

**TEXAS COMMUNITY SUPERVISION REVOCATION PROJECT:
FISCAL YEAR 2006 FOLLOW-UP STUDY**



**LEGISLATIVE BUDGET BOARD
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January 2007

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The purpose of this report is to document the preliminary impact of the additional funding and process changes that occurred during fiscal year 2006 in the five selected CSCDs. As a result of delays in the implementation of the community supervision diversion initiatives, studying the impact of the additional funds this fall in a quantitative manner would have been premature. Instead, qualitative data was collected. The CJDA Team conducted site visits to the previously selected CSCDs to review what occurred regarding the implementation of the new initiatives and the potential impact.

During the fall of 2007, LBB staff will return to the selected sites to collect a comparison sample of revoked felons to quantitatively measure the impact of the additional funding that was allotted during the Seventy-ninth Legislative Session.

A handwritten signature in black ink, appearing to read "John O'Brien", with a long horizontal line extending to the right.

John O'Brien
Director
Legislative Budget Board

Acknowledgements

We would like to thank the following Community Supervision and Corrections Department (CSCD) directors and site coordinators for their assistance and dedication to this project.

Community Supervision and Corrections Departments

Bill Fitzgerald, Director – Bexar County CSCD

Mary Moncivais, Assistant Felony Chief – Bexar County CSCD

Dr. Michael Noyes, Director – Dallas County CSCD

Maggie Saucedo, Deputy Director of Human Resources/Training – Dallas County CSCD

Paul Becker, Director – Harris County CSCD

Maria Bonaby, Supervisor, South Region Office – Harris County CSCD

Tom Plumlee, Director – Tarrant County CSCD

Kathy Thompson, Quality Control Coordinator – Tarrant County CSCD

Geraldine Nagy, Director – Travis County CSCD

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INTRODUCTION

INTRODUCTION

During the Seventy-ninth Legislature, Regular Session, 2005, \$55.5 million in additional community supervision funds were appropriated for the 2006–07 biennium in the Texas Department of Criminal Justice Strategy A.1.2., Diversion Programs, for residential treatment and sanction beds and caseload reductions. A full accounting of the distribution of the new diversion initiative funds is detailed in the following reports, which can be found on the Texas Department of Criminal Justice’s website.

Texas Department of Criminal Justice – Community Justice Assistance Division.
December 2005. *Report to the Governor and the Legislative Budget Board on Monitoring of Community Supervision Diversion Funds.*

Texas Department of Criminal Justice – Community Justice Assistance Division.
December 2006. *Report to the Governor and the Legislative Budget Board on Monitoring of Community Supervision Diversion Funds.*

General Appropriations Act (2006–07 Biennium), Rider 72, page V–23, directed the Texas Department of Criminal Justice – Community Justice Assistance Division (TDCJ-CJAD) to give preference in distribution of the funds to Community Supervision and Corrections Departments (CSCDs) utilizing progressive sanctions community supervision models. General Appropriations Act (2006–07 Biennium), Rider 71, page V–23, directed TDCJ-CJAD to expend \$14.1 million in each fiscal year of the biennium towards hiring additional community supervision officers to reduce medium and high risk caseload sizes. General Appropriations Act (2006–07 Biennium), Rider 73, page V–23, directed TDCJ-CJAD to expend \$13.6 million in each fiscal year of the biennium towards residential treatment and sanction beds, with funding preference given to CSCDs with currently existing unfunded beds and high technical revocation rates.

During Fall 2005 the Criminal Justice Data Analysis (CJDA) Team of the Legislative Budget Board (LBB) began the Community Supervision Revocation Project. The first phase of the project involved capturing individual information on all felony offenders revoked from community supervision during September 2005 from the five largest Community Supervision and Corrections Departments (CSCDs): Bexar, Dallas, Harris, Tarrant and Travis counties. The purpose was to establish a baseline profile of revoked felons prior to the implementation of additional community supervision diversion initiatives funded during the Seventy-ninth Legislative Session, and then study the post-funding impacts one year later and periodically thereafter. A report that summarizes the baseline profiles of the project was published in September 2006.

The purpose of this report is to document the preliminary impact of the additional funding and process changes that occurred during fiscal year 2006 in the five selected CSCDs. The glossary provides definitions of many terms used throughout this report. As a result of delays the CSCDs experienced in the implementation of the community supervision diversion initiatives, studying the impact of the additional funds this fall in a quantitative manner would have been premature. Instead, qualitative data were collected. The CJDA Team conducted site visits to the previously selected CSCDs to review what occurred regarding the implementation of the new initiatives and the potential impact. During the fall of 2007, LBB staff will return to the selected sites to collect a comparison sample of revoked felons to quantitatively measure the impact of the additional funding that was allotted during the Seventy-ninth Legislative Session.

INTRODUCTION

REPORT HIGHLIGHTS

- A total of 160 interviews among the five CSCDs were conducted with judges, district attorneys, CSCD management, CSCD staff, and offenders.
- All CSCDs in this study implemented progressive sanctions supervision models allowing supervision officers to address technical violations prior to court action.
- All CSCDs in this study were provided funding to reduce supervision officer caseload sizes.
- Bexar County CSCD received funding for 100 new diversion beds, Harris County CSCD received funding for 300 new diversion beds, and Dallas County CSCD received funding to continue 26 previously federally funded diversion beds. Tarrant County CSCD did not apply for funding for new diversion beds and Travis County CSCD applied but was denied because the expansion of their existing residential facility would result in extensive construction costs which TDCJ considered inconsistent with the intent of this funding.
- Delays occurred in implementing residential treatment in both CSCDs that received funding for new diversion beds (Bexar and Harris).
- The average number of felons under direct supervision and felony placements among the five CSCDs decreased slightly (0.2 percent and 0.3 percent, respectively).
- From fiscal year 2005 to fiscal year 2006, overall felony revocations among the five CSCDs were reduced by 7.6 percent, with technical revocations reduced by 15.8 percent. Non-technical revocations increased by 3.5 percent.
- Compared to fiscal year 2005, 854 fewer offenders were revoked from community supervision among the five CSCDs during fiscal year 2006.
- Early terminations of felony cases among the five CSCDs increased by 23.6 percent from fiscal year 2005 to fiscal year 2006.
- Interview data indicated most supervision officers personally experienced reduced caseload sizes.
- Almost all offenders interviewed who were participating in residential treatment and/or specialized courts provided by the new funding reported positive treatment/court experiences.

PROJECT DESCRIPTION AND METHODOLOGY

PROJECT DESCRIPTION AND METHODOLOGY

The purpose of the qualitative review was to gauge the preliminary impact of the additional funding and process changes in the five selected CSCDs. The major review components consisted of: reviews of CSCD statistics and records, site visits to diversion facilities and specialty courts, and interviews with criminal justice decision-makers, practitioners and offenders.

Prior to the site visit, each CSCD was asked to complete a questionnaire regarding budgets, organizational structures, staffing patterns, violation policies, and other operational issues present during fiscal year 2006 (see Appendix A for the questionnaire). Site visits were tailored for each CSCD visited. All new diversion beds were visited, as well as other residential facilities that divert offenders, as time permitted. Additionally, various specialty/drug/diversion courts were attended where applicable. Details of the site visits are provided in the later sections of this report for each CSCD.

Interviews were tailored for each CSCD based on the types of new diversion money received. A cross-section of staff was selected for each site, and offender interviews focused on those participating in programs funded by the new diversion initiatives. Following are the numbers of individuals interviewed across the five CSCDs by type. Details of interviews conducted at each site are provided in later sections of this report for each CSCD.

Table 1: Total Number of Interviews Conducted at Each CSCD

CSCD Location	District					Total
	Judges	Attorneys or Staff	CSCD Management	CSCD Staff	Offenders	
Bexar County	2	1	5	12	12	32
Dallas County	5	4	8	12	10	39
Harris County	4	2	5	17	10	38
Tarrant County	7	1	5	4	8	25
Travis County	2	3	5	8	8	26
Total	20	11	28	53	48	160

Finally, information from the Monthly Community Supervision and Corrections Report (MCSCR), a data collection tool used by TDCJ-CJAD to collect aggregate data from CSCDs on a monthly basis, was analyzed. The LBB computed several performance measures for fiscal years 2005–06 for each CSCD. These performance measures include the average number of felons under direct supervision, total felony community supervision placements, number of felons revoked, and the number of early terminations for each fiscal year. Additionally, statewide revocation and early termination rates for fiscal years 2005–06 are also provided. This report focuses exclusively on felony revocations, which includes offenders removed from community supervision and incarcerated within prison, state jail, state boot camp, county jail, or any other felony placement. Felony offenders' community supervision may be revoked for new arrests/offenses, new offense convictions, or any other technical violation of community supervision (e.g., positive urinalysis, failure to pay fees). The felony revocation rate formula used in this report consists of the number of felony revocations during a fiscal year divided by the average felony direct supervision population during the same fiscal year. The glossary provides definitions of many terms used throughout this report.

BEXAR COUNTY CSCD

BEXAR COUNTY CSCD

The site visit to Bexar County CSCD was conducted from September 12–14, 2006. Bexar County CSCD received caseload reduction funding, an aftercare treatment grant, and funds for 100 new diversion treatment beds. They received a total of \$3.7 million in new money for fiscal year 2006.

The review team conducted a total of 32 individual interviews while on site, including discussions with the administrators of their new and existing facilities. During site visits, facility staff discussed issues regarding implementation as well as other departmental needs. As with all interviews, individual responses are kept confidential and summarized in a manner that no specific individual can be identified. Results from these interviews and site visits will be discussed throughout the Bexar County CSCD section of this report. Following is a list of facilities visited and specialty courts attended.

SITE VISITS TO DIVERSION FACILITIES AND SPECIALTY COURTS

Substance Abuse Treatment Facility I (SATF I) – The Bexar County CSCD SATF I is a 100-bed residential facility that provides treatment, education and counseling to male and female offenders with substance abuse problems. After completing residential treatment, offenders are required to participate in intensive aftercare supervision, monitored by specialized aftercare caseload officers.

Substance Abuse Treatment Facility II (SATF II) – The Bexar County CSCD SATF II is a residential facility that provides treatment, education, and counseling to male and female offenders with substance abuse problems. SATF II targets the same population as SATF I, but has greater capacity for female offenders. The 100-bed facility has 50 beds reserved for males and 50 beds reserved for females. After completing residential treatment, offenders are required to participate in intensive aftercare supervision, monitored by specialized aftercare caseload officers.

Zero Tolerance Facility – The Bexar County CSCD Zero Tolerance Facility is a residential facility that aims to rehabilitate offenders through discipline and accountability. This program targets males 17–25 years of age who have violated technical conditions of community supervision. The facility serves both felony and misdemeanor offenders.

Mentally Impaired Offender Facility – The Bexar County CSCD Mentally Impaired Offender Facility is a residential facility that targets male and female offenders with mental impairments (e.g., bipolar disorder, schizophrenia, major depression). Offenders are provided medication, education, counseling, and life skills training. The 60-bed facility has 45 beds reserved for males and 15 beds reserved for females. After completing residential treatment, offenders are provided intensive supervision through a specialized mental health caseload.

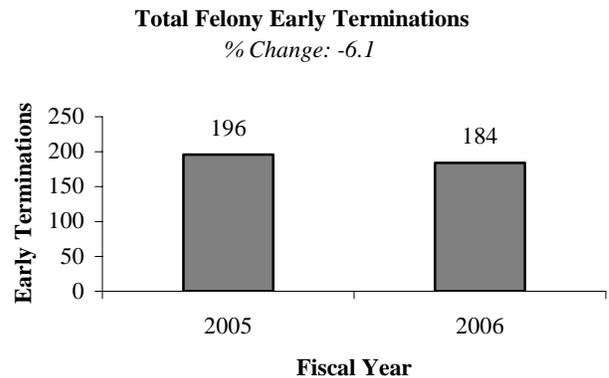
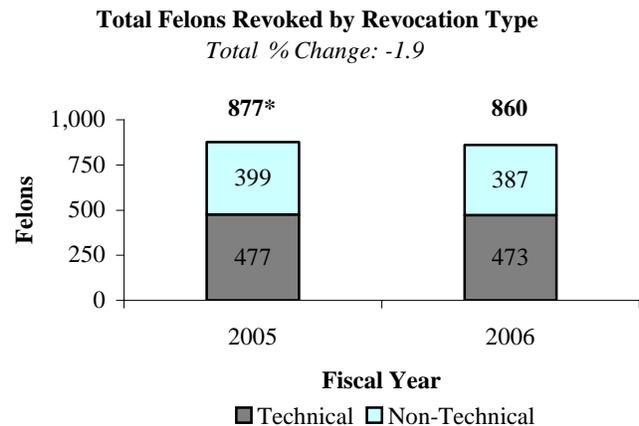
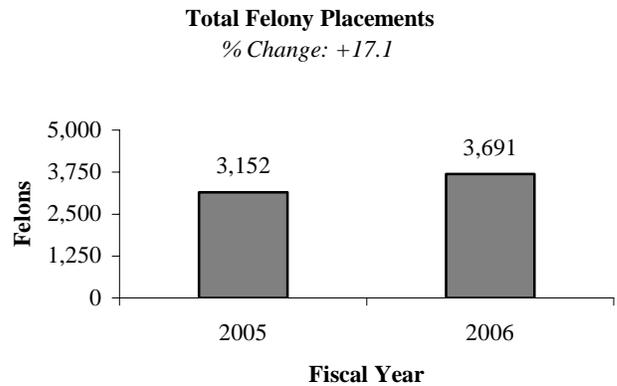
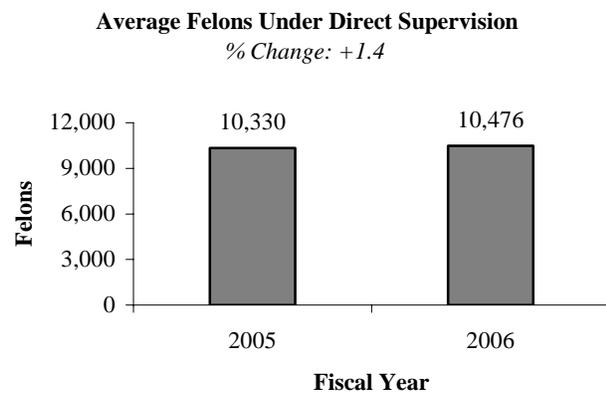
BEXAR COUNTY CSCD

Bexar County Felony Drug Court Program – The Bexar County CSCD felony drug court program aims to rehabilitate offenders under community supervision with substance abuse problems. Intensive supervision, outpatient treatment, and inpatient treatment are all utilized to assist offender rehabilitation. Approximately 140 offenders participate in the 18-month program at any given time. Upon completion of the program, offenders are required to participate in six months of intensive aftercare supervision.

