

Strategic Plan

1992-1998

Criminal Justice Policy Council

143/24

**Agency Strategic Plan  
For the 1992-1998 Period**

by

**Criminal Justice Policy Council**

Honorable Ann Richards, Governor	Chairperson	Austin
Honorable Bob Bullock, Lt. Governor	Vice-chair	Austin
Honorable Gib Lewis, Speaker of the House	Vice-chair	Austin
Honorable Ted Lyon, Senate	Statutory appointment	Rockwall
Honorable Gene Green, Senate	At pleasure of Lt. Gov.	Houston
Honorable Allen Hightower, House	Statutory appointment	Huntsville
Honorable Barry Telford, House	At pleasure of Speaker	Dekalb
Honorable Sam Russell, House	Statutory appointment	Mt.Pleasant
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Sheriff Jim Boutwell	At pleasure of Governor	Georgetown
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Col. James Adams	At pleasure of Governor	Austin

April 1, 1992

Signed: Tony Fabelo  
Tony Fabelo  
Executive Director, Criminal Justice Policy Council

Approved: Ann Richards  
Governor Ann W. Richards  
Chair, Criminal Justice Policy Council

143124

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## Statewide Vision and Mission

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"We envision a Texas where all people have the skills and opportunities they need to achieve their individual dreams; a Texas where people enjoy good health, are safe and secure from harm, and share a quality standard of living; a Texas where we and future generations can enjoy our bountiful natural beauty and resources."

From: Texas Tomorrow

## Statewide Functional Goals

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"We will provide the prison space we need to remove violent offenders from our streets."

"We will reduce recidivism through substance-abuse programs, education and vocational training."

"We will develop cost-effective community-based programs for offenders."

"We will reduce violent drug- and gang-related crime by focusing on drug-interdiction, law enforcement and prosecution."

"We will support programs that demonstrate new and effective ways to reduce the number of children entering or reentering the juvenile justice system."

"We will minimize the trauma suffered by victims of crime."

"We will reform our criminal laws so that offenders receive swift and just punishment."

"We will work to end federal court control over our prison system by ending the 18-year old Ruiz lawsuit."

"Our judicial system will operate quickly, efficiently and fairly in meting out justice."

From: Texas Tomorrow

## Mission

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The mission of the Criminal Justice Policy Council is to conduct strategic research, planning and program evaluations to identify the long-range needs and critical problems in the criminal justice system. Our mission is to develop analyses based on the best available information to help the Governor and the Legislature in developing plans, programs, and proposed legislation for improving the effectiveness of the criminal justice system.

## Philosophy

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The Criminal Justice Policy Council will conduct strategic planning, policy research and program evaluations responsive to the needs of policy makers while maintaining the validity, integrity and credibility of the information. The Criminal Justice Policy Council will:

- Act as an expert resource to policy makers by developing choices based on scientific information that explicitly present the assumptions used in policy analyses.
- Develop models to aid in the most effective implementation of policies adopted by the Governor and the Legislature.
- Use the best expert judgment to maintain and promote the credibility and integrity of the work done by the agency.
- Maintain excellence by striving for the highest standards.
- Conduct all agency activities efficiently and cost-effectively.
- Demand the highest ethical standards in the conduct of all the activities of the agency.

## **External/Internal Assessment**

### **Overview of Agency Scope and Functions**

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The Criminal Justice Policy Council activities are directed at developing and improving the state criminal justice information systems for law enforcement, courts, and correctional purposes as well as for policy analysis. The complexities of managing and evaluating a large criminal justice agency or system puts increasing demands on executive and legislative policy makers to maximize resources through the better utilization of information. Information is critical for generating awareness of needs, problems, and shortcomings in services and to generate strategies to deal with these needs.

The Criminal Justice Policy Council works in three areas to help the state policy makers in the enactment of more effective policies and in the evaluation of the implementation and impact of policies adopted.

#### **Criminal Justice Information Authority**

The Criminal Justice Information Authority activities of the Criminal Justice Policy Council seek to improve data and information systems for law enforcement, courts and corrections. Designing the Texas Criminal Justice Information System and planning for its implementation with the Texas Department of Public Safety and the Texas Department of Criminal Justice and streamlining paper reporting requirements imposed by the state on local governments are the most recent examples of activities in this area.

