



**Texas Department of Criminal Justice**

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# **Strengthening Community Supervision**

**Using Data to Improve Justice Policy and Practice**

**October 16, 2008**

**Presentation to the Bureau of Justice Statistics/**

**Justice Research and Statistics Association**

**2008 National Conference**



**Most of the things we do, we do for no better reason than that our fathers have done them or that our neighbors do them, and the same is true of a larger part than we suspect of what we think.**

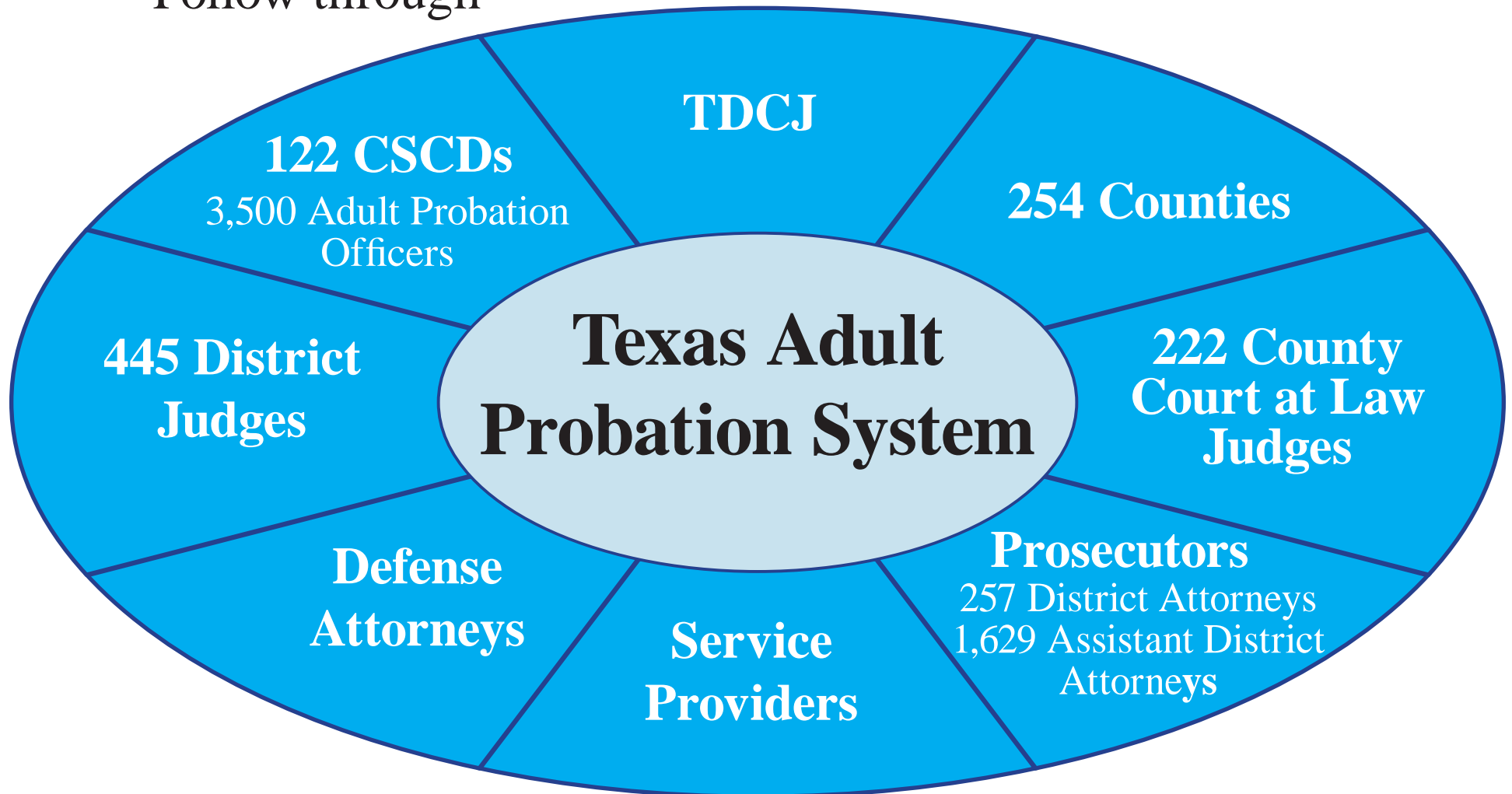
**~Oliver Wendell Holmes, Jr.**

- Effective Criminal Justice policy and practice should be about evidence-based practices to reduce recidivism and improve public safety.
- It should not be about the policy and practices of our predecessors.

