direct and Indirect Population FY2005 - FY2009
Starr	64	68	4	6.3%	19.0%
Andrews	55	60	5	9.1%	3.6%
Parmer	12	20	8	66.7%	-12.9%
Young	41	50	9	22.0%	16.6%
Bell	620	632	12	1.9%	-1.0%
Hutchinson	95	108	13	13.7%	-10.5%
Scurry	36	50	14	38.9%	16.1%
McCulloch	30	44	14	46.7%	-11.8%
Walker	214	228	14	6.5%	-13.3%
Hood	139	154	15	10.8%	-10.1%
Erath	99	115	16	16.2%	0.5%
Wilbarger	31	47	16	51.6%	19.0%
Limestone	183	202	19	10.4%	-12.4%
Wheeler	20	39	19	95.0%	24.8%
Harrison	98	121	23	23.5%	24.3%
Tyler	23	46	23	100.0%	-2.9%
Kendall	35	59	24	68.6%	-12.4%
Val Verde	40	66	26	65.0%	0.6%
Guadalupe	193	220	27	14.0%	-3.6%
Van Zandt	100	127	27	27.0%	6.0%
Reeves	68	97	29	42.6%	-2.6%
Midland	396	426	30	7.6%	22.3%
Brazos	297	328	31	10.4%	-2.1%
Anderson	194	225	31	16.0%	19.5%
Cooke	67	102	35	52.2%	8.4%
Milam	64	100	36	56.3%	21.7%
Nacogdoches	187	224	37	19.8%	5.9%
Navarro	160	199	39	24.4%	8.4%
Matagorda	206	253	47	22.8%	3.9%
Rusk	50	100	50	100.0%	30.9%
Coryell	101	152	51	50.5%	4.3%
Maverick	28	81	53	189.3%	7.7%

■ FY2006-2007 and FY2008-2009 Diversion Funded

■ FY2008-2009 Diversion Funded

■ Did Not Receive New Funding



**APPENDIX C: FELONY REVOCATIONS BY CSCD, FY2004 - 2005 VS. FY2008 - 2009 (BY NUMERIC CHANGE)**

CSCD	FY2004 - FY2005	FY2008 - FY2009	Numeric Change FY0405 - FY0809	Percent Change FY0405 - FY0809	Percent Change Direct and Indirect Population FY2005 - FY2009
Jack	100	154	54	54.0%	5.1%
Atascosa	214	275	61	28.5%	-5.9%
Hopkins	277	338	61	22.0%	14.5%
Smith	667	729	62	9.3%	17.6%
Kaufman	27	91	64	237.0%	10.2%
Eastland	55	120	65	118.2%	44.5%
Hunt	244	309	65	26.6%	-0.7%
San Patricio	165	232	67	40.6%	9.4%
Jasper	91	158	67	73.6%	-0.5%
Brazoria	474	543	69	14.6%	9.0%
Henderson	248	323	75	30.2%	0.1%
Liberty	240	320	80	33.3%	9.0%
Parker	186	269	83	44.6%	22.1%
Williamson	461	550	89	19.3%	20.5%
Ellis	338	429	91	26.9%	-1.2%
Montgomery	448	541	93	20.8%	9.4%
Kerr	221	314	93	42.1%	-9.4%
Morris	97	191	94	96.9%	52.5%
Polk	239	347	108	45.2%	5.0%
Grayson	306	425	119	38.9%	17.9%
Victoria	334	455	121	36.2%	5.6%
Galveston	631	769	138	21.9%	-18.2%
Johnson	385	538	153	39.7%	3.4%
Taylor	362	566	204	56.4%	-5.0%
Nueces	1,034	1,251	217	21.0%	13.1%
Collin	465	891	426	91.6%	15.8%
Bexar	1,750	2,889	1,139	65.1%	10.4%

■ FY2006-2007 and FY2008-2009 Diversion Funded

■ FY2008-2009 Diversion Funded

■ Did Not Receive New Funding



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