The Criminal Justice Policy Council plays a key role in the design and implementation of the Texas Criminal Justice Information System (TCJIS). This system will provide state-of-the-art offender tracking information and a wealth of



information for policy analysis and strategic planning. The Criminal Justice Policy Council builds linkages between local, state and national experts to support the design and implementation of a cost-effective information sharing system. A successful model for the electronic transmission of court disposition information to the TCJIS has been tested and integrated in the implementation of the system. Electronic reporting will make criminal history information more reliable and will greatly reduce the need for paper reporting between the localities and the state. The Criminal Justice Policy Council also works to develop and implement analytical models to use the information in the TCJIS for the management of the criminal justice system and to enhance analyses for policy development.

### Statistical Analysis and Evaluation Research

The Statistical Analysis and Evaluation Research activities seek to use the data available in the state criminal justice information systems or gather new information, if necessary, to provide criminal justice managers and state policy makers with program evaluations and policy analysis.

The Criminal Justice Policy Council develops models for the effective use and application of information for policy making and strategic planning. The JUSTICE model, for example, provides a simple but comprehensive framework to analyze criminal justice offender based and processing information. The model serves the state leadership in projecting the impact of sentencing policies on the correctional system and in developing alternate policies. Projections generated by JUSTICE are used by the Texas Department of Criminal Justice - Institutional Division to develop their statutorily mandated four year construction plans.

Long-term process and outcome evaluations of criminal justice programs are conducted to measure the effectiveness of new initiatives. This is particularly important because budget constraints demand the better utilization of limited state

resources. Example of on-going program evaluations are the following:

- Enhanced Drug Treatment Program in the Boot Camp of the Texas Department of Criminal Justice - Institutional Division.
- Computer assisted offender education program "Reading to Reduce Recidivism."
- Employment Services for Probationers program.
- Treatment Alternative Incarceration Program by the Texas Commission on Alcohol and Drug Abuse.
- Drug law enforcement task forces by the Texas Narcotics Control Program.

#### State Leadership Policy Development Assistance

The Criminal Justice Policy Council has nationally recognized staff that routinely provides assistance to the state leadership for policy development. This help is provided through "special projects" assigned by the legislature or through assignments by the Governor.

- Resource to the Office of the Governor. The Criminal Justice Policy Council provides the Office of the Governor with analyses of policies under consideration or analyses for developing policy initiatives. Special reports or memorandum are prepared as needed by the Governor's staff in their policy development. Presently, the office is developing on behalf of the Governor's Office, Criminal Justice Division, the plans required by the federal government for the expenditures of federal formula grant funds to improve the state's criminal history information.

- Resource to the Legislature. Interim "special projects" are conducted for the legislature. For the 1992-1993 biennium the Criminal Justice Policy Council is conducting the most comprehensive study of sentencing patterns ever done in the state

and is also helping the Texas Punishment Standards Commission in determining the effect on the correctional system of proposed changes in sentencing policies. During legislative sessions, and at the request of the Lt. Governor, the Speaker of the House or the chair of a legislative committee, the Criminal Justice Policy Council will develop an impact statement on legislation affecting the adult correctional system. The policy impact analyses of the Criminal Justice Policy Council supplements the fiscal notes developed by the Legislative Budget Office.

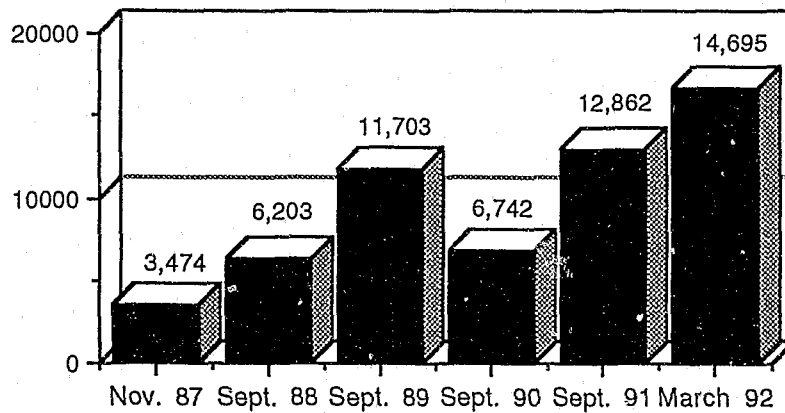
## External Factors - Key Trends Influencing Success

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In the 1990's, the state faces a crossroad in criminal justice policy in which policy makers will have to design more responsive policies to deal with crime and criminal justice. Increasing violent crime and increasing arrests in the late 1980's and early 1990's have led to more convictions for adult felony cases in Texas. The rising number of convictions has increased the pressure for more capacity in community corrections and the prison system.