BEXAR COUNTY CSCD

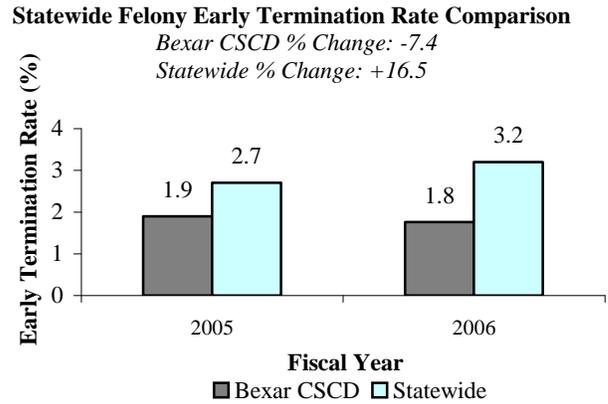
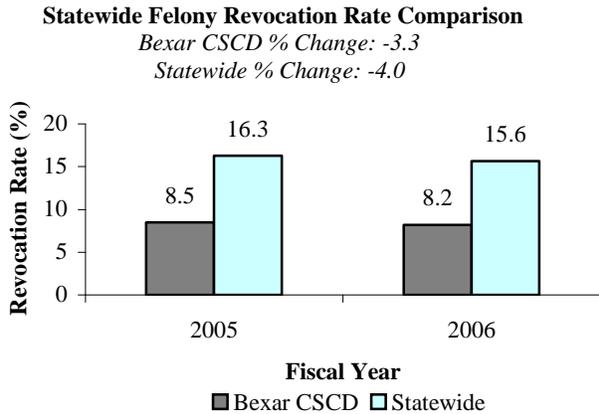
PERFORMANCE INDICATORS

The following graphs display several performance measures for fiscal years 2005–06 for Bexar County CSCD. These performance measures indicate the average number of felons under direct supervision, total felony community supervision placements, number of felons revoked, and the number of early terminations for each fiscal year. Graphs comparing statewide revocation and early termination rates for fiscal years 2005–06 are also provided. The glossary provides definitions of many terms used in these graphs.



* In fiscal year 2005, Bexar County CSCD had 877 total felony revocations (477 technical violation revocations, 399 new offense/conviction revocations, and one revocation of unknown type).

BEXAR COUNTY CSCD

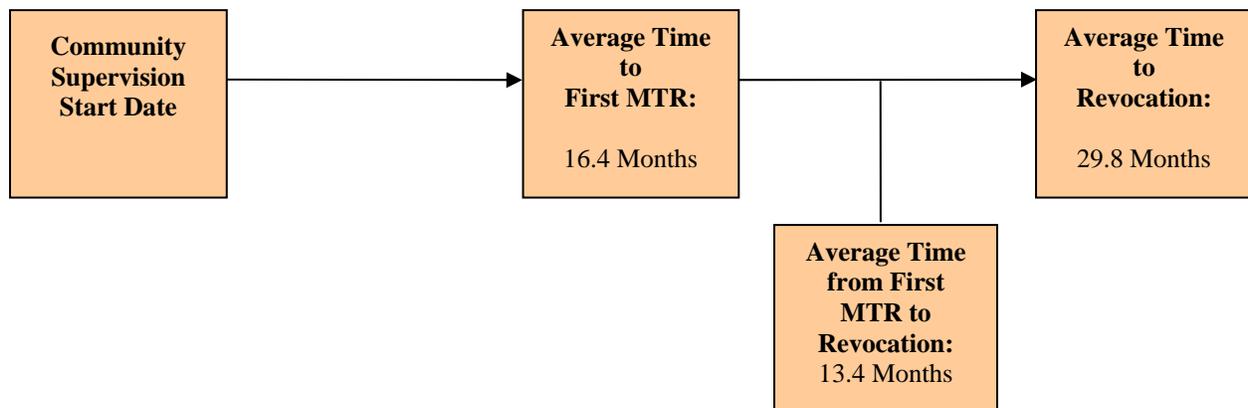


- Bexar County CSCD was the only department among the five CSCDs to experience an increase in felony placements (17.1 percent).
- Bexar County CSCD attributed the reduction in revocations to the use of progressive sanctions and incentives and changes in supervision officer philosophy through staff training.
- Bexar County CSCD plans to focus on increasing early terminations during fiscal year 2007.

SEPTEMBER 2005 REVOCATION TIMELINE

The September 2005 revocation timeline below is for all offenders revoked from Bexar County CSCD during September 2005. It illustrates the average length of time from community supervision placement to: 1) the first motion to revoke (MTR) and 2) revocation. This timeline reflects the revocation process prior to implementation of diversion initiatives provided by the Seventy-ninth Texas Legislature and any related procedural changes.

Figure 1: Average Length of Time from Community Supervision Placement to First MTR and Revocation – Bexar County CSCD



BEXAR COUNTY CSCD

IMPLEMENTATION OF DIVERSION INITIATIVES AND PROGRESSIVE SANCTIONS

Bexar County CSCD received a caseload reduction grant, an aftercare grant, and funding to open a new diversion facility. A brief description of each diversion initiative follows.

CASELOAD REDUCTION FUNDING: During fiscal year 2006, Bexar County CSCD received approximately \$1.9 million for caseload reductions and aftercare services. The hiring process began in September 2005, and all 39 new community supervision officer (CSO) positions and two manager positions created by the diversion initiatives were filled by January 2006. Additionally, five aftercare supervision officers were hired with the aftercare grant. As of July 2006, the CSCD reported their average caseload size was 113, down from 134 in February 2005. Most of the staff interviewed stated they experienced a reduction in their caseloads.

DIVERSION FACILITY: During fiscal year 2006, Bexar County CSCD received approximately \$1.8 million to open a 100-bed substance abuse treatment facility. The CSCD had access to 100 currently existing unfunded residential treatment beds on the grounds of the San Antonio State Hospital. Though the lease was basically free (i.e., one dollar per year), a signed lease agreement was not completed until May 2006. Additionally, a \$200,000 fire sprinkler system had to be installed, causing additional delays in the opening of the facility. The Substance Abuse Treatment Facility II (SATF II) accepted its first clients in September 2006. The SATF II is a 90-day treatment facility, housing 100 residents (50 male, 50 female). The population consists of high risk felony offenders with substance abuse problems, primarily referred for community supervision violations.

PROGRESSIVE SANCTIONS: During fiscal year 2006, the CSCD updated their supervision system and violation procedures. Appendix B contains excerpts and examples of the department's progressive sanctions model. The procedural shift primarily related to increased scrutiny of caseloads to determine appropriate levels of supervision. This was accomplished through caseload audits performed by CSCD managers.

All felony offenders are subjected to progressive sanctions to address community supervision violations. The severity of the community supervision violation dictates whether an admonishment/modification from the court is appropriate or a motion to revoke community supervision should be filed. In most cases, technical community supervision violations are addressed through court modifications before a motion to revoke is warranted. Violations are handled separately by each court. All of the supervision staff interviewed were supportive of the progressive sanctions model.

Toward the end of fiscal year 2006, one of the district courts developed a summons program to address community supervision violations. This program requires offenders to appear before a judge without a warrant being issued. Supervision staff indicated face-to-face contact with the judge encouraged offender compliance.

BEXAR COUNTY CSCD

As part of the LBB's site visit, Bexar County CSCD provided written responses to a variety of questions. Following are summarized portions of the CSCD's responses to two of the questions.

DO YOU THINK YOUR UPDATED PROCESSES ARE HAVING AN IMPACT ON REVOCATIONS?

CSCD RESPONSE: Based on state reports, the department reported a reduction in revocations. Officers' supervision policies are shifting, with increased consideration given to progressive sanctions as opposed to revocation. Implementation of new training methods, such as Motivational Interviewing and Strategies for Case Supervision (SCS), has assisted supervision officers to implement more accurate supervision plans.

WHAT ARE YOUR PLANS FOR FISCAL YEAR 2007?

CSCD RESPONSE: The department plans to continue training community supervision officers in Motivational Interviewing and SCS. Implementation of these policies will ensure proper placement and supervision level for offenders. Progressive sanctions policies and documentation will continue to be encouraged throughout the department. Judicial support is present regarding current supervision policies, but support from the district attorney has not been obtained. The department plans to seek the support of the district attorney through continued interaction.

OTHER OBSERVATIONS

- During the past three years, the CSCD leadership staff and philosophy changed. The previous administration was in place for thirty years, and one of the biggest changes experienced during fiscal year 2006 was additional staff training to assist in overcoming previous policy regarding community supervision, which emphasized surveillance and incarceration. The current CSCD director was hired in November 2003 from outside the state of Texas and required all supervisory staff to reapply for their positions. This change in leadership occurred prior to implementing the new progressive sanctions process.
- The Bexar County administrative judge approved the new progressive sanctions processes; however, the district judges still operate independently. Additionally, the district attorney's office has not approved the progressive sanctions concept.
- Interview data revealed that many CSCD staff are concerned about the high turnover rate for community supervision officers. Low starting salaries and low departmental morale were most consistently cited as causes of turnover.
- Offenders participating in residential treatment programs were asked about the effectiveness of community-based treatment. Most offenders stated that the success of the programs primarily depended on offenders' desire to change.

DALLAS COUNTY CSCD

DALLAS COUNTY CSCD

The site visit to Dallas County CSCD was conducted from September 25–28, 2006. Dallas County CSCD received both types of diversion target monies: caseload reduction money and funds for diversion beds. As a result of a loss in federal funding, diversion bed funds did not create new treatment beds, but allowed existing beds to continue. They received a total of \$2.8 million in new money for fiscal year 2006.

The review team conducted a total of 39 individual interviews while on site, including discussions with the administrators of their existing facilities. During site visits, facility staff discussed issues regarding implementation as well as other departmental needs. As with all interviews, individual responses are kept confidential and summarized in a manner that no specific individual can be identified. Results from these interviews and site visits will be discussed throughout the Dallas County CSCD section of this report. Following is a list of facilities visited and specialty courts attended.

SITE VISITS TO DIVERSION FACILITIES AND SPECIALTY COURTS

Substance Abuse Felony Punishment Facility (SAFPF) Re-Entry Court – The SAFPF re-entry program targets offenders released from SAFPFs that are under the supervision of Dallas County CSCD. Frequent court appearances, as well as intensive supervision by specialized community supervision officers, assist to reintegrate offenders into the community. Offenders participate in the program for 18–21 months before being transferred to a regular supervision caseload.

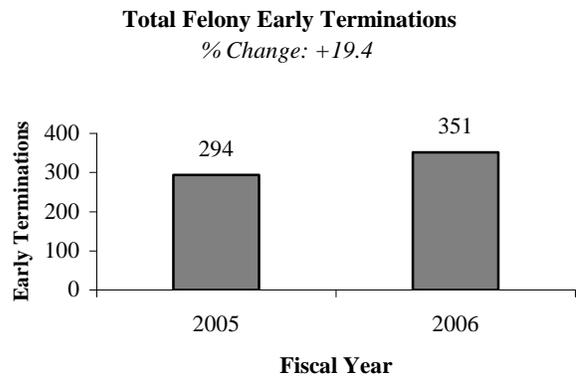
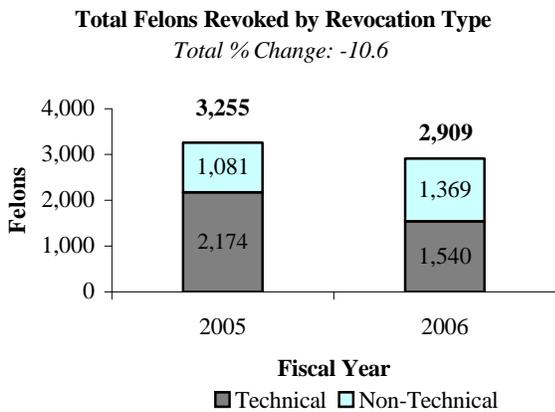
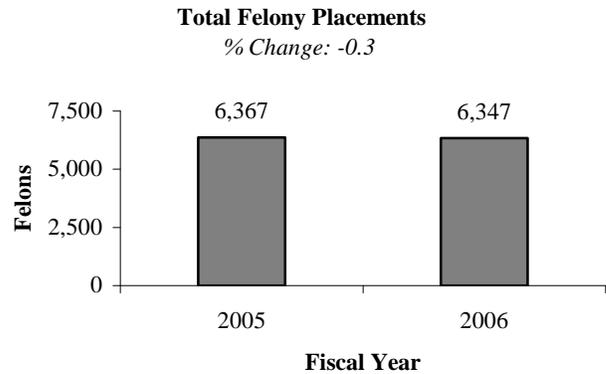
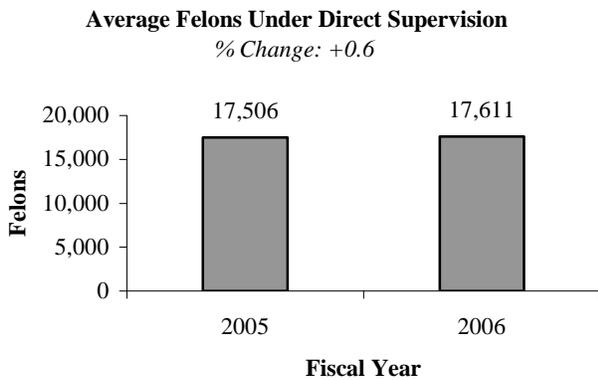
Intensive Interventions Program (IIP) Court – The IIP was implemented by Dallas County CSCD as an alternative to revocation for offenders with multiple technical violations of community supervision. Increased monitoring of offenders, intensive treatment and programming, and increased court appearances are all components of the program. There are 15 specialized community supervision officers within the IIP, each supervising approximately 45 medium to high-risk offenders.

Judicial Treatment Center – The Dallas County CSCD Judicial Treatment Center is a substance abuse treatment facility that provides inpatient treatment, education, and counseling for offenders under community supervision in Dallas County. The Judicial Treatment Center has a maximum capacity of 326 offenders, with approximately 90 treatment beds reserved for female offenders.

DALLAS COUNTY CSCD

PERFORMANCE INDICATORS

The following graphs display several performance measures for fiscal years 2005–06 for Dallas County CSCD. These performance measures indicate the average number of felons under direct supervision, total felony community supervision placements, number of felons revoked, and the number of early terminations for each fiscal year. Graphs comparing statewide revocation and early termination rates for fiscal years 2005–06 are also provided. The glossary provides definitions of many terms used in these graphs.