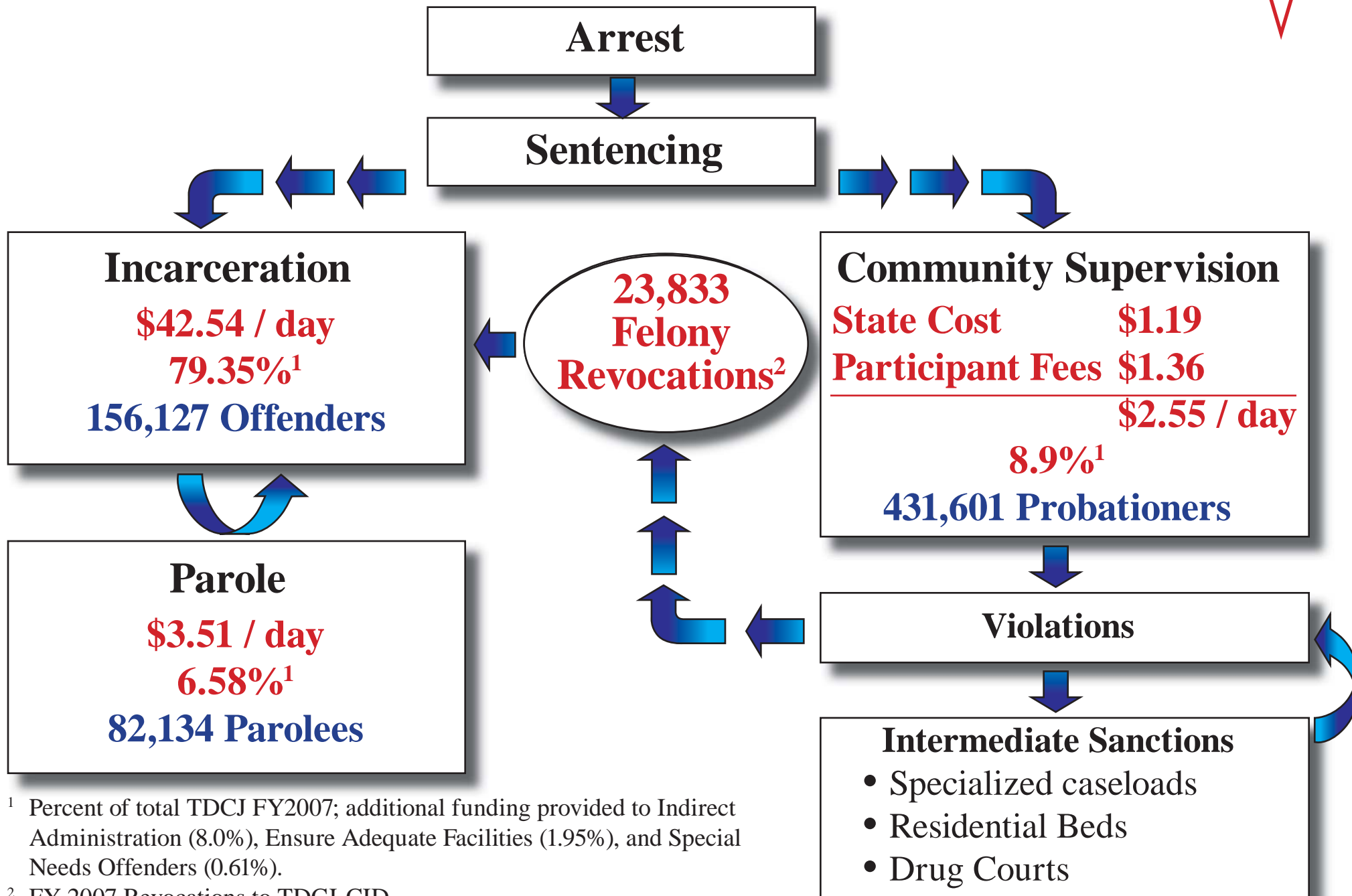
# When we took a step back in Texas we found



- Take a step back and understand your system, then
- Develop a new plan rooted in Evidence-based practice
  - Be specific and focused, keep it simple and
  - Follow through