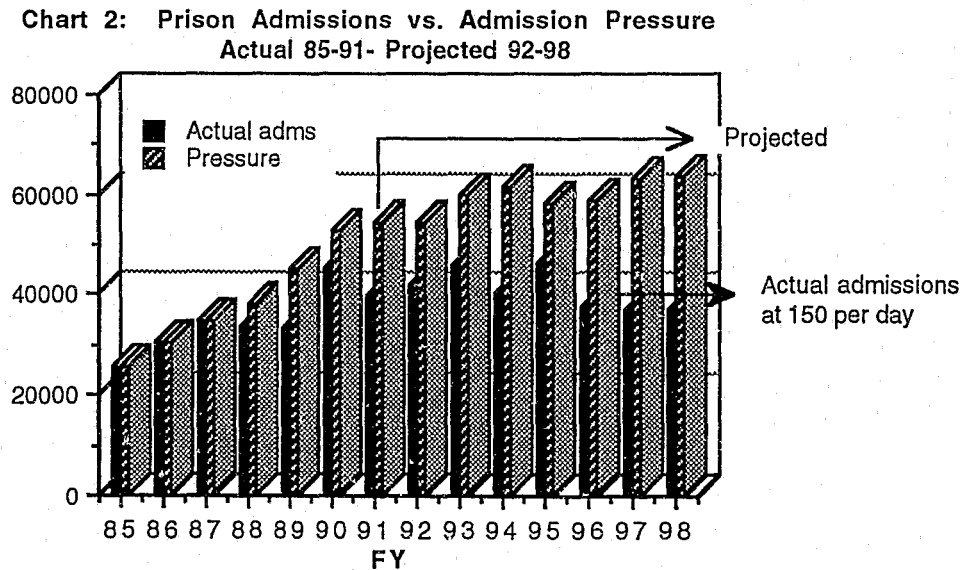
In the late 1980's prison capacity has not supported the demand for prison space. Therefore, convicted felons sentenced to prison who have not been admitted because of lack of prison space have remained in a "backlog" of inmates residing in county jails and awaiting transfer to prison. Chart 1 below describes the historical growth in the backlog.

Chart 1: Offenders Awaiting Transfer to Prison in County Jails - Jail Backlog



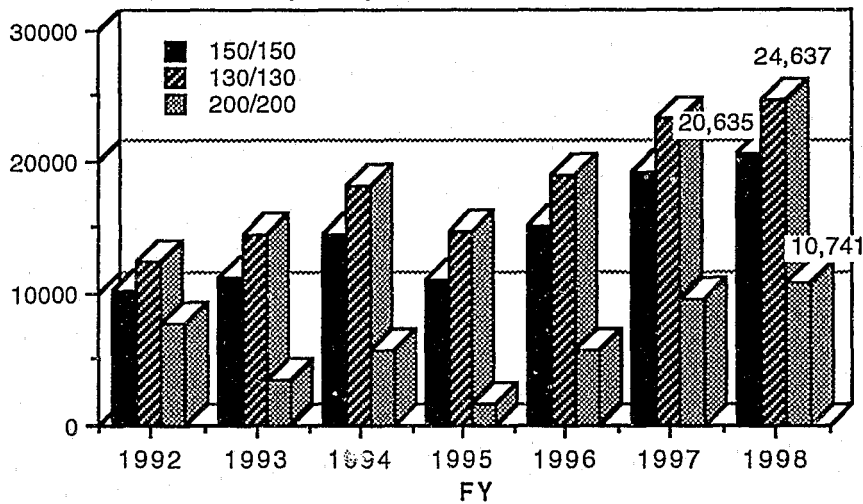
Funding for building over 40,000 new prison beds and community corrections substance abuse treatment beds has been authorized since 1987 and these beds should be operational by 1996. The total correctional bed capacity will have increased by 250.6% between 1980 and 1996. The prison capacity in 1996 will be 81,178 beds with an added 12,000 community corrections substance abuse treatment beds for a total state bed capacity of 93,178. Despite this increase, however, preliminary projections done by the Criminal Justice Policy Council show that given no change in present policies, the backlog of state prisoners in county jails will continue to increase.