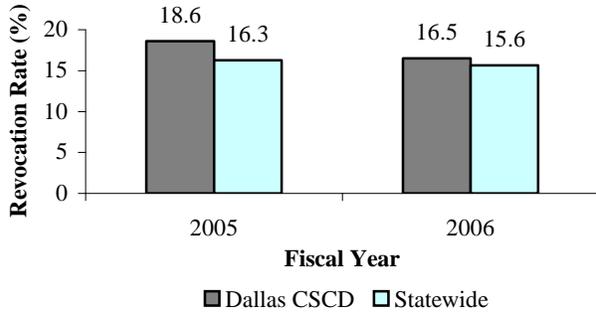


DALLAS COUNTY CSCD

Statewide Felony Revocation Rate Comparison

Dallas CSCD % Change: -11.2

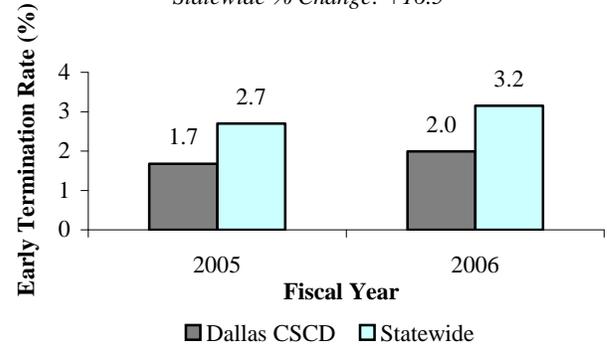
Statewide % Change: -4.0



Statewide Felony Early Termination Rate Comparison

Dallas CSCD % Change: +18.7

Statewide % Change: +16.5

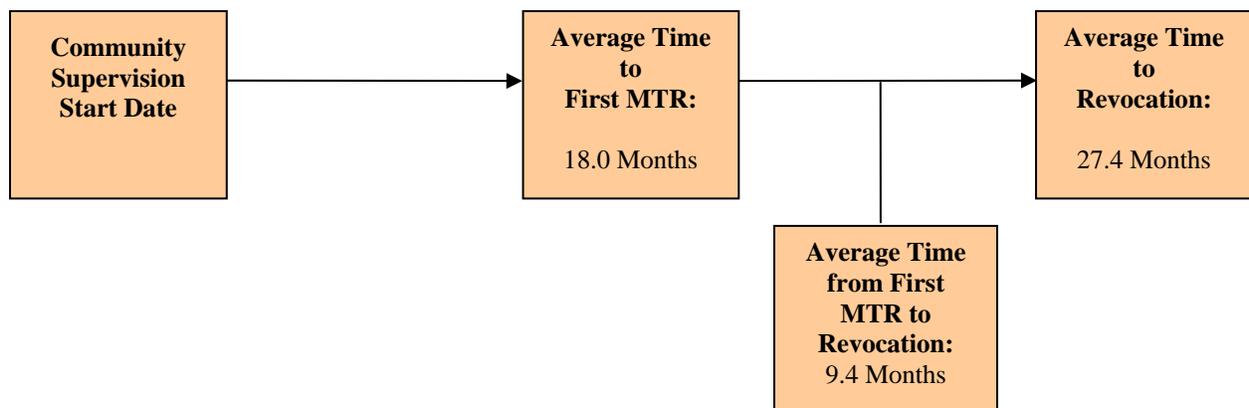


- Dallas County CSCD reduced technical revocations by 29.2 percent and non-technical revocations increased by 26.6 percent.
- Compared to fiscal year 2005, approximately 350 fewer offenders were revoked by Dallas County CSCD during fiscal year 2006.

SEPTEMBER 2005 REVOCATION TIMELINE

The September 2005 revocation timeline below is for all offenders revoked from Dallas County CSCD during September 2005. It illustrates the average length of time from community supervision placement to: 1) the first motion to revoke (MTR) and 2) revocation. This timeline reflects the revocation process prior to implementation of diversion initiatives provided by the Seventy-ninth Texas Legislature and any related procedural changes.

Figure 2: Average Length of Time from Community Supervision Placement to First MTR and Revocation – Dallas County CSCD



DALLAS COUNTY CSCD

IMPLEMENTATION OF DIVERSION INITIATIVES AND PROGRESSIVE SANCTIONS

Dallas County CSCD received a caseload reduction grant and substance abuse treatment funding for previously federally funded beds. The CSCD did not have any vacant residential beds; therefore, they were excluded as a site eligible for residential funds. The treatment funds received allowed the CSCD to operate their 326-bed Substance Abuse Treatment Facility at near full capacity during the fiscal year. A brief description of each diversion initiative follows.

CASELOAD REDUCTION FUNDING: During fiscal year 2006, the CSCD received approximately \$2.1 million for caseload reductions. The department reported hiring 45 new staff with the funds as well as transferring more experienced officers to operate a sanctions court. A magistrate judge was hired to oversee the sanctions court, and eventually all technical violators will be supervised by this court. The newly created positions were designated as regular supervision officers to reduce caseloads. After hiring the additional staff, the CSCD reported their average caseload size was reduced from 112 cases per officer to approximately 96. Most of the staff interviewed stated they experienced a reduction in their caseloads.

PREVIOUSLY FEDERALLY FUNDED BEDS: During fiscal year 2006, the CSCD received approximately \$680,000 to operate 26 substance abuse treatment beds that were previously federally funded. Approximately 23 offenders occupied the 26 available beds each month of fiscal year 2006.

PROGRESSIVE SANCTIONS: In November 2005, the department adopted a Sanctions Grid to implement a progressive sanctions process. Due to implementation of progressive sanctions, violations are not automatically reported to the courts. Through alternative diversion tools and incentives, officers assist offenders to better adhere to conditions of community supervision. Appendix C contains excerpts and examples of the department's progressive sanctions and incentives supervision model.

Most recently, the department established an Administrative Review Board for the field supervision units. This board meets weekly to review all cases going to court with violations. The board's primary responsibility is to ensure that officers have exhausted all possible methods of resolving violations prior to sending the file to court.

The Sanctions Court, created as a result of caseload reduction funds, employs a full-time magistrate and 15 supervision officers who supervise offenders with multiple technical violations. After participating in administrative review, offenders are placed in the Sanctions Court and the magistrate determines if and when an offender should be referred to the original court for revocation. This process further ensures all methods of diversion have been utilized before revocation. The major change reported by the department during fiscal year 2006 was the method in which violations are reported to court. With the exception of new felony offenses and absconders, supervision officers are to follow the Sanctions Grid, which utilizes supervisors and assistant supervisors for offender reprimands and case staffings. The Sanctions Court has evolved over the year and is now called the Intensive Interventions Program.

DALLAS COUNTY CSCD

As part of the LBB's site visit, Dallas County CSCD provided written responses to a variety of questions. Following are summarized portions of the CSCD's responses to two of the questions.

DO YOU THINK YOUR UPDATED PROCESSES ARE HAVING AN IMPACT ON REVOCATIONS?

CSCD RESPONSE: Dallas County CSCD attributed their reduction in revocations to proactive methods implemented by the department. Through the creation of the progressive sanctions model, supervision officers were able to promote positive offender behavior in order to encourage successful community supervision completions.

Diversion initiatives funded by the Seventy-ninth Texas Legislature allowed the CSCD to reduce caseload sizes and implement the Intensive Interventions Program (IIP). The IIP was successful in diverting high-risk offenders from revocation through intensive supervision, treatment, and programming.

The cooperation of the judiciary and court unit supervisors was instrumental in the success of the sanctions model and reduced revocations. Only one of 15 felony courts in Dallas County did not experience reduced revocations.

WHAT ARE YOUR PLANS FOR FISCAL YEAR 2007?

CSCD RESPONSE: The Sanctions Court recently implemented by Dallas County CSCD will continue to operate, ensuring that all appropriate measures have been applied prior to revocation. The continued operation of the Sanctions Court should further reduce revocations.

Due to the success of the Dallas County CSCD drug courts, the department will expand its utilization of the problem-solving court model. These courts will aim to reintegrate offenders upon completion of residential treatment, as well as increase compliance of offenders committing technical violations. The problem-solving court model will also aim to increase cooperation among community corrections stakeholders, define community supervision goals, and implement effective programming to assist offender success. Some components of the problem-solving court model that will be implemented include reduced specialized caseloads, increased judicial oversight, accurate assessment tools, and the continued utilization of progressive sanctions.

DALLAS COUNTY CSCD

OTHER OBSERVATIONS

- Dallas County CSCD hired a new director in May 2006. The position had been vacant for 18 months.
- Dallas County CSCD expressed concerns regarding the caseload reduction funds received from the Seventy-ninth Texas Legislature. The funding did not include benefits packages and the CSCD will have to eliminate three to four positions each year to maintain an annual 3 percent salary increase for all officers.
- During fiscal year 2006, Dallas County added two new felony courts to address an increased volume of case filings.
- Interview data revealed decision-makers (e.g., judges, district attorneys, and community supervision administrators), community supervision officers, and offenders all stressed a need for increased offender substance abuse treatment and programming. Decision-makers noted the difficulty of obtaining employment for offenders, and indicated that increased job training opportunities were needed. Offenders also noted support for more re-entry programming, while supervision officers indicated a need for increased salaries.
- Offenders in specialized courts were asked their opinion on the effectiveness of community supervision, with almost all reporting positive specialized court experiences. Most offenders suggested that community supervision could be improved through more specialty courts and greater access to treatment.

HARRIS COUNTY CSCD

HARRIS COUNTY CSCD

The site visit to Harris County CSCD was conducted from October 9–12, 2006. Harris County CSCD received both types of diversion target monies: caseload reduction money and funds for diversion beds. They received a total of \$10.5 million in new money for fiscal year 2006.

The review team conducted a total of 38 individual interviews while on site, including discussions with the administrators of their existing facilities. During site visits, facility staff discussed issues regarding implementation as well as other departmental needs. As with all interviews, individual responses are kept confidential and summarized in a manner that no specific individual can be identified. Results from these interviews and site visits will be discussed throughout the Harris County CSCD section of this report. Following is a list of facilities visited and specialty courts attended.

SITE VISITS TO DIVERSION FACILITIES AND SPECIALTY COURTS

Atascocita Substance Abuse Treatment Facility (SATF) and Residential Substance Abuse Treatment Facility (RSAT) – The Harris County CSCD Atascocita SATF and RSAT are located on the same campus and target similar populations with similar programming. The SATF is a 144-bed facility, and the RSAT is a 96-bed facility. Both facilities provide residential treatment, education, and counseling for male offenders with substance abuse problems (primarily felony, but up to 10 percent of the population can be misdemeanor offenders). The length of stay in both facilities is between six and 12 months, followed by six months of intensive aftercare supervision.

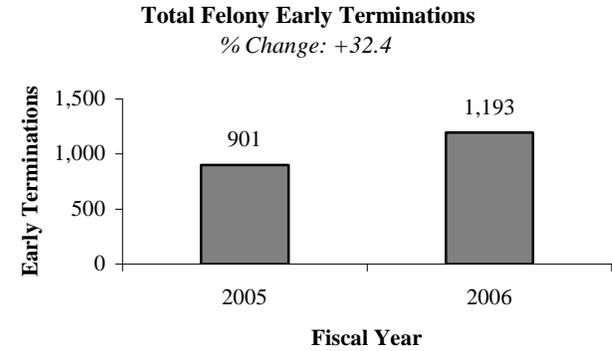
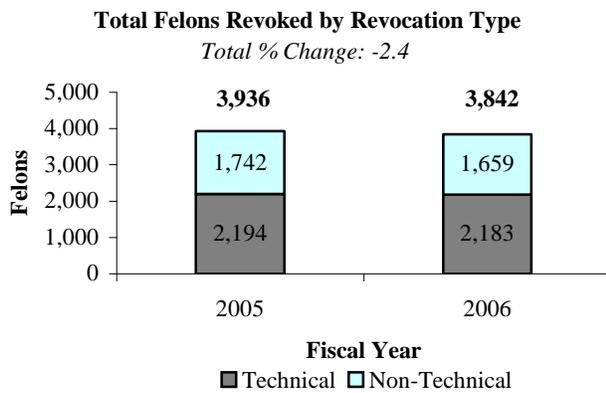
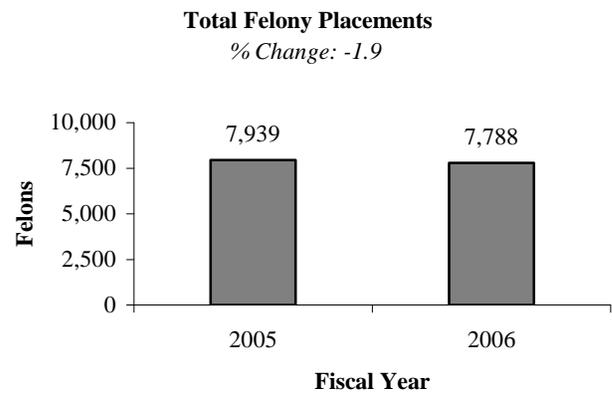
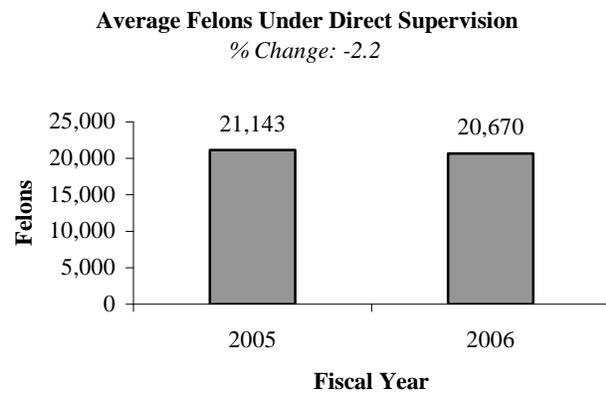
Peden Substance Abuse Treatment Facility (SATF) – The Harris County CSCD Peden SATF is a short-term (three to six months), 300-bed residential facility that provides treatment, education, and counseling to male offenders participating in the Changes Through Intervention Program (CTI). Peden SATF also provides a 30-day residential relapse program for alumni of any Harris County CSCD residential treatment facility. After completing residential treatment, all offenders are required to participate in six months of intensive aftercare supervision, monitored by specialized CTI officers. Offenders also have access to and participate in intensive and/or supportive aftercare treatment.