# When we took a step back in Texas we found



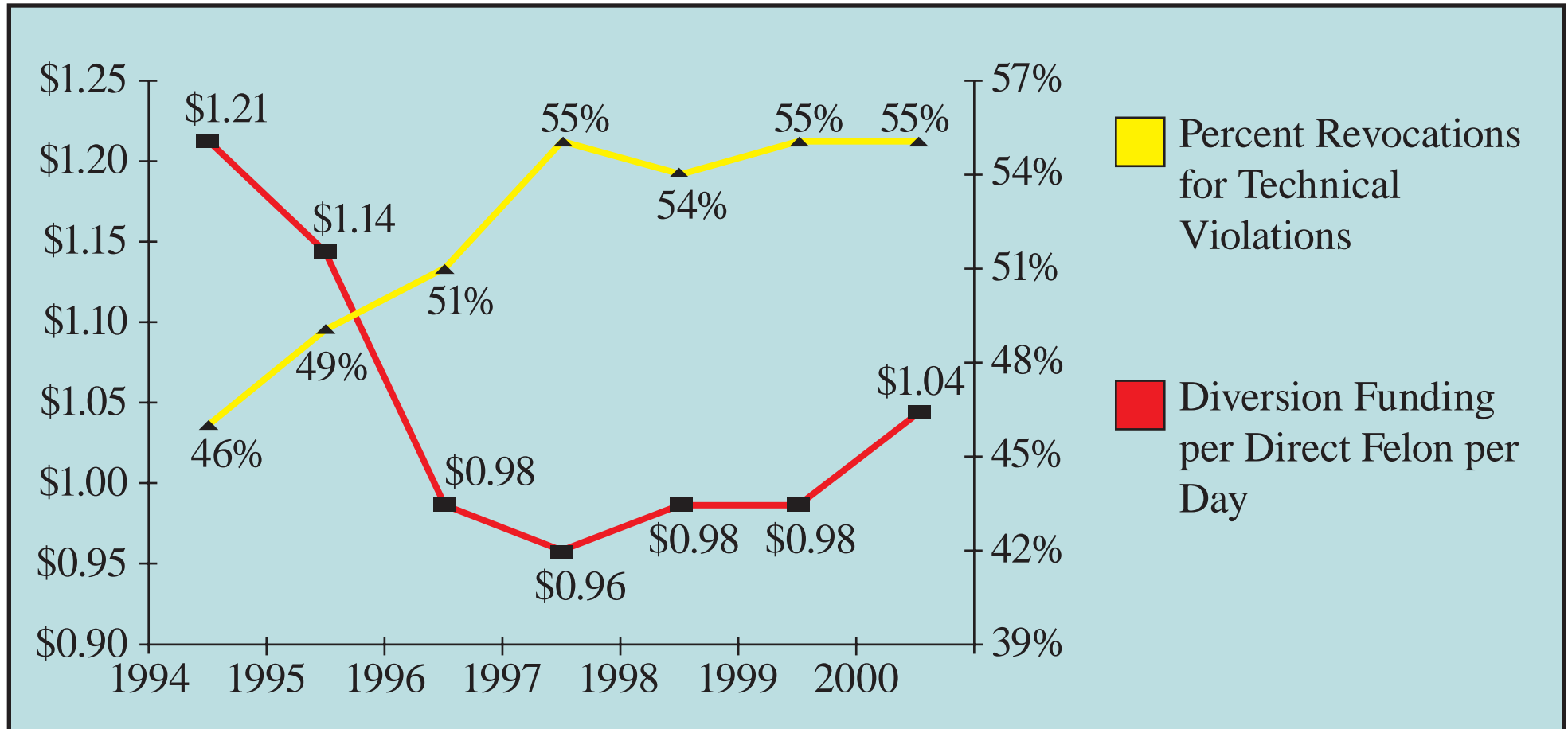
<sup>1</sup> Percent of total TDCJ FY2007; additional funding provided to Indirect Administration (8.0%), Ensure Adequate Facilities (1.95%), and Special Needs Offenders (0.61%).

<sup>2</sup> FY 2007 Revocations to TDCJ-CID



## Technical Violations Committee

- estimated that Technical revocations from community supervision in FY2002 cost \$220 million in direct incarceration costs.
- found that as diversion funding decreased, revocations for technical violations increased



# Understand your System



- It's not enough just to understand that prison costs more than probation.
- You need to understand what the driving forces are behind the scenes.
  - Tough on Crime mentality.
  - Public safety is protected more by locking people up.
- Understand the constraints of your current reality.
  - Judges, prosecutors, and defense attorneys all are driving forces in whether a person ends up in prison or on community supervision.
  - Texas has invested billions of dollars in prisons, that investment represents a long-term expense.
  - Texas has a decentralized system of community supervision.
    - Local judges hire probation department directors, who then set the policies that govern the CSCD in that jurisdiction.

# Understand your System



- Understand the constraints of your current reality. (continued)
  - Overall state funds are approximately 60% of the departments budget.
  - Overall offender fees make up are 40% of the departments budget.

In your opinion, should probation fees, beyond those already allowable, be added to the conditions of probation?