As seen in Chart 2 below, the prison admission pressure is projected to exceed the actual prison admissions possible given all available correctional capacity.



The backlog of state prisoners in county jails is projected to increase as seen in Chart 3. By fiscal year 1998, the jail backlog can range from 10,741 inmates to 24,637, depending on prison release policies.

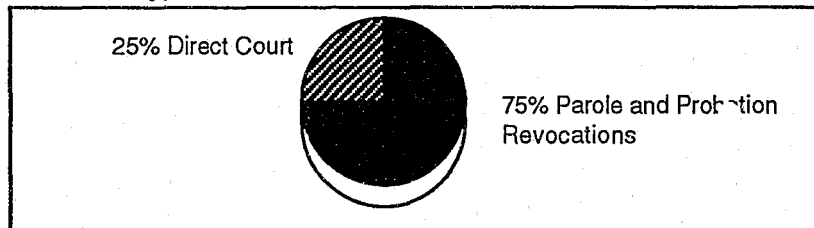
Chart 3: Projected Jail Backlog of State Prisoners  
Summary - Impact of Different Release Policies



The fiscal implications of the projections are substantial. Projected payment to counties under the provisions of House Bill 93 can go as high as \$359 million by the end of the 1994-1995 biennium. The projected added capacity cost in General Revenue to deal with the jail backlog after fiscal year 1995 can be as high as \$751 million. This amount will double if bonds are issued to pay for the added capacity. Lastly, operational yearly cost for the Institutional Division of the Texas Department of Criminal Justice by fiscal year 1998 could be as high as \$1.2 billion assuming more capacity is funded to deal with the projected jail backlog after fiscal year 1998. (Appendix B - Interim Projections: Fiscal Years 1992-1998.)

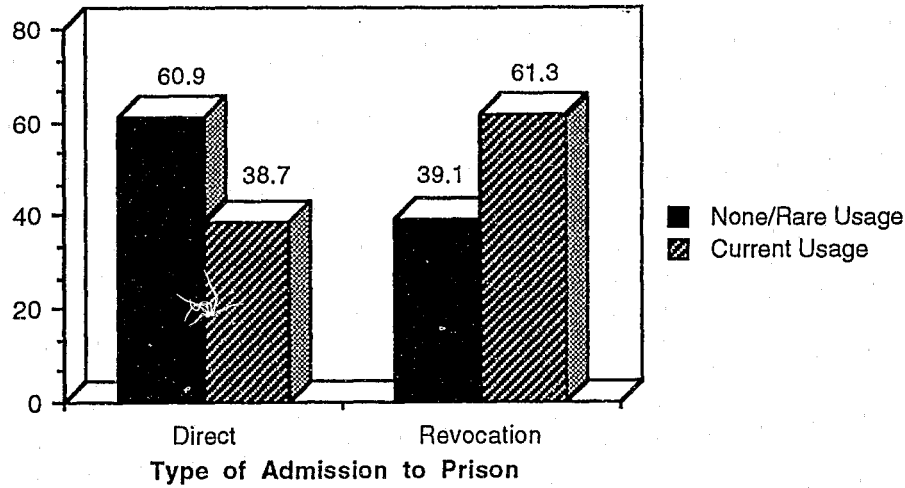
A significant proportion of correctional growth is being fueled by recidivist offenders. The reincarceration recidivism rate after three years for offenders released on parole is 43%, and for offenders placed into Intensive Supervision Probation (ISP) is 42.8%. Of 100 offenders placed on parole or ISP, almost half of them will be in prison after three years. As Chart 4 shows, 75% of all prison admissions are for offenders that have had their probation or parole revoked for a new offense or a technical violation.