Changes Through Intervention (CTI) Program Court – The Changes Through Intervention Program aims to rehabilitate high-risk offenders through increased supervision, intensive treatment and programming, and increased appearances before their judge. All offenders exiting any Harris County CSCD residential facility are required to participate in the CTI program, but high-risk offenders already under supervision or newly placed offenders are also eligible. Offenders participate in the CTI program for up to six months, and once assessed to be low-risk, may be eligible for transfer to regular caseloads or early termination.

HARRIS COUNTY CSCD

PERFORMANCE INDICATORS

The following graphs display several performance measures for fiscal years 2005–06 for Harris County CSCD. These performance measures indicate the average number of felons under direct supervision, total felony community supervision placements, number of felons revoked, and the number of early terminations for each fiscal year. Graphs comparing statewide revocation and early termination rates for fiscal years 2005–06 are also provided. The glossary provides definitions of many terms used in these graphs.

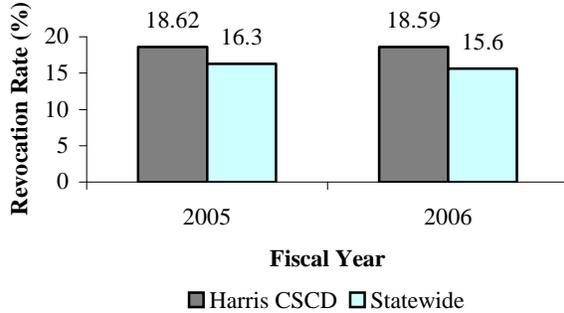


HARRIS COUNTY CSCD

Statewide Felony Revocation Rate Comparison

Harris CSCD % Change: -0.2

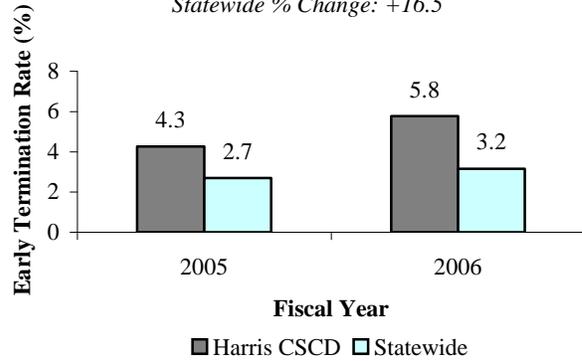
Statewide % Change: -4.0



Statewide Felony Early Termination Rate Comparison

Harris CSCD % Change: +35.4

Statewide % Change: +16.5

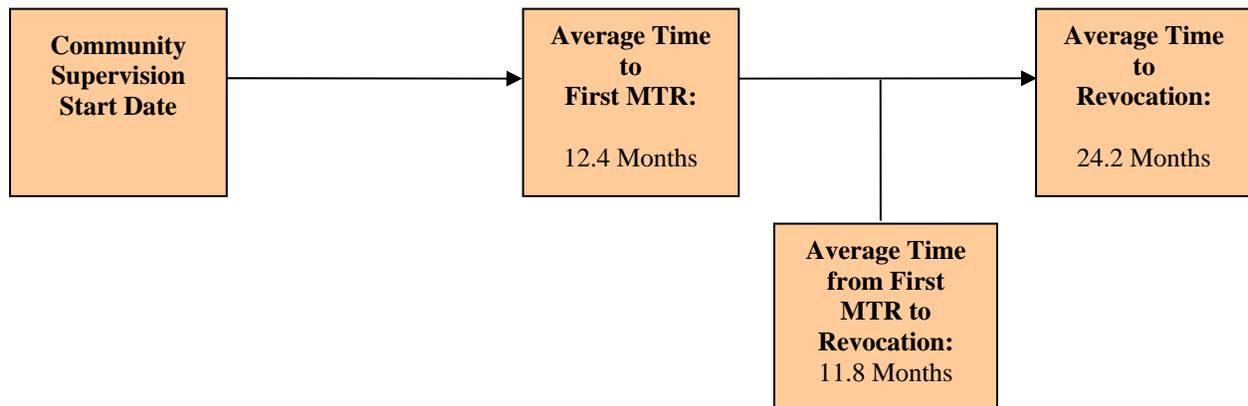


- Harris County CSCD experienced the largest early termination rate increase among the five CSCDs (35.4 percent).
- Technical revocations were reduced by 0.5 percent from fiscal year 2005 to fiscal year 2006; Harris County CSCD indicated that delays in implementing new diversion beds were most likely responsible for the slight reduction.

SEPTEMBER 2005 REVOCATION TIMELINE

The September 2005 revocation timeline below is for all offenders revoked from Harris County CSCD during September 2005. It illustrates the average length of time from community supervision placement to: 1) the first motion to revoke (MTR) and 2) revocation. This timeline reflects the revocation process prior to implementation of diversion initiatives provided by the Seventy-ninth Texas Legislature and any related procedural changes.

Figure 3: Average Length of Time from Community Supervision Placement to First MTR and Revocation – Harris County CSCD



HARRIS COUNTY CSCD

IMPLEMENTATION OF DIVERSION INITIATIVES AND PROGRESSIVE SANCTIONS

Harris County CSCD received a caseload reduction grant, an aftercare caseload grant, funding to open a new diversion facility, and funding for aftercare treatment. A brief description of each diversion initiative follows.

CASELOAD REDUCTION FUNDING: During fiscal year 2006, Harris County CSCD received approximately \$2.4 million for caseload reductions and aftercare services. The department began the hiring process in September 2005, and 31 new positions were filled by January 2006. These positions consisted of 24 supervision officers and other administrative and supervisory positions. After hiring the additional staff, the CSCD reported an average caseload size of 130, down from 150 in fiscal year 2005. Most of the staff interviewed stated they experienced a reduction in their caseloads.

DIVERSION FACILITY: During fiscal year 2006, Harris County CSCD received approximately \$5.9 million to open a 300-bed substance abuse treatment facility. The CSCD owned a facility used for supervision office space, and with some modification the space was renovated to house 300 residential substance abuse treatment beds. The department reported an inability to utilize the treatment bed funding until January 2006, attributed to unresolved aftercare funding issues. In addition to the aftercare funding issues, retrofitting the facility and relocating supervision officers for the sex offender unit previously located at the facility delayed the opening of the facility until June 2006.

PROGRESSIVE SANCTIONS: Harris County CSCD implemented a progressive sanctions model through the Changing Through Interventions (CTI) Program in November 2005. The CTI program is designed to provide meaningful sanctions and incentives to offenders who have violated conditions of supervision and are in jeopardy of revocation. The program was initially piloted in six felony courts and at the time of the site visit 17 of the 37 courts had agreed to participate. Participating courts agreed to be responsive to problems and issues officers have with offenders and to hold court dockets every 90 days to personally meet with each CTI offender. The CTI program consists of 34 supervision officers, each with a maximum caseload of 45 offenders (14 supervision officers are dedicated to residential aftercare caseloads). A mental health court was also implemented; four supervision officers are designated to supervise mental health caseload offenders. Appendix D contains excerpts and examples of the CTI supervision model.

HARRIS COUNTY CSCD

As part of the LBB's site visit, Harris County CSCD provided written responses to a variety of questions. Following are summarized portions of the CSCD's responses to two of the questions.

DO YOU THINK YOUR UPDATED PROCESSES ARE HAVING AN IMPACT ON REVOCATIONS?

CSCD RESPONSE: The department reported updated processes are starting to have an impact on revocations. The department reported that implementation issues in starting its new programs limited the impact they were able to have on revocations.

WHAT ARE YOUR PLANS FOR FISCAL YEAR 2007?

CSCD RESPONSE: Priorities for fiscal year 2007 reported by the CSCD include supervision officer training, implementing evidence-based practices, and reorganizing assessment unit responses to court and field services. The department also indicated plans for a Strategic Planning Initiative with the National Institute of Corrections, implementation of new urinalysis screening methods, and continued development of the Changes Through Intervention Program, the Peden SATF, and aftercare caseloads.

OTHER OBSERVATIONS

- Harris County CSCD hired a new director during July 2006.
- Interview data indicated both decision-makers and community supervision officers supported increased community supervision funding with an emphasis on substance abuse treatment, programming, and aftercare.
- Offenders in the new diversion treatment facility (Peden SATF) were interviewed and asked about the effectiveness of the SATF program. All offenders interviewed reported the program to be effective and the most common response to questions about increasing the program's success related to a need for increased community supervision officer flexibility.

TARRANT COUNTY CSCD

TARRANT COUNTY CSCD

The site visit to Tarrant County CSCD was conducted from September 26–29, 2006. Tarrant County CSCD received caseload reduction money, but did not receive funds for diversion beds. They received a total of \$1.4 million in new money for fiscal year 2006.

The review team conducted a total of 25 individual interviews while on site, including discussions with the administrators of their existing facility. During site visits, the facility staff discussed issues regarding implementation as well as other departmental needs. As with all interviews, individual responses are kept confidential and summarized in a manner that no specific individual can be identified. Results from these interviews and site visits will be discussed throughout the Tarrant County CSCD section of this report. Following is a description of the facility visited during the site visit.

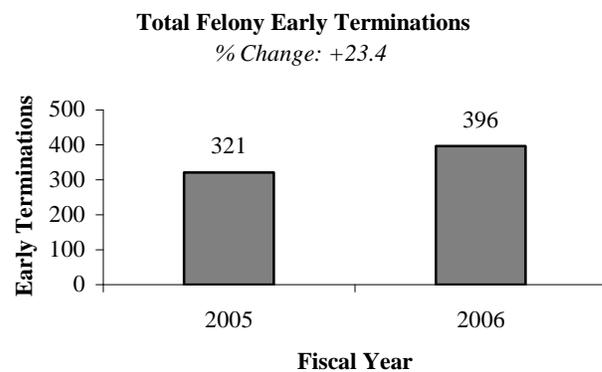
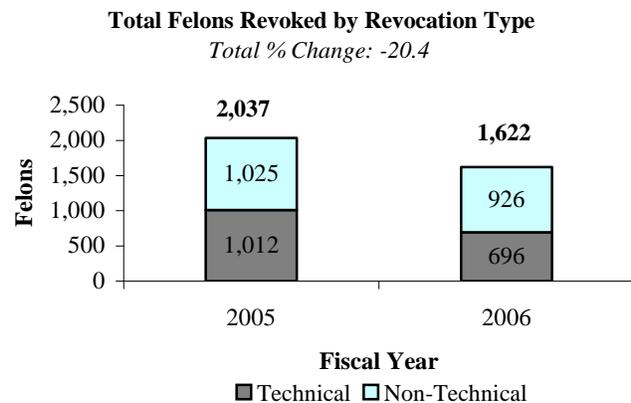
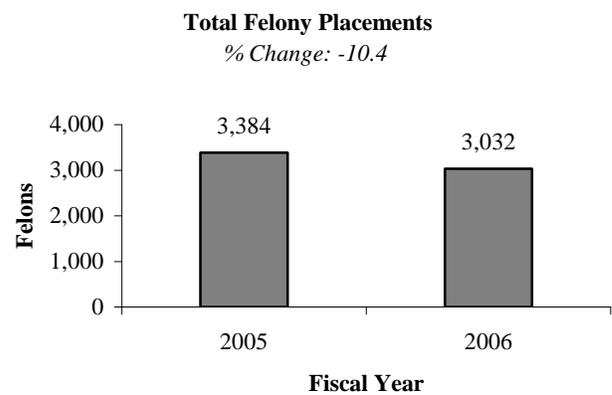
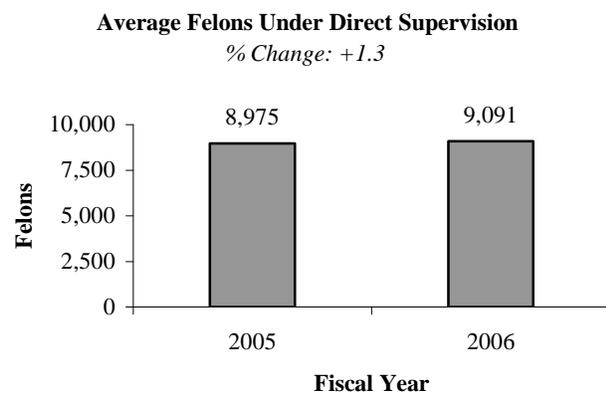
SITE VISITS TO DIVERSION FACILITIES

Intensive Day Treatment (IDT) Program – The Tarrant County CSCD IDT is an outpatient treatment program that aims to rehabilitate offenders with substance abuse problems through treatment, education and counseling. Both male and female offenders are eligible and must be ordered into the program as a condition of community supervision by a judge. The IDT program is 12 weeks in duration, with offenders attending treatment 8 a.m. until 5 p.m. five days per week. Capacity for the program is sixteen offenders per group with a capacity for six groups (96 offenders total).

TARRANT COUNTY CSCD

PERFORMANCE INDICATORS

The following graphs display several performance measures for fiscal years 2005–06 for Tarrant County CSCD. These performance measures indicate the average number of felons under direct supervision, total felony community supervision placements, number of felons revoked, and the number of early terminations for each fiscal year. Graphs comparing statewide revocation and early termination rates for fiscal years 2005–06 are also provided. The glossary provides definitions of many terms used in these graphs.