District Judge



District Attorney

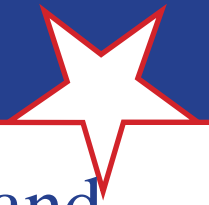


Defense Attorney

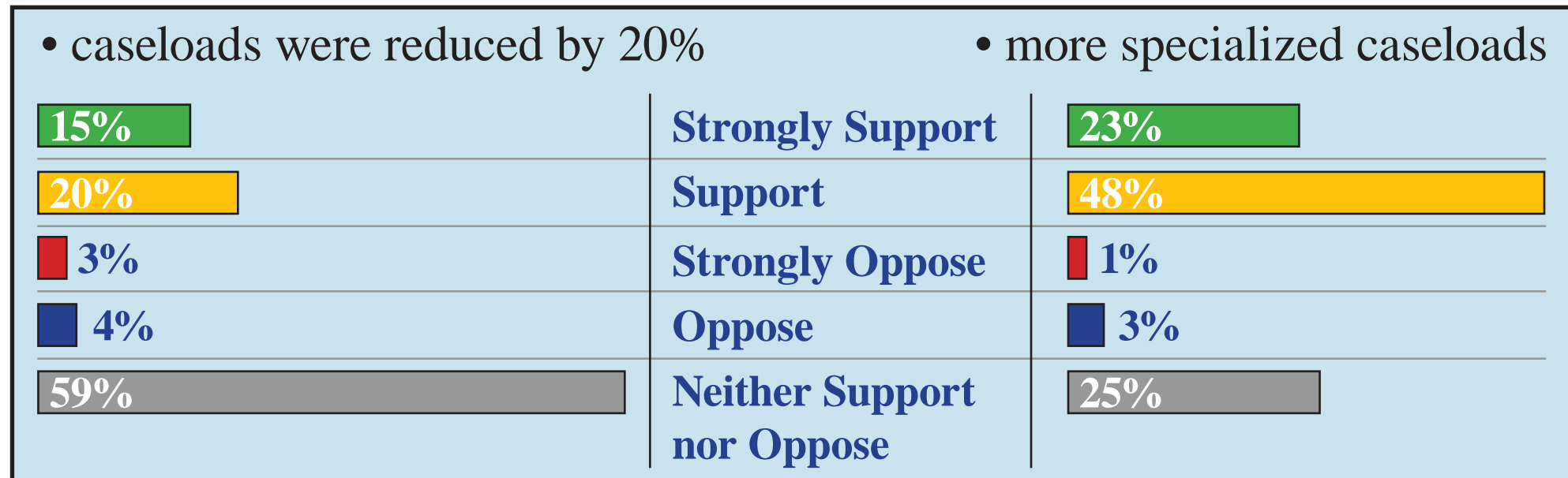


- Focus on what you can realistically do.

# What we did



- We surveyed judges, prosecutors, probation directors and probation officers.
- The two highest funding priorities for Judges in Texas were:
  - more treatment resources, and
  - more residential treatment.
- We asked judges if they would use community supervision more if:



# What we did



- We started to look at what was already working and tried to replicate it.
  - In 2001, El Paso County CSCD had a continuum of sanctions
    - their revocation rate was 3.25%
    - while the Statewide average was 8.56%
  - Early drug courts in Texas proved to be effective and demonstrated a cost savings
    - Dallas County DIVERT Drug Court: Southern Methodist University found that for every \$1 spent a cost savings of \$9.43 was realized.
    - Fort Bend County Pilot Project: We gave the probation department \$363,000 to start a drug court. They reduced revocations by 31% and had a 58% reduction in technical revocations.
- We participated in, encouraged, and conducted numerous fact finding missions.

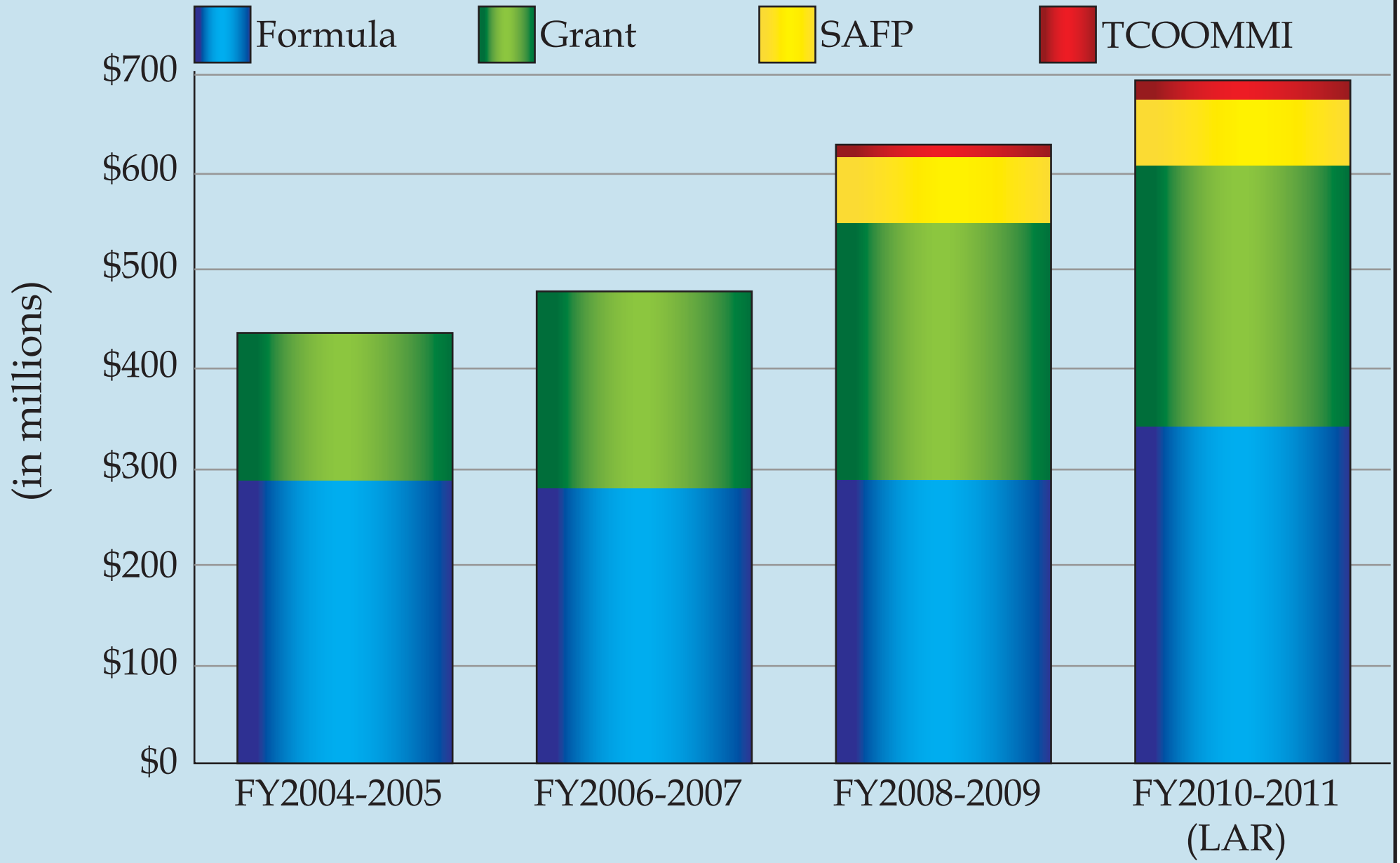
# Be specific and focused, keep it simple