Chart 4: Type of Admission for Offenders Sentenced to Prison

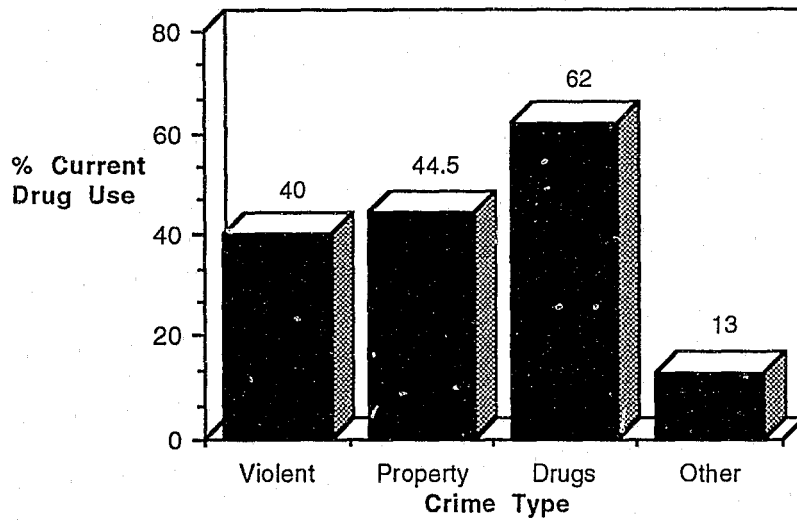


The recycling of offenders, in turn, is fueled in great part by the failure to deal with the substance abuse, employment and education problems of offenders while under community supervision. For example, 47% of the offenders admitted to prison claimed to have used drugs the month before their arrest (current drug use). However, as Chart 5 shows, 61.3% of all offenders admitted for a probation or parole revocation to prison admitted current drug use compared to 38.7% of those admitted to prison directly from the courts. Moreover, offenders admitted to prison for a drug violation use more drugs than offenders admitted for other types of violations as seen in Chart 6.

**Chart 5: Type of Admission to Prison of Drug Offenders and Reported Drug Use**



**Chart 6: Current Drug Use of Offenders Admitted to Prison by Offense Type**



The bottom line is that the effectiveness of correctional policies depends in great part on the ability of correctional and programmatic policies to deal with the socioeconomic and personal needs of offenders while encouraging deterrence and punishment for



criminal behavior. The economic recession in Texas in the late 1980's has limited the economic opportunities available to populations that have high-risk potential for involvement in crime. Declining social conditions, particularly in the inner cities, have affected the socioeconomic opportunities and living environment of poor people. Aggravating the situation is the fact that substance abuse is a multiplier for other factors that correlate with crime.

The use and illicit trade of cocaine, particularly crack cocaine in the late 1980's, have aggravated violent crime in the inner cities. Cocaine continues to be the number one illicit substance abuse problem for clients admitted to substance abuse treatment programs in the state. In 1990, 53% of the males and 49% of the females booked as arrestees in Houston tested positive for cocaine in urinalysis. The equivalent number in Dallas was 43% for males and 46% for females. The intensity of criminal careers (crimes committed) tends to increase as substance abuse involvement gets more costly.

Programs directed at improving the personal or socioeconomic conditions of offenders under supervision can have a long-term positive effect in reducing crime. Recidivism studies in Texas show that offenders that have better socioeconomic conditions are less likely to recidivate. Offenders with a history of steady employment return to prison at a rate of 10% after one year compared to 25% for those with unsteady employment. Offenders who have a high school education return to prison at a rate of 10% after one year compared to 16% for those who do not have the same education. Policies targeted at these problems, if effectively implemented, can have a positive impact in reducing redivisim. For example:

- Drug treatment for inmates. The reincarceration recidivism rate of parolees who received substance abuse treatment in prison with community follow-up is 26%, compared to 53% for a comparable sample who received no institutional or supervision substance abuse services.

- Employment programs. The failure rate for parolees who took part in the employment services Project RIO (Re-Integration of Offenders) is 16% compared to 22% for those not taking part.

- Education programs. Parolees that have a high school diploma or G.E.D. return to prison at a rate of 24% compared to 37% for parolees who lacked a high school education.

The new Texas of the 1990's, therefore, demands that the state face the criminal justice crisis from a systemic strategic perspective.

- Policies improving economic, educational and substance abuse treatment opportunities in the state should collectively have a positive long-term impact in reducing crime.

- Policies that cut across agency boundaries should be enacted to deal with the overlapping needs of the offender population like employment, adult education, substance abuse treatment and crisis intervention.

- Sentencing policies that target prison space for the most violent and/or repeat offenders should be considered as a critical element in the effective utilization of limited incarceration resources.

- Development of alternative facilities and services which integrate treatment, secure detention and public safety should be part of a continuum of punishments and programs.