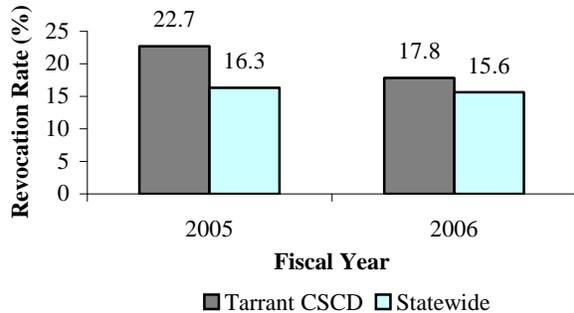


TARRANT COUNTY CSCD

Statewide Felony Revocation Rate Comparison

Tarrant CSCD % Change: -21.4

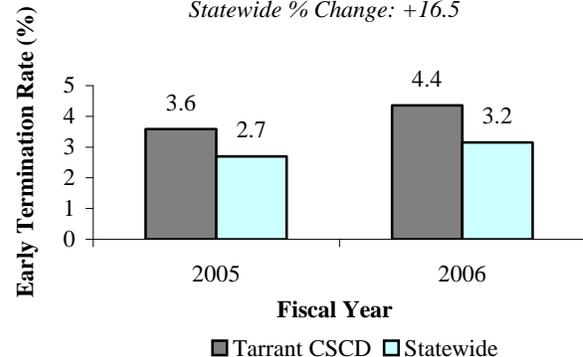
Statewide % Change: -4.0



Statewide Felony Early Termination Rate Comparison

Tarrant CSCD % Change: +21.8

Statewide % Change: +16.5

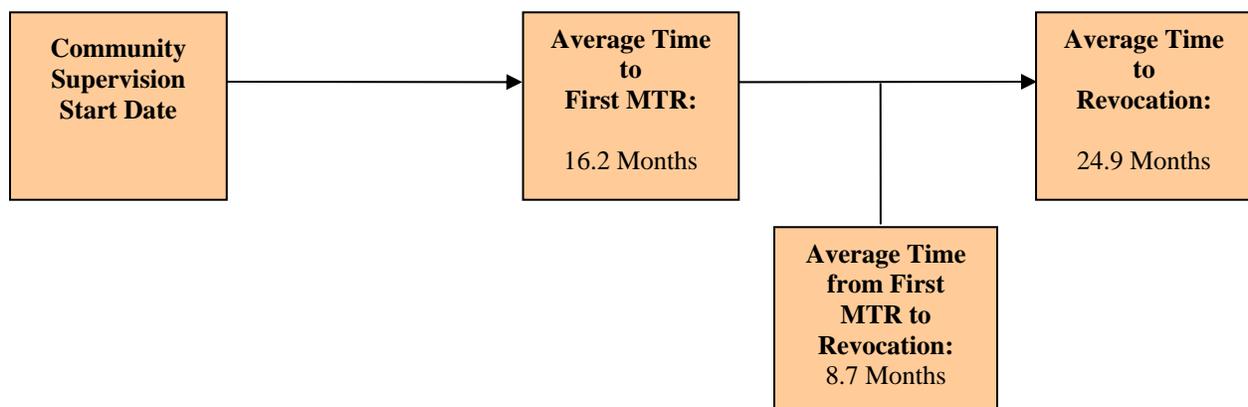


- Though Tarrant County CSCD experienced the largest reduction in felony placements among the five CSCDs from fiscal year 2005 to fiscal year 2006 (10.4 percent), the average number of felons under direct supervision increased 1.3 percent.
- Tarrant County CSCD experienced the largest revocation rate reduction (21.4 percent) and the largest reduction in technical revocations (31.2 percent) among the five CSCDs from fiscal year 2005 to fiscal year 2006.
- Tarrant County CSCD attributed reduced revocations to the use of progressive sanctions, judicial cooperation, and increased judicial consistency.

SEPTEMBER 2005 REVOCATION TIMELINE

The September 2005 revocation timeline below is for all offenders revoked from Tarrant County CSCD during September 2005. It illustrates the average length of time from community supervision placement to: 1) the first motion to revoke (MTR) and 2) revocation. This timeline reflects the revocation process prior to implementation of diversion initiatives provided by the Seventy-ninth Texas Legislature and any related procedural changes.

Figure 4: Average Length of Time from Community Supervision Placement to First MTR and Revocation – Tarrant County CSCD



TARRANT COUNTY CSCD

IMPLEMENTATION OF DIVERSION INITIATIVES AND PROGRESSIVE SANCTIONS

Tarrant County CSCD received a caseload reduction grant but did not receive residential treatment funding. In determining the expenditure of funds for additional residential treatment beds, TDCJ-CJAD gave preference to CSCDs with access to existing unfunded treatment beds and departments with higher technical revocation rates. Tarrant County CSCD met these criteria and was eligible to apply for residential treatment funding but did not apply. The department indicated the primary reason it refused the residential treatment funding was because the residential funding method did not keep up with the actual costs of operating a residential facility. The CSCD also refused residential funding because of a lawsuit related to the death of a resident at a previously funded residential facility within their jurisdiction.

CASELOAD REDUCTION FUNDING: During fiscal year 2006, the CSCD received approximately \$1.4 million for caseload reductions. The department began the hiring process in October 2005 and 32 new community supervision officer (CSO) positions were filled by April 2006. The CSCD reported that medium and maximum supervision level felony caseload sizes dropped from 144 cases per officer on the average to 94 as a result of the new positions added. Overall, they reported that caseload sizes were reduced by 35 percent. Most of the staff interviewed stated they experienced a reduction in their caseloads.

PROGRESSIVE SANCTIONS: Tarrant County CSCD's progressive sanctions model was implemented in October 2005 to address offender non-compliance while under community supervision. The model focuses on accountability and timely application of accurate sanctions, while encouraging positive behavior through cognitive programming. Appendix E contains excerpts from the Tarrant County CSCD progressive sanctions model.

TARRANT COUNTY CSCD

As part of the LBB's site visit, Tarrant County CSCD provided written responses to a variety of questions. Following are summarized portions of the CSCD's responses to two of the questions.

DO YOU THINK YOUR UPDATED PROCESSES ARE HAVING AN IMPACT ON REVOCATIONS?

CSCD RESPONSE: Through judicial consistency related to the progressive sanctions model, Tarrant County CSCD has reduced revocations. Supervision officers are encouraged to manage offender violations within the community, while focusing on the root causes of non-compliance in order to assist offenders' positive change.

WHAT ARE YOUR PLANS FOR FISCAL YEAR 2007?

CSCD RESPONSE: The department plans to continue to reduce caseload sizes, utilize more evidence-based practices, implement an Assessment Center pilot project if funds are available, and continue to refine the progressive sanctions model.

OTHER OBSERVATIONS

- Several of the district judges were enthusiastic in implementing progressive sanctions; this support allowed the new process to be implemented without resistance.
- In the past, Tarrant County CSCD primarily focused on enforcing conditions of community supervision with rehabilitation as a second focus. The implementation of the progressive sanctions model required a philosophical shift from solely focusing on public safety to focusing on both public safety and offender rehabilitation. Supervision officers had to be trained to differentially supervise offenders.
- In interviews with judges, many noted a shift in supervision officer philosophy; officers are now responsible for working with offenders to assist them in making behavioral changes as opposed to primarily monitoring offender behavior for violations.
- Offenders at the Intensive Day Treatment (IDT) Program were asked about the effectiveness of the program; most responded that the program was effective. When asked about what was needed to increase the effectiveness of the program, offenders stated that effectiveness ultimately depended on offenders' desire to change.

TRAVIS COUNTY CSCD

TRAVIS COUNTY CSCD

The site visit to Travis County CSCD was conducted from October 23, 2006 – November 3, 2006. Travis County CSCD received caseload reduction money but did not receive funds for diversion beds. They received a total of \$1 million in new money for fiscal year 2006.

The review team conducted a total of 26 individual interviews while on site, including discussions with the administrators of their existing facility. During site visits, the facility staff discussed issues regarding implementation as well as other departmental needs. As with all interviews, individual responses are kept confidential and summarized in a manner that no specific individual can be identified. Results from these interviews and site visits will be discussed throughout the Travis County CSCD section of this report. Following is a description of the facility visited during the site visit.

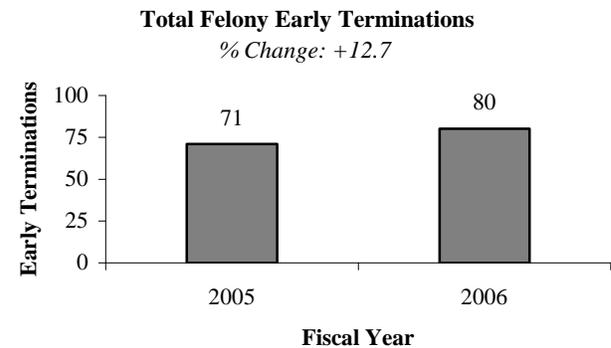
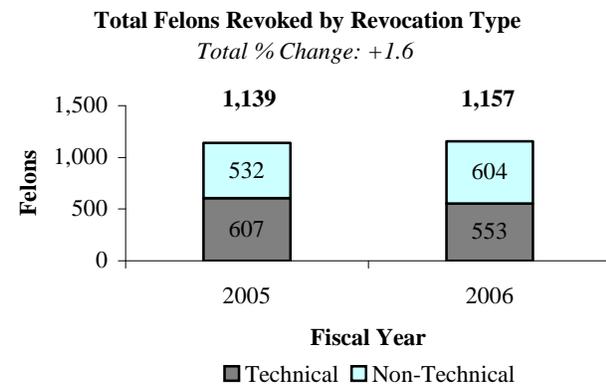
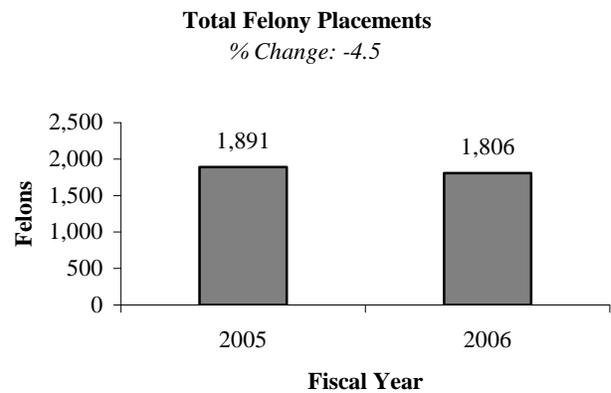
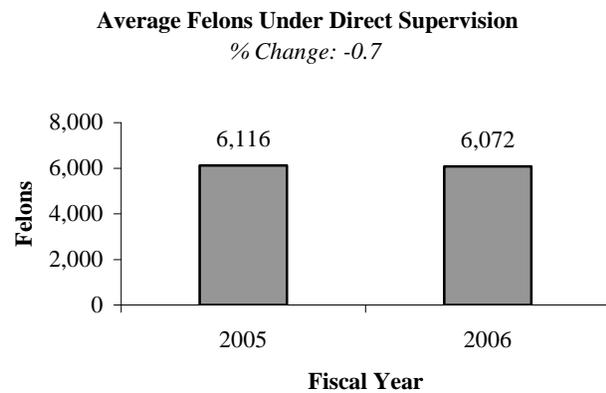
SITE VISITS TO DIVERSION FACILITIES

Supervision and Monitoring for Alcohol Related Treatment (SMART) Program – The Travis County CSCD SMART Program is a residential substance abuse treatment facility that aims to rehabilitate offenders with substance abuse problems through treatment, education, and counseling. The facility has a capacity of 76 beds and is open to male and female offenders. The SMART Program also provides an aftercare component that requires offenders who have completed residential programming to continue attending weekly treatment at the facility for six months.

TRAVIS COUNTY CSCD

PERFORMANCE INDICATORS

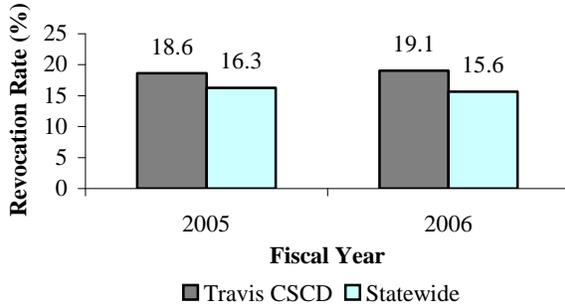
The following graphs display several performance measures for fiscal years 2005–06 for Travis County CSCD. These performance measures indicate the average number of felons under direct supervision, total felony community supervision placements, number of felons revoked, and the number of early terminations for each fiscal year. Graphs comparing statewide revocation and early termination rates for fiscal years 2005–06 are also provided. The glossary provides definitions of many terms used in these graphs.



TRAVIS COUNTY CSCD

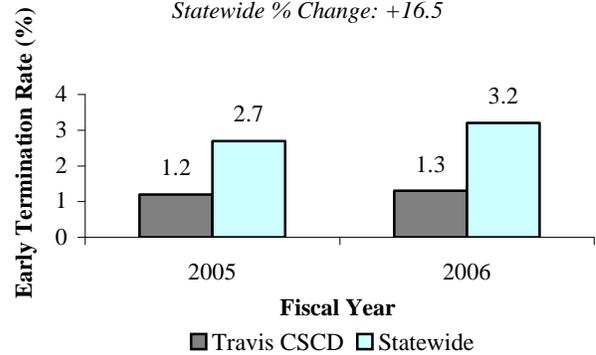
Statewide Felony Revocation Rate Comparison

Travis CSCD % Change: +2.3
 Statewide % Change: -4.0



Statewide Felony Early Termination Rate Comparison

Travis CSCD % Change: +13.5
 Statewide % Change: +16.5

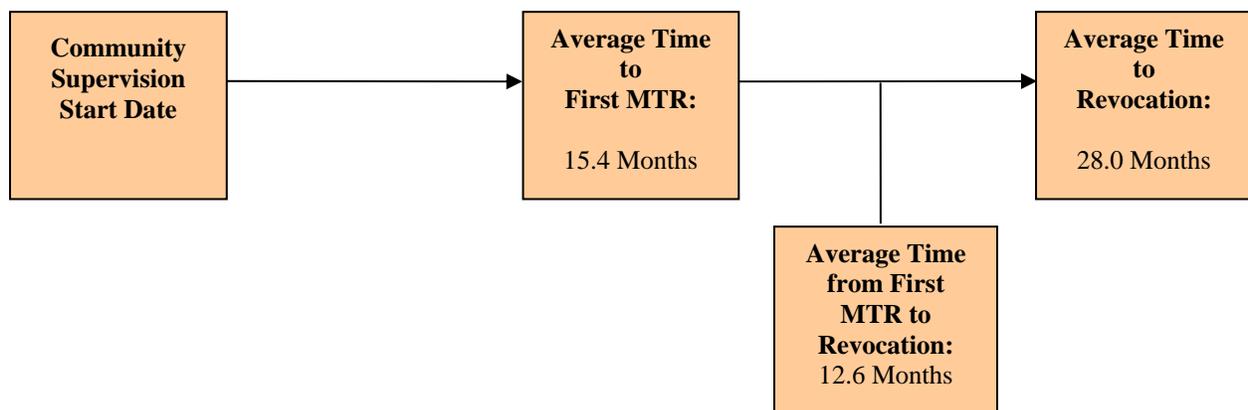


- Travis County CSCD was the only CSCD visited to experience increased overall revocations; however, technical revocations were reduced by 8.9 percent.

SEPTEMBER 2005 REVOCATION TIMELINE

The September 2005 revocation timeline below is for all offenders revoked from Travis County CSCD during September 2005. It illustrates the average length of time from community supervision placement to: 1) the first motion to revoke (MTR) and 2) revocation. This timeline reflects the revocation process prior to implementation of diversion initiatives provided by the Seventy-ninth Texas Legislature and any related procedural changes.