- Studies consistently documented the need to strengthen community supervision by:
  - increasing residential treatment and sanction resources for prison diversion
  - reducing caseloads sizes for community supervision officers
  - increasing outpatient services for offenders needing substance abuse treatment, and
  - developing a system of progressive sanctions to address technical violations.
    - All adult probation departments receiving new money were required to develop progressive sanction models.
- We made that our focus and our mantra.



## Recent Investments in Community Supervision





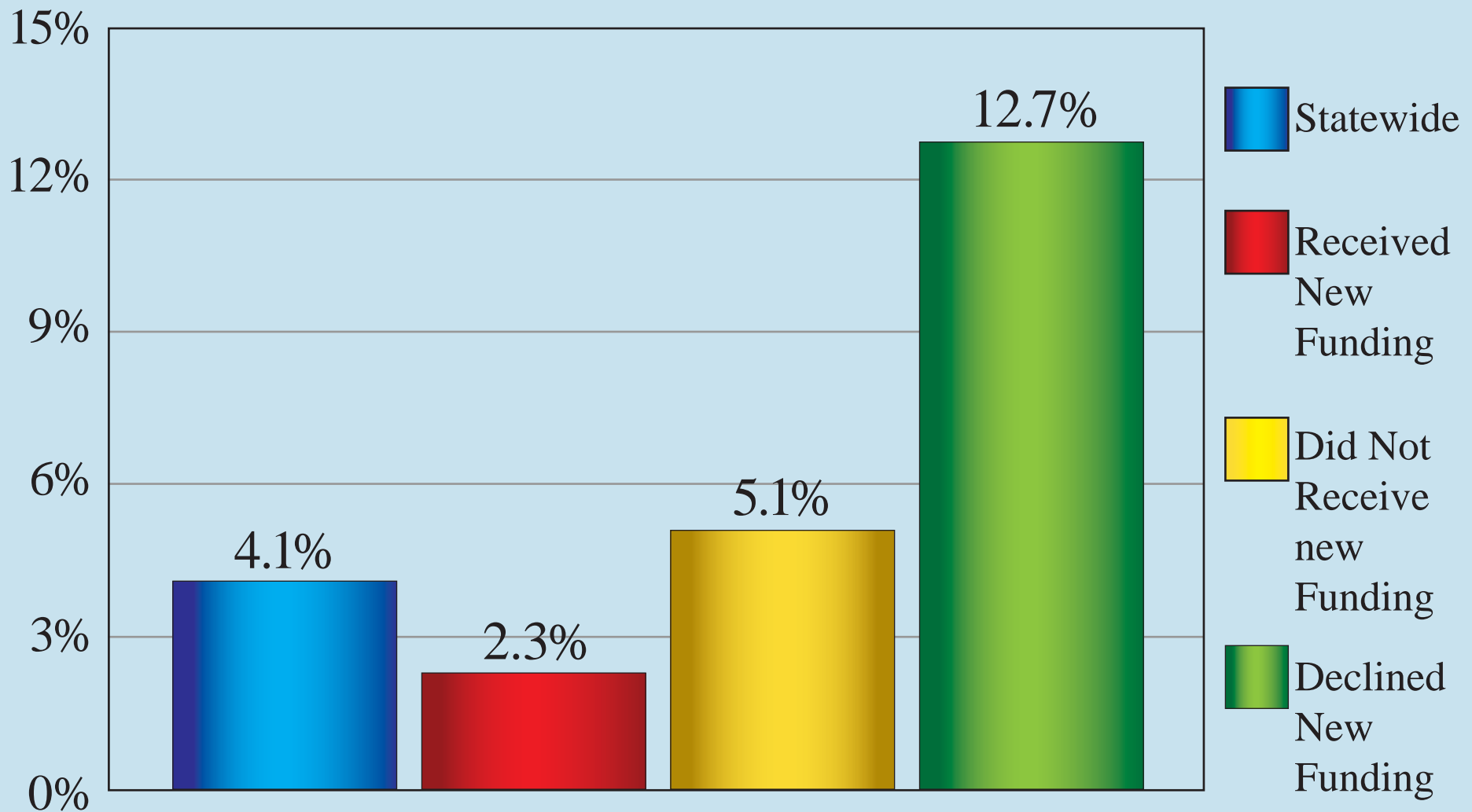
- We continued to ask and began to receive
  - 2003 legislative session
    - Provided state health insurance for community supervision employees
  - 2005 legislative session
    - **\$28.1 million** for caseload reduction
    - **\$27.2 million** for 500 residential treatment and sanction beds for prison diversion and outpatient services for 4,000 offenders needing substance abuse treatment
  - 2007 legislative session
    - **\$32.3 million** increase for 800 new Community Correctional Facility beds
    - **\$10.0 million** increase in Outpatient Substance Abuse Treatment
    - **\$10.0 million** increase in Basic Supervision funding (in addition to a \$7.5 million increase due to increased population projections)