Figure 5: Average Length of Time from Community Supervision Placement to First MTR and Revocation – Travis County CSCD



TRAVIS COUNTY CSCD

IMPLEMENTATION OF DIVERSION INITIATIVES AND PROGRESSIVE SANCTIONS

Travis County CSCD received two grants from TDCJ–CJAD that were used to reduce caseloads and direct more supervision towards high-risk offenders. The department requested residential funding to expand the SMART program but was denied because the expansion would result in extensive construction costs which TDCJ considered inconsistent with the intent of this funding.

CASELOAD REDUCTION FUNDING: During fiscal year 2006, Travis County CSCD received approximately \$1 million for caseload reductions. The hiring process began in October 2005 and 27 new positions were filled by February 2006; most of the new positions were designated as supervision officers. The CSCD reported average caseload sizes reduced from 129 cases per officer prior to the new diversion initiatives to 108 by September 2006. Most of the staff interviewed stated they experienced a reduction in their caseloads.

PROGRESSIVE SANCTIONS: In the summer of 2005, an internal organizational assessment of the Travis County CSCD was conducted by an outside consultant. With findings from the organizational assessment, the department began working with staff, the judiciary, county officials, the community and the outside consultant to implement evidence-based practices. Evidence-based practices are in part supervision strategies based on current scientific research regarding what makes up effective supervision.

The department noted Travis County CSCD historically used progressive sanctions and made use of resources available in the community. However, there were areas in which the department's supervision process could be improved. Staff members at all levels were trained to adopt the new organizational philosophy and practices, and a comprehensive offender assessment and diagnostic process was implemented. The CSCD also created a Felony Revocation Review Process, establishing a committee of departmental staff that meets three times per week to review all cases with violation reports. The committee reviews any possible alternative sanctions and modifies supervision conditions when appropriate in order to avoid revocation. Appendix F contains excerpts from the Travis County CSCD progressive sanctions model.

TRAVIS COUNTY CSCD

As part of the LBB's site visit, Travis County CSCD provided written responses to a variety of questions. Following are summarized portions of the CSCD's responses to two of the questions.

DO YOU THINK YOUR UPDATED PROCESSES ARE HAVING AN IMPACT ON REVOCATIONS?

CSCD RESPONSE: Travis County CSCD did not experience an overall reduction in revocations from fiscal year 2005 to fiscal year 2006 but reduced technical revocations. In addition, the department reported that approximately 1,000 absconder cases were removed from supervision during fiscal year 2006, doubling those removed during fiscal year 2005. In general, an absconder is an offender who has lost contact with their supervision officer for over a three month period (see the glossary for additional detail). The increased absconder removal is considered responsible for the lack of an overall revocation reduction. The department also reported the lack of treatment options and long waits for substance abuse treatment were major barriers to reducing revocations.

WHAT ARE YOUR PLANS FOR FISCAL YEAR 2007?

CSCD RESPONSE: The CSCD plans to fully implement new diagnostic/assessment processes by April 2007, having already received judicial approval. The department also plans to continue staff training and organizational research in order to effectively merge various departmental functions.

OTHER OBSERVATIONS

- Travis County CSCD hired an outside consultant to reengineer the operations of the department; numerous detailed reports were produced addressing these issues in further detail.
- A common theme repeatedly mentioned in interviews was the high level of confidence in the leadership of the CSCD. The changes and level of professional research that are occurring within the department were viewed positively.
- Offenders under regular community supervision were asked about the effectiveness of community supervision; most responded that community supervision was effective. When asked about what could increase the effectiveness of community supervision, offenders most often responded that fees and fines needed to be reduced.

GLOSSARY

GLOSSARY

ABSCONDER / FUGITIVE: Applies to persons who are known to have left the jurisdiction without authorization or who have not personally contacted their community supervision officer within three months or (90) days, AND either: have an active Motion to Revoke (MTR) or Motion to Adjudicate Community Supervision filed and an unserved *capias* for his/her arrest; or have been arrested on an MTR or Motion to Adjudicate Community Supervision, but have failed to appear for the MTR hearing and a bond forfeiture warrant has been issued by the court.

ADJUDICATED COMMUNITY SUPERVISION: Adjudicated Community Supervision occurs when an offender is found guilty of an offense and placed on community supervision.

COMMUNITY JUSTICE PLAN: A CSCD applies for state funding by submitting a community justice plan (CJP) to TDCJ. The CJP outlines a CSCD's existing programs and services and may request funding for new programs and services. As a mandate of the Texas Legislature, the CJP is subject to approval by a CSCD's district judges and community justice council. To decide which programs to fund, TDCJ considers how well the program will meet offenders' needs and what other funding the departments already receive. TDCJ allocates Basic Supervision and Community Corrections Program funds over a two-year period according to specific formulas and categories. Diversion Program and Treatment Alternatives to Incarceration Program funds are awarded to select CSCDs through a competitive process. Four types of state funding available are listed below:

- *Basic Supervision Funds* partially cover the basic operating costs of the CSCD in providing services to offenders, such as employees' salaries, training, supplies, and other essentials. The amount of funding a CSCD receives is determined by the number of direct and pretrial felons and misdemeanant placements.
- *Community Corrections Program Funds* are based on the average number of felons under direct community supervision and the population of the counties in the jurisdiction.
- *Diversion Program Grants* are awarded to select CSCDs for drug courts, substance abuse treatment, and other programs that are alternatives to incarcerating offenders.
- *Treatment Alternatives to Incarceration Program Grants* (TAIP grants) are awarded to select CSCDs to offer substance abuse screening, assessment, referral and treatment to offenders who do not qualify for, or cannot afford, any other treatment.

Offenders under community supervision receive basic supervision services. In addition to the basic conditions of community supervision (e.g., commit no new offense, avoid injurious habits, report regularly, pay fines, etc.), offenders may be placed into a variety of residential and non-residential programs.

COMMUNITY SUPERVISION: The TDCJ publication *Standards for Community Supervision and Corrections Departments* details the two primary types of community supervision: direct and indirect supervision. Direct supervision applies to offenders who are on community supervision and who work or reside in the jurisdiction in which they are being supervised. Offenders under direct supervision receive a minimum of one face-to-face contact with a community supervision officer every three months. Indirect supervision requires the maintenance of a file and/or record of an offender under supervision who meets one of the following criteria: an offender who

GLOSSARY

neither resides nor works within the jurisdiction of the CSCD and receives supervision in another jurisdiction; an offender who neither resides nor works within the jurisdiction but continues to submit written reports on a monthly basis because he is ineligible or unacceptable for supervision in another jurisdiction; an offender who has absconded or who has not contacted his/her Community Supervision Officer (CSO) in person within three months; or an offender who resides or works in the jurisdiction but who, while in compliance with the orders of the court, does not meet the criteria for direct supervision.

COMMUNITY SUPERVISION AND CORRECTIONS DEPARTMENTS (CSCDs): CSCDs supervise and help to rehabilitate offenders who are sentenced to community supervision by local courts. There are 121 CSCDs in Texas, organized within judicial districts and serving 254 counties.

DEFERRED ADJUDICATION: Deferred Adjudication is a type of community supervision that allows offenders to meet conditions of community supervision for a period of time in order to avoid conviction (records of the arrest, prosecution and community supervision are reflected in the offender's record).

DIRECT SUPERVISION: Offenders who are legally on community supervision and who work or reside in the jurisdiction in which they are being supervised and receive a minimum of one face-to-face contact with a community supervision officer (CSO) every three months. Direct supervision begins at the time of initial face-to-face contact with an eligible CSO. Local CSCDs may maintain direct supervision of offenders living and/or working in adjoining jurisdictions if the CSCD has documented approval from the adjoining jurisdictions.

EARLY TERMINATION: Persons who completed their terms of community supervision by receiving early termination/dismissal/discharge from the courts.

EARLY TERMINATION RATE: The number of felony early terminations during a fiscal year divided by the average felony direct supervision population during the same fiscal year.

FELONY PLACEMENT: The court-ordered direction of a felony offender onto community supervision for a specified time.

FELONY REVOCATION: The removal of a felony offender from community supervision to incarceration within prison, state jail, state boot camp, county jail, or any other felony placement following revocation. Felony offenders may be revoked for new arrests/offenses, new offense convictions, or any other technical violation of community supervision (e.g., positive urinalysis, failure to pay fees).

FELONY REVOCATION RATE: The number of felony revocations during a fiscal year divided by the average felony direct supervision population during the same fiscal year.

MONTHLY COMMUNITY SUPERVISION AND CORRECTIONS REPORT (MCSCR): A data collection tool used by TDCJ-CJAD to collect aggregate data from CSCDs on a monthly basis.

GLOSSARY

MOTIVATIONAL INTERVIEWING: Motivational Interviewing is a semi-directive, client-centered interviewing style for helping offenders explore and resolve ambivalence about behavior change. (Miller, W. 1991. Motivational Interviewing, Guilford Press, New York.)

PRE-SENTENCE INVESTIGATION (PSI): The pre-sentence investigation report provides the sentencing court with succinct and precise information about an offender upon which to base a rational sentencing decision.

STRATEGIES FOR CASE SUPERVISION (SCS): SCS is a validated/standardized assessment and supervision planning procedure, and consists of five distinct case supervision strategies.

TEXAS DEPARTMENT OF CRIMINAL JUSTICE – COMMUNITY JUSTICE ASSISTANCE DIVISION (TDCJ-CJAD): TDCJ-CJAD provides funding and oversight of community supervision (or adult probation) in Texas. Offenders on community supervision serve their sentence in the community, rather than in prison. The statutory basis for community supervision is contained in Article 42.12 of the Texas Code of Criminal Procedure. TDCJ-CJAD does not work directly with offenders on community supervision; rather, it works with the Community Supervision and Corrections Departments (CSCDs), which supervise the offenders. There are 121 CSCDs in Texas, organized within judicial districts, serving 254 counties. CSCDs supervise and rehabilitate offenders who are sentenced to community supervision by local courts.

TEXAS DEPARTMENT OF CRIMINAL JUSTICE, STANDARDS FOR CSCDs, APRIL 18, 2005, ASSESSMENTS AND REASSESSMENTS: Within two months of the date of community supervision placement, acceptance of a transfer case, or discharge from any residential facility, jail, or institution, CSOs complete an approved TDCJ-CJAD case classification instrument to assist in the evaluation of the degree of supervision needed by each individual based on the offender's risk and/or needs. CSOs reevaluate risk and need factors and supervision plans at least every 12 months for all direct cases. An approved TDCJ-CJAD reassessment is completed any time a significant change occurs in the status of the offender.

APPENDICES

APPENDIX A
COMMUNITY SUPERVISION AND CORRECTIONS DEPARTMENT (CSCD) QUESTIONNAIRE

APPENDIX A: CSCD QUESTIONNAIRE

- For Fiscal Year 2005 provide the following:
 - CSCD Organizational Chart
 - CSCD budget (major budget items)
 - Describe the supervision system in place and violation procedures.
- For Fiscal Year 2006 provide the following:
 - CSCD Organizational Chart
 - CSCD budget (major budget items)
 - Describe the supervision system in place and violation procedures.
- For August 2005 and August 2006, provide a detailed staffing document for the CSCD.
- Discuss any major changes that have occurred between fiscal year 2005 and during fiscal year 2006.
- Do you think your updated processes are having an impact on revocations?
- Provide a detailed explanation of the new diversion funds your CSCD received and how they were used.
- Did you encounter any barriers with obtaining and using the new funds? If so, please describe.
- What are your plans for fiscal year 2007?
- You should also be prepared to discuss your revocation statistics reported on the MCSCR for fiscal years 2005 and 2006.

APPENDIX B

EXCERPT FROM BEXAR COUNTY CSCD PROGRESSIVE SANCTIONS MODEL

Appendix B contains information provided by Bexar County CSCD relating to the department's progressive sanctions model. An overview is provided, as well as examples of how non-compliant offenders can be managed and possible incentives for offender compliance.

APPENDIX B: EXCERPT FROM BEXAR COUNTY CSCD PROGRESSIVE SANCTIONS MODEL

PROGRAM OVERVIEW

This program will engage a combination of strategies simultaneously to produce the desired result of a 10% reduction of probation revocations. The following description of each phase provides a general concept of the Progressive Sanctions and Incentives Supervision model.

PHASE #1-PROGRESSIVE SANCTIONS

Progressive Sanctions is a systematic approach designed to swiftly address violations in an effort to deter future non-compliance. For purposes of this proposal, the range of progressive sanctions will be, at a minimum, an admonishment by the Supervision Officer and/or Manager up to and including formally placing the offender in a residential facility. Sanctions such as additional Community Service Restitution (CSR), jail time, increased reporting, and additional fines may be applied depending upon the noncompliance issue. The sanctions will increase as additional violations occur, with the presiding courts review and approval.

PHASE #2-INCENTIVES

Unless specifically excluded due to the nature of the offense or otherwise excluded, all felony offenders may receive incentives for complying with court ordered requirements. An incentive program will be developed prior to program implementation. Such incentives may range from a reduction in supervision contacts, decrease in CSR or fines, to early termination in some cases. For example, cases eligible for termination should be submitted for judicial review after having satisfactorily completed one third of the supervision term or two years whichever comes first. If not deemed appropriate for early termination at that time, case will be reviewed annually thereafter. The offender will be apprised of such incentives and encouraged to comply with the program requirements.

PHASE #3-INCREASED SUPERVISION AND MONITORING

While all felony offenders will be subject to progressive sanctions, increased supervision will not apply unilaterally. Based on the Risk and Needs Assessment, a defendant may be placed under increased supervision and monitoring. Depending on the defendant's needs, the increased supervision may include a combination of supervision on a reduced caseload with more frequent contacts, field visits, and treatment services.

PHASE #4-END SENTENCING

Despite the best efforts of the judicial system, some defendants will continue to violate the court's order and consume valuable time and resources, which could be directed to other individuals. Often these offenders do not re-offend by committing new offenses; however, they continue a pattern of technical probation violations. Nevertheless, their history often does not indicate assaultive or aggressive behavior and the defendant is not considered "dangerous" to others. A strategy to punish these offenders for failure to comply with the system requirements and refrain from entering the State Jail or CID system will be developed. One concept could be to sanction these offenders for short-term incarceration in a CSCD operated Intermediate Sanction Facility (ISF) or a Community Corrections Facility (CCF) and then discharge them from probation.

APPENDIX B: EXCERPT FROM BEXAR COUNTY CSCD PROGRESSIVE SANCTIONS MODEL

EXAMPLE OF GRADUATED SANCTIONS FOR SUBSTANCE ABUSE

Illegal use of controlled substances, dangerous drugs, or use of alcoholic beverages; and/or failure to submit to drug testing as directed by the Court/Court Officer/Supervision Officer and or a duly authorized agent of the Court.