- 2007 legislative session (continued)
  - **\$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)



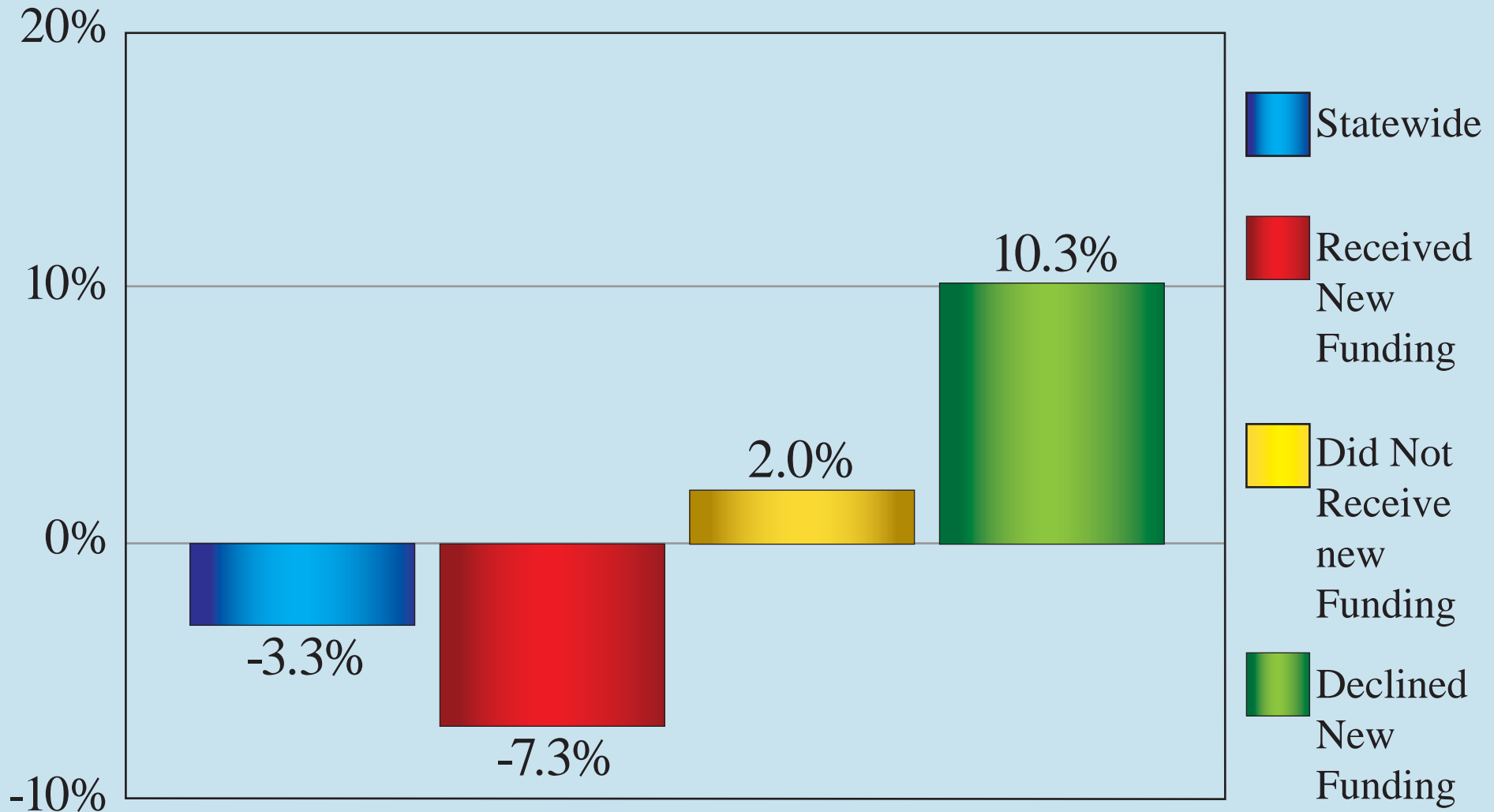
## Percent Increase in Felony Probation Placements