Note: If an offender is not on a specialized caseload for substance abuse, this violation should automatically include a substance abuse screening or evaluation. If the defendant's probation offense is alcohol or drug related, the officer will begin with no less than a Stage 2 sanction.

STAGE #1 (IN-HOUSE SANCTION)

- Treatment Alternative to Incarceration Program (TAIP Evaluation)
- Increase reporting frequency
- Drug screens on a random basis for a three (3) month period
- Refer to alcohol/drug education

STAGE #2 (IN-HOUSE/COURT ORDERED SANCTION)

- Increase reporting frequency
- Mandatory attendance at Narcotics Anonymous/Alcoholic's Anonymous Meetings and verification of same
- Weekly reporting, drug screens and travel restrictions imposed. (No travel permits issued)
- Out-patient substance abuse treatment program
- Four (4) consecutive days in jail or two (2) consecutive weekends in jail
- Antabuse
- Interlock device

STAGE #3 (COURT ORDERED SANCTION)

- Placement in Bexar County Substance Abuse Treatment Facility or alternative drug and alcohol treatment facility
- Relapse treatment with Center for Health Care Services
- Fourteen (14) consecutive days in jail or seven (7) consecutive weekends in jail
- Electronic Monitoring
- Specialized Substance Abuse Caseload
- Antabuse
- Interlock device

STAGE #4 (COURT ORDERED SANCTION)

- SAFPF (if eligible)
- Relapse treatment with SAFPF (if eligible)

STAGE #5 (COURT ORDERED SANCTION)

- A violation report will be submitted for a motion to revoke

APPENDIX B: EXCERPT FROM BEXAR COUNTY CSCD PROGRESSIVE SANCTIONS MODEL

GRADUATED INCENTIVES

Probation should not always be viewed as a punishment for criminal activity. It should be viewed as an opportunity to change and become an effective, contributing member of society. Studies have shown that behavior modification, via positive reinforcements or incentives, is more effective than negative sanctions. These positive reinforcements have been used in probation nationwide and have shown excellent results. It is our goal to not only try to reduce the jail and prison population of Bexar County, Texas, but to also ensure and encourage probationary compliance and return probationers back into the community as productive citizens.

Some examples of positive reinforcement that will be implemented within the department:

- Verbal Praise
- Certificate of Achievement
- Reduction in office reporting.
- Increasing report by mail
- Reduce fines
- Bus vouchers
- Clothing vouchers
- Early termination
- Reduction in community service restitution
- “Fish bowl” prizes. Probationers would draw to win a nominal prize, (e.g., pencil, candy, coupons, etc.)

Guidelines will be implemented that will determine when a probationer is eligible for items of monetary value or those that would amend the probationer’s original conditions of probation. For example, certificates of achievement would be issued when a probationer has reported every month for a set period of months or clothing voucher when the defendant has shown that he/she has obtained gainful employment and has kept that employment for a set period of time. Of course, verbal praise is free and should be offered at ANYTIME when applicable.

Other situations where incentives could be used:

- Probationer is on probation for a fiduciary offense and has paid in full
- Probationer has completed all conditions required and is only reporting monthly
- Probationer pays a large sum of money at the onset of supervision
- Probationer has not had any positive urinalysis for a set period of months
- Probationer has obtained General Equivalency Diploma (GED) or high school diploma/college degree

APPENDIX C

EXCERPT FROM DALLAS COUNTY CSCD PROGRESSIVE SANCTIONS MODEL

Appendix C contains information provided by Dallas County CSCD relating to the department's progressive sanctions model. The sanctions grid with corresponding violations and sanctions is provided.

APPENDIX C: EXCERPT FROM DALLAS COUNTY CSCD PROGRESSIVE SANCTIONS MODEL

FELONY COURT PROGRESSIVE SANCTIONS MATRIX

SEVERITY OF VIOLATIONS : Ranked from minor (1) to high (5)

LEVEL OF SANCTION : Ranked from low (1) to high (5)

EXAMPLE: An offender supervised at the MAXIMUM risk level committing a LEVEL 1 violation would receive a LEVEL 2 sanction while an offender supervised at the MINIMUM risk level would receive a LEVEL 1 sanction. (Refer to attached list of VIOLATIONS and SANCTIONS.

Supervision Level	<u>Severity of Violation</u>				
	Level 1	Level 2	Level 3	Level 4	Level 5
Maximum	2	3	4	5	5
Medium	1	2	3	5	5
Minimum	1	2	3	5	5
Sex Offender	2	3	4	5	5
MIMR	1	2	3	5	5
*Substance Abuse	2	3	4	5	5
CCP	2	5	5	5	5
BOND**	5	5	5	5	5
LEVEL OF SANCTION					

*Substance Abuse refers to offenders being supervised as part of the Judicial Treatment Center (Wilmer) aftercare or Substance Abuse Felony Punishment Facility (SAFPF) program.

** BOND cases are those offenders under supervision during the pretrial period, while a motion to proceed/revoke is pending, or as a condition of an appeal bond.

Identification of the level of violations and sanctions is provided on the following pages.

NEW OFFENSE VIOLATIONS (ARREST OR AT LARGE) WILL BE REPORTED TO THE COURT AS A LEVEL 5 VIOLATION. THIS INCLUDES NON-TRAFFIC CLASS C OFFENSES.

APPENDIX C: EXCERPT FROM DALLAS COUNTY CSCD PROGRESSIVE SANCTIONS MODEL

SEVERITY OF VIOLATIONS

LEVEL 1

Failure to keep scheduled appointments with CSO
Making False Statements
Failure to begin CSR within 3 months of referral
Failure to complete the required CSR hours for that month
Failure to provide proof of CSR hours
Failure to support dependants
Leaving the county without permission
Failure to attend MIMR meeting/appointment
Failure to pay treatment costs
Failure to make payments - delinquent \$250.00
Failure to report to CATS for initial screen

LEVEL 2

Failure to report for one month (unless first month after probated)
Failure to make payments - delinquent \$500.00 or more
Submitting a diluted urine sample
First positive urine sample or confession of drug/alcohol/inhalant use (non-JTC/SAFPF aftercare)
Remaining unemployed for six consecutive months
Failure to provide proof of employment or school
Failure to provide proof of employer notification
Failure to provide proof of job search
Association with criminals
Violation of no contact order (co-defendants)
Failure to attend GED or literacy classes as directed
Failure to attend the Safe Neighborhood program
Failure to attend Victim Impact Panel
Failure to attend AA/NA as directed
Failure to attend Thinking for a Change
Failure to attend anti-theft or budgeting classes
Failure to attend DOEP or ROP classes
Failure to allow home visits
Failure to properly notify officer of a home address change
Exhibition of gang affiliation
Possession of gang paraphernalia
Driving a car in violation of conditions of probation
Curfew violation
Refusal to take psychotropic medication as prescribed
Failure to complete a substance abuse or mental health evaluation

APPENDIX C: EXCERPT FROM DALLAS COUNTY CSCD PROGRESSIVE SANCTIONS MODEL

LEVEL 3

Failure to report for 2nd time in 3 months (non-consecutive)
Second positive urine sample or confession
Reporting with odor of alcohol
Failure to obtain employment by a court-ordered deadline
Failure to attend mental health treatment and /or counseling as directed
Failure to attend anger management program
Failure to participate/unsuccessful discharge from substance abuse outpatient treatment
Multiple Violations of Electronic Monitoring / ELM schedule
Chronic failure to pay fees/restitution with ability established

LEVEL 4

Failure to report for the 1st month after probated
Third positive urine sample or confession
Submitting a forged document (CSR card, NA/AA sheet, check stub, etc.)
Failure to report for 3rd time in 6 months
Failure to report as scheduled as part of a sanction
Refusal to submit to urinalysis
Positive urine sample or confession in Judicial Treatment Center or SAFPF aftercare
Refusal to submit to alcohol testing
Failure to take Antabuse prescription
Failure to attend domestic violence counseling program
Failure to submit to sex offender testing
Unauthorized contact (sex offender)
Failure to submit to DNA
Violation of no contact order (victim/witness)

LEVEL 5

Fourth or more positive urine sample or confession
Failure to report for two consecutive months (or two reports if twice monthly)
Overriding interlock device on car
Tampering with SCRAM or interlock device
Unsuccessful discharge from substance abuse residential treatment
Alcohol detected by SCRAM
Alcohol detected by interlock device
Possession of a firearm
Failure to submit to ELM
Removing or tampering with CCP/ELM equipment
Failure to report for two weeks on ELM
Failure to register as a sex offender
Violation of a child safety zone
Possession of pornography
Contact with children in violation of conditions of probation
Failure to begin sex offender treatment

APPENDIX C: EXCERPT FROM DALLAS COUNTY CSCD PROGRESSIVE SANCTIONS MODEL

SANCTION LEVELS

LEVEL 1

Officer reprimand
Letter to the officer
Letter to the Judge
Increased reporting
Loss of travel (pleasure)
Submit job search
Financial profile
Loss of mail-in status

LEVEL 2

Assistant Supervisor Reprimand
Psychological Evaluation
Substance Abuse evaluation
AA/NA 90-90
DOEP
Employment Caseload
MIMR Caseload
Life Skills Program
Consumer Credit Counseling
Submit tax returns
Increase urinalysis testing
Relapse autopsy
Thinking for a Change
Job readiness
Parenting Classess
Increase CSR (minor increment 2-8 hours if allowed by condition or negotiated)

LEVEL 3

Court Supervisor reprimand
Increase CSR (major increment 20-1000 hours)
Increased level of treatment (eg. SOP to IOP)
Day Reporting Center
Anger management counseling
Anti-theft program
Antabuse
BIPP/domestic violence counseling
Daily reporting
Curfew
Supportive housing (Oxford House, etc.)
Interlock device
Residential treatment

APPENDIX C: EXCERPT FROM DALLAS COUNTY CSCD PROGRESSIVE SANCTIONS MODEL

LEVEL 4

Sanctions caseload
Motion to revoke/violation warrant
Increased fine
Days in County Jail as a condition
Judicial reprimand
SCRAM (Secure Continuous Remote Alcohol Monitor)
Judicial Treatment Center (WILMER)
Jail Chemical Dependency Program (CD INMATE PROG)
Electronic Monitoring (ELM)/CCP
Half-way House placement
Extended term of supervision

LEVEL 5

Revocation/Shock probation
Revocation/TDCJ ID Boot Camp
Adjudicated to regular supervision
SAFPF
Mental Health Jail Diversion Court

APPENDIX D

EXCERPT FROM HARRIS COUNTY CSCD PROGRESSIVE SANCTIONS MODEL

Appendix D contains information provided by Harris County CSCD relating to the department's progressive sanctions model. Examples of the department's sanction grids are provided, as well as possible incentives for positive offender behavior.

APPENDIX D: EXCERPT FROM HARRIS COUNTY CSCD PROGRESSIVE SANCTIONS MODEL

SANCTIONS GRID – CTI AND CTI RESIDENTIAL AFTERCARE CASELOADS				
VIOLATION	1 st	2 nd	3 rd	4 th
FAILURE TO REPORT – OFFICE VISIT				
	TC to Δ &/or contacts the same day & letter by 2 nd working day w/ inst. to RIP w/n 7 days if no contact	<ul style="list-style-type: none"> FV w/n 7 days from the 2nd missed appt. Supervisor admonishment within 10 days of missed office visit Phase review 	<ul style="list-style-type: none"> Summons to Δ w/copy to ct. Increased contacts Follow-up meeting with supervisor at next contact <p>If 3rd consecutive, ct. admonishment & weekend in HCJ</p>	<ul style="list-style-type: none"> Court Admonishment Return to Phase 1 or increased contact to continue until released 7 days Harris County Jail
FAILURE TO ATTEND EDUCATIONAL PROGRAM (FOR ALCOHOL/DRUG EDUCATION, SEE SUBSTANCE ABUSE MODEL)				
<ul style="list-style-type: none"> GED Parenting Battering Anger Management Stress Mgmt. Cognitive Life Skills ESL, ABE, literacy 	<ul style="list-style-type: none"> Verbal admonishment w/n 1 week Makeup appt. w/n no more than 2 weeks Supervisor admonishment. 	<ul style="list-style-type: none"> Supervisor admonishment or follow-up Support group Writing assignmt. Phase review Treatment if applicable 	<ul style="list-style-type: none"> FV Summons to Δ w/copy to ct. Increased contacts Follow-up meeting with supervisor at next contact 	<ul style="list-style-type: none"> Court Admonishment Return to Phase 1 or increased contact to continue until released 7 days Harris County Jail Specialized. caseload if applicable.
FAILURE TO SUBMIT TO EVALUATION/RE-EVALUATION (FOR SUBSTANCE ABUSERS, SEE SUBSTANCE ABUSE MODEL)				
<ul style="list-style-type: none"> Psychological Educational Domestic Violence Substance abuse 	<ul style="list-style-type: none"> Verbal admonishment w/n 1 week Makeup appt. w/n no more than 2 weeks Supervisor admonishment 	<ul style="list-style-type: none"> Refer through contract services Consider other agency Pursue on-site evaluation Supervisor admon./follow-up Writing assignment Phase review Increase contacts Court admonishment 	<ul style="list-style-type: none"> Supervisor admon/follow-up Increase support group if applicable Refer for additional svcs. Increase contacts FV Honesty class Responsibility class Time mgmt. class 	<ul style="list-style-type: none"> Ct. review/violation report DRC if unemployed MH/DV or other specialized caseload as applicable Return to Phase 1 or increased contact to continue until released 7 days HC Jail Other spec. caseload

APPENDIX D: EXCERPT FROM HARRIS COUNTY CSCD PROGRESSIVE SANCTIONS MODEL

INCENTIVES GRID

BEHAVIOR	POSSIBLE INCENTIVES
Attendance at all scheduled treatment sessions for a 3-month period of time	<ul style="list-style-type: none"> • Sobriety chips each month • Written commendation by officer/supervisor • Appearance in court for judges' praise
Evidence of progress in treatment (Progress reports from provider)	<ul style="list-style-type: none"> • Written commendation by officer/supervisor • Bus tokens • Restaurant gift card (donated by local business)
Completing community service hours as ordered	<ul style="list-style-type: none"> • Reduction in overall hours mandated • Double hours for time completed for a one month period of time • Written commendation by officer/supervisor
Paying restitution as ordered	<ul style="list-style-type: none"> • Written commendation by officer/supervisor • Restaurant gift card (donated by local business)
Reporting as directed	<ul style="list-style-type: none"> • Bus tokens • Written commendation by officer/supervisor • Consideration for mail in reporting every other month • Approval to report to satellite office closer to home
Negative urinalysis for 3 months	<ul style="list-style-type: none"> • Written commendation by officer/supervisor • If substance abuse has been an issue, public recognition, in court, of offender progress • Reduction in frequency of urinalysis
Zero "no shows" for urinalysis	<ul style="list-style-type: none"> • Written commendation by officer/supervisor • Reduction in frequency of urinalysis • Bus tokens • Restaurant gift card (donated by local business)