FY2004-2005 vs. FY2006-2007

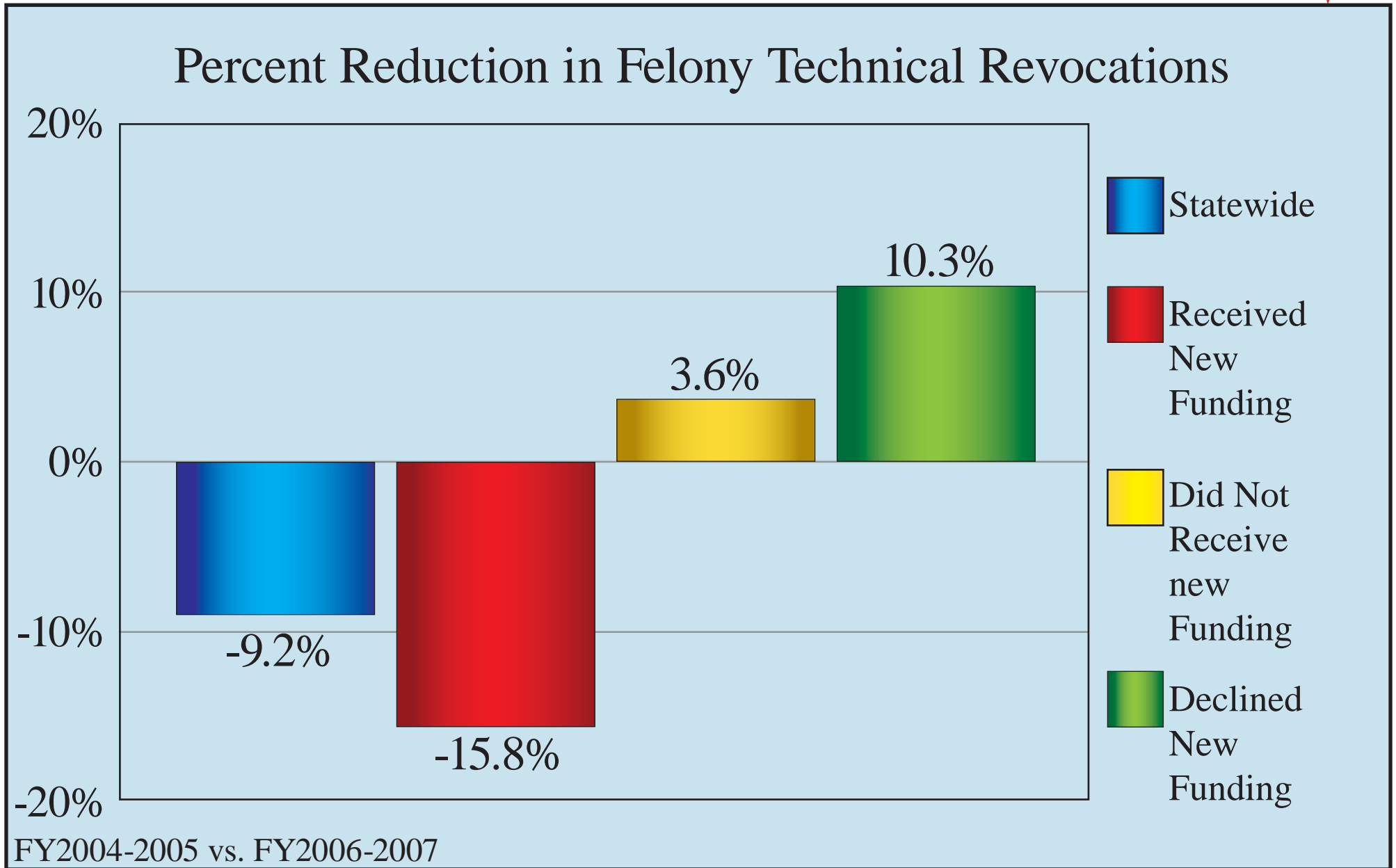


## Percent Reduction in Felony Revocations



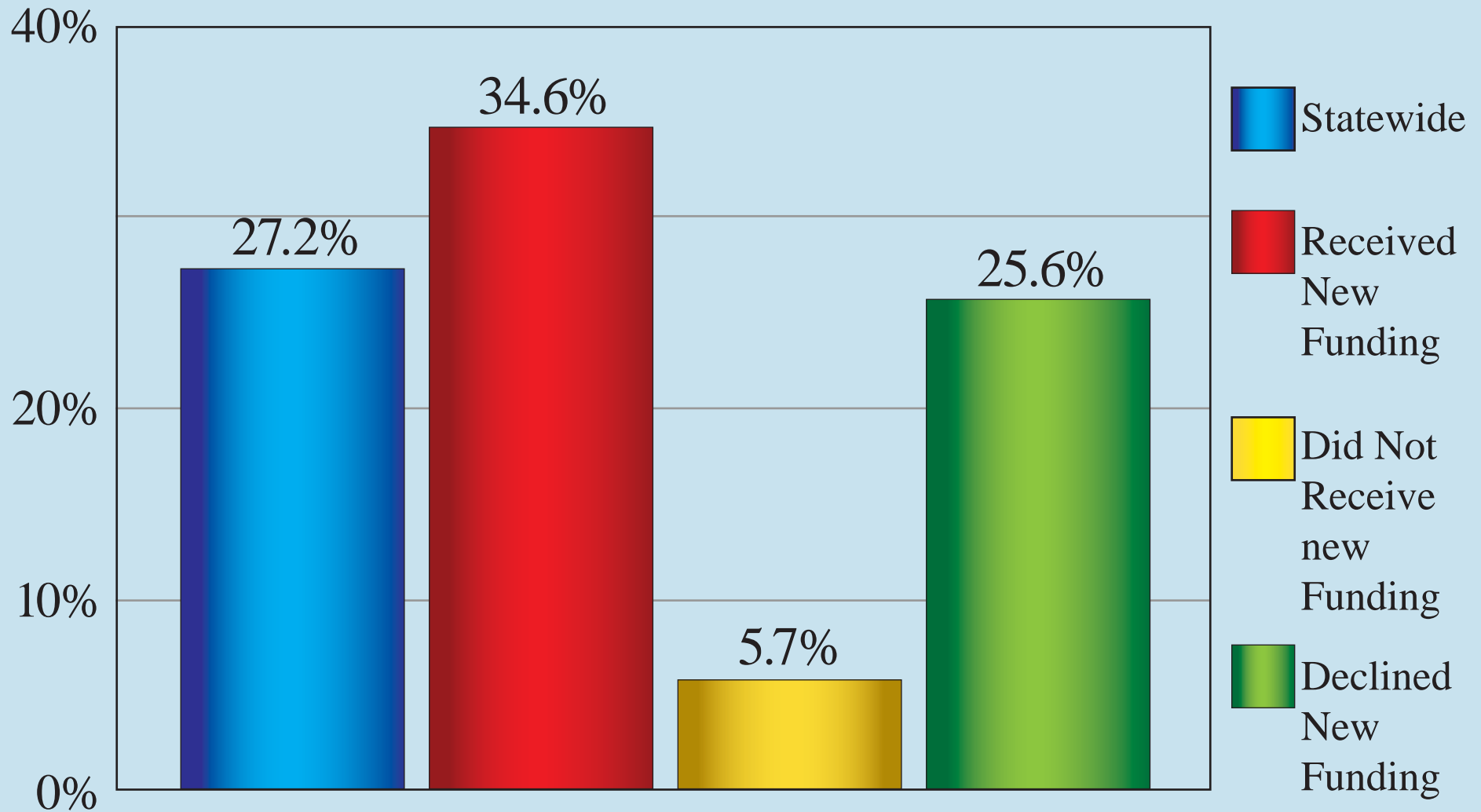
FY2004-2005 vs. FY2006-2007

# Ask, Receive, Evaluate Effectiveness





## Percent Increase in Early Discharges



FY2004-2005 vs. FY2006-2007



- **Since the 2005 Legislative Session,**
  - 2 oversight agencies have taken in-depth looks at community supervision.
  - The legislature began to ask for annual reports on the effectiveness of new funding.
    - Monitoring of Community Supervision Diversion Funds
    - Progressive Sanctions Models
    - Effectiveness of DWI/Drug Court program in Harris County, TX
    - Medically Targeted Substance Abuse Treatment
- **We have strengthened efforts to educate our criminal justice system.**
  - Annual Skills for Effective Interventions Conference is specifically targeted to Community Supervision Officers.
  - Biennial Sentencing Conference brings together judges, prosecutors, defense attorneys, and probation directors to explore how Texas can effectively utilize the full range of available sanctions to ensure public safety.



- Texas Interventions and Sanctions Bench Manual is a manual for the judiciary that provides details on intervention and sanctioning options available throughout the state.
- For the legislative session that starts in January 2009 we have asked for:
  - **\$40 million** for the recruitment and retention of quality Community Supervision Officers and to reduce caseload sizes for medium and high-risk offenders.
  - **\$11.9 million** in additional Basic Supervision funding for projected community supervision population growth
  - **\$10 million** in additional Outpatient Substance Abuse Treatment funding
  - **\$10 million** in additional funding for existing Community Corrections Facilities