APPENDIX E

EXCERPT FROM TARRANT COUNTY CSCD PROGRESSIVE SANCTIONS MODEL

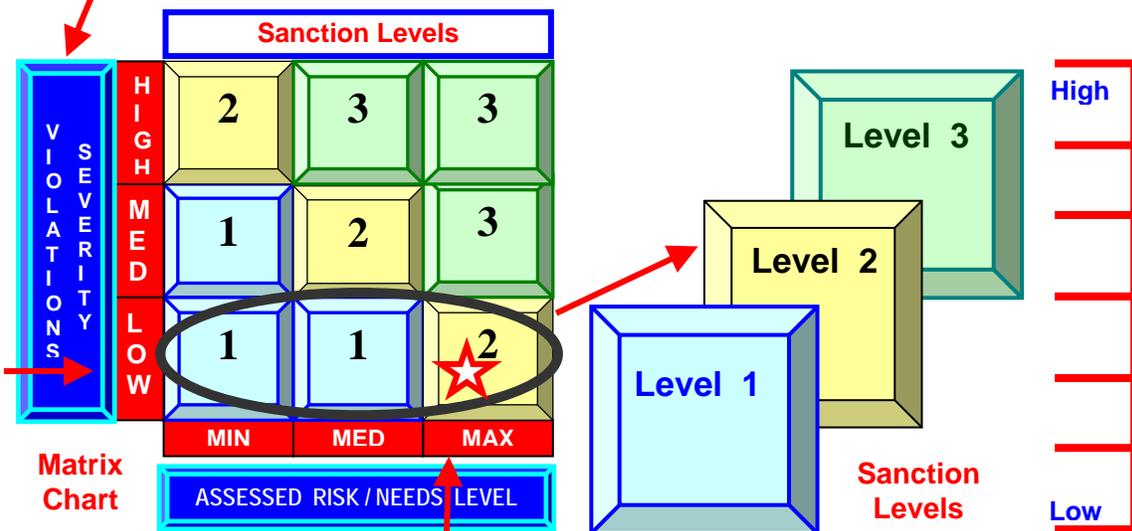
Appendix E contains information provided by Tarrant County CSCD relating to the department's progressive sanctions model. An overview of the process is provided and possible offender incentives.

APPENDIX E: EXCERPT FROM TARRANT COUNTY CSCD PROGRESSIVE SANCTIONS MODEL

Process Overview

Condition/Violations		Severity
Standard Conditions of Supervision		
2	Failure to abstain from the excessive use of alcohol	M
2	Failure to abstain from the use of marijuana and other drugs/controlled substances	M
2	Failure to Submit to an assessment for substance abuse (TAIP-Treatment Alternatives to Incarceration Program)	L
2	Failure attend and complete outpatient treatment (TAIP) as directed	L
2	Failure to report as scheduled (reporting period)	H
4	Failure to work at suitable employment	L
6	Failure to remain in Tarrant County	L

1. Refer to the violation list (above) to locate the violation.
2. Read the corresponding severity level of the violation from the column on the right – in this case “L” for low.
3. Using the violation severity from step 2, go to the matrix chart (below) and locate corresponding violation severity row.



4. Using the assessed risk/needs level from the case file, select the corresponding box from the assessed risk/needs level grid (above) - In this case max, resulting in a level 2 sanction.
5. Go to the applicable sanctions list and pick the appropriate option – in this example the level 2 sanction list

APPENDIX E: EXCERPT FROM TARRANT COUNTY CSCD PROGRESSIVE SANCTIONS MODEL

Condition / Violations		Severity	
Standard Conditions of Supervision			
1	b	Failure to abstain from the excessive use of alcohol.	M
2	b	Failure to abstain from the use of marijuana and other drugs or controlled substances.	M
3	b	Failure to submit to an assessment for substance abuse (TAIP-Treatment Alternatives to Incarceration Program).	L
4		Failure to attend outpatient treatment as directed.	L
5	b	Failure to successfully complete outpatient treatment as directed.	H
6	b	Failure to report as scheduled (within a reporting period).	L
7	f	Failure to work at suitable employment.	L
8	g	Failure to remain in Tarrant County.	L
9	i	Failure to notify a supervision officer of change of address within 5 days.	L
10	j	Failure to attend employment services, JETS (Jobs, Employment, and Training Skills) as directed.	L
11	l	Failure to pay fees (court-ordered fees - one month).	L
12	n	Failure to complete Community Service Restitution as directed.	L
13	o/2	Failure to call in to the level 1 urinalysis drug testing system.	L
14	o/2	Failure to report for urinalysis drug testing as scheduled or instructed.	M
15	o/2	Failure to provide urinalysis specimen for drug testing (stall)	M
16	o/2	Failure to provide a valid urinalysis specimen – diluted	L
17	o/2	Failure to provide a valid urinalysis specimen – adulterated	M
18	o/2	Failure to provide a valid urinalysis specimen - device.	H
19	p	Failure to complete education programs as directed.	L
20	q/19	Failure to observe a curfew as directed.	L
21	r/20	Failure to comply with no contact order.	H
22	s	Failure to comply with order not to use, possess, or consume any alcoholic beverages.	M
(Basic) Supplement / Amendment			
23	l	Failure to submit to electronic monitoring (ELM) - report for intake.	H
24	1	Failure to comply with ELM schedule.	M
25	1	Failure to abstain from alcohol – ELM - positive breath alcohol analysis.	H
26	1	Failure to comply with ELM – equipment tamper.	H
27	1	Failure to comply with ELM – Global Positioning Satellite (GPS) violation.	H
28	3	Failure to submit to screening, assessment, evaluation or testing as directed.	L
29	3	Failure to attend and complete education, treatment, or counseling as directed.	L
30		Failure to attend and complete the Intensive Day Treatment (IDT) Program.	H
31		Failure to comply with Interlock condition –failure to install, driving a vehicle without an interlock device.	H
32		Failure to abstain from alcohol - interlock – positive test.	M
33		Failure to comply with interlock –tamper or attempt to bypass interlock device.	H
34		Failure to report to Tarrant County jail as ordered.	H

APPENDIX E: EXCERPT FROM TARRANT COUNTY CSCD PROGRESSIVE SANCTIONS MODEL

INCENTIVES

COMMUNITY SERVICE RESTITUTION (CSR)		COMMENTS
	CSR credit for payment of fees	court costs and fine paid within 30 days
	CSR credit for General Equivalency Diploma (GED), treatment, etc.	1/2 credit for attending class, full credit if they complete the program
	Waive for good cause	per Code of Criminal Procedure 42.12
	Selective assignments	CSCD Units, central office, inside jobs, etc.
TRAVEL PERMITS:		COMMENTS
	Unrestricted adjacent county travel permits	automatic for misdemeanors, felonies except for excluded offenses
	Verbal and/or fax travel permit for surrounding county region and/or in-state travel.	so they don't have to come in to pick them up
EXPANDED REPORTING OPPORTUNITIES:		COMMENTS
	Fax reporting	
	Mail-in privileges	
	Late night/early morning reporting	
	Decrease reporting requirements	
	Expanded office hours	
	When attending <u>CSCD</u> cognitive skills classes, count a class attendance as an office report.	Have them complete a report form before class.
	"Front Desk" reporting in lieu of mail-in reporting.	Give probationers the option, of completing their monthly report and submitting the form along with their payment to the front desk staff.
	Reduced Supervision Caseloads	low risk / low needs, minimal supervision.
	Expanded use of Pro Forma	No assaultive offenses, sex offenders.
EARLY TERMINATION OF SUPERVISION		COMMENTS
	Attorney or supervising officer initiated	
GENERAL		COMMENTS
	Decrease frequency of urinalysis testing	
	Reference letters	
	Certificates of completion	(i.e. CSR, Aftercare)
	Decrease contact standards	
	Extensions to allow time to accomplish specific activities	

APPENDIX F

EXCERPT FROM TRAVIS COUNTY CSCD PROGRESSIVE SANCTIONS MODEL

Appendix F contains information provided by Travis County CSCD relating to the department's progressive sanctions model. A summary sanctions worksheet utilized for medium-risk offenders is provided as well as possible incentives for positive offender behavior.

APPENDIX F: EXCERPT FROM TRAVIS COUNTY CSCD PROGRESSIVE SANCTIONS MODEL

MEDIUM-RISK OFFENDER VIOLATIONS

ADMINISTRATIVE	
LEVEL I VIOLATIONS	LEVEL II VIOLATIONS
<p>EXAMPLES: failure to report, failure to pay, failure to attend DWI/Drug classes, failure to do CSR, positive specimens, failure to attend treatment, contact with victim, co-defendant or others, failure to take medication, ignition interlock/EM violations, failure to participate in MH services</p> <p style="text-align: center;">RESPONSE OPTIONS: 1-5</p> <div style="border: 1px solid black; padding: 5px; margin-bottom: 10px;"> <p>1. CSO COUNSELING: Behavioral contract, new payment plan, CSR work crew, refer to appropriate resources, random UAs, refer to cognitive programming, increase reporting</p> </div> <div style="border: 1px solid black; padding: 5px; margin-bottom: 10px;"> <p>2. SUPERVISORY HEARING: New Behavioral contract, Adjust/waive fees, refer for assessment/appropriate counseling, increase reporting, extend term, placements on specialized caseload, refer to more intensive treatment such as SMART, adjust EM curfews</p> </div> <div style="border: 1px solid black; padding: 5px; margin-bottom: 10px;"> <p>3. ADMINISTRATIVE HEARING: Add more treatment/counseling, extend term, add CSR, additional fines, placement on specialized caseload, special summons docket (167th cases), ignition interlock, or file Violation Report and Motion</p> </div> <div style="border: 1px solid black; padding: 5px;"> <p>4. COURT ACTION: Continue on supervision with added conditions such as additional CSR, fines, treatment, electronic monitoring, ignition interlock, SMART, SAFPF, and jail time</p> <p>5. REVOKE SUPERVISION: Jail time/State Jail/TDCJ sentence</p> </div>	<p style="text-align: center;">RESPONSE OPTIONS: 1-4</p> <div style="border: 1px solid black; padding: 5px; margin-bottom: 10px;"> <p>1. SUPERVISORY HEARING: New Behavioral contract, Adjust/waive fees, refer for assessment/appropriate counseling, refer to cognitive programming, increase reporting, extend term, placements on specialized caseload, refer to more intensive treatment such as SMART, adjust EM curfews</p> </div> <div style="border: 1px solid black; padding: 5px; margin-bottom: 10px;"> <p>2. ADMINISTRATIVE HEARING: Add more treatment/counseling, refer to cognitive programming, extend term, add CSR, additional fines, placement on specialized caseload, special summons docket (167th cases), ignition interlock, or file Violation Report and Motion</p> </div> <div style="border: 1px solid black; padding: 5px; margin-bottom: 10px;"> <p>3. COURT ACTION: Continue on supervision with added conditions such as additional CSR, fines, treatment, electronic monitoring, ignition interlock, SMART, SAFPF, and jail time</p> </div> <div style="border: 1px solid black; padding: 5px;"> <p>4. REVOKE SUPERVISION: Jail time/State Jail/TDCJ sentence</p> </div>

APPENDIX F: EXCERPT FROM TRAVIS COUNTY CSCD PROGRESSIVE SANCTIONS MODEL

SUBSEQUENT OFFENSES	
MISDEMEANOR CLASS C UNRELATED TO PROBATED OFFENSE	MISDEMEANOR CLASS C RELATED TO OFFENSE
<p>RESPONSE OPTIONS: 1-4</p> <div style="border: 1px solid black; padding: 5px; margin-bottom: 10px;"> <p>1. ADMINISTRATIVE HEARING: Reassess for higher risk caseload, further assessment for treatment or refer to other resources, extend term, additional fine, adjust EM curfews, refer to more intensive treatment, SMART, placement on specialized caseload, or file Violation Report and Motion</p> </div> <div style="border: 1px solid black; padding: 5px;"> <p>2. COMPLETE VIOLATION REPORT/FILE MOTION</p> <p>3. COURT ACTION: Continue with additional fine, additional CSR, more intensive treatment placement, electronic monitoring, specialized caseload, SMART, SAFPF, Intermediate Sanction Facility, Shock, jail time, work release</p> <p>4. REVOKE SUPERVISION: Jail time/State Jail/TDCJ time</p> </div>	<p>RESPONSE OPTIONS: 1-3</p> <div style="border: 1px solid black; padding: 5px; margin-bottom: 10px;"> <p>1. COMPLETE VIOLATION REPORT/FILE MOTION</p> </div> <div style="border: 1px solid black; padding: 5px;"> <p>2. COURT ACTION: Continue with additional fine, additional CSR, more intensive treatment placement, electronic monitoring, specialized caseload, SMART, SAFPF, Intermediate Sanction Facility, Shock, jail time, work release</p> <p>3. REVOKE SUPERVISION: Jail time/State Jail/TDCJ time</p> </div>

APPENDIX F: EXCERPT FROM TRAVIS COUNTY CSCD PROGRESSIVE SANCTIONS MODEL

PROPOSED INCENTIVES								
Offender Behavior	10 CSR Hours Reduction	15 CSR Hours Reduction	25 CSR Hours Reduction	50 CSR Hours Reduction	75 CSR Hours Reduction	Trans. Fee Reduction	Sup. Fee Reduction (\$60.00)	Reassessment to Reduce Risk Level
Type I: Classes								
Misdemeanor I/II program completed	*							
Parenting Class completed	*							
Anger Management I/II completed	*							
12-hour DWI class completed	*							
Completion of Drug Offender Education Program	*							
Completion of DWI Intervention program		*						
CDEP completed		*						
Type II: Treatment								
Outpatient treatment completed			*					*
BIPP completed			*					
Completion of 90-day Inpatient treatment			*					*
SMART completion				*				*
SMART Aftercare completed					*			
SAFPF completion				*				*
SAFPF Aftercare completion					*			
Sex Offender Therapy completion				*				*
Completion of Annual Polygraph (no deception)				*				
Type III: Programs								
Completion of ½ CSR hours ordered within 4 months of referral			*					
GED completion			*					*
Cognitive Program completion			*					
No Ignition Interlock violations-duration of term		*						*
No EM violations-duration of term		*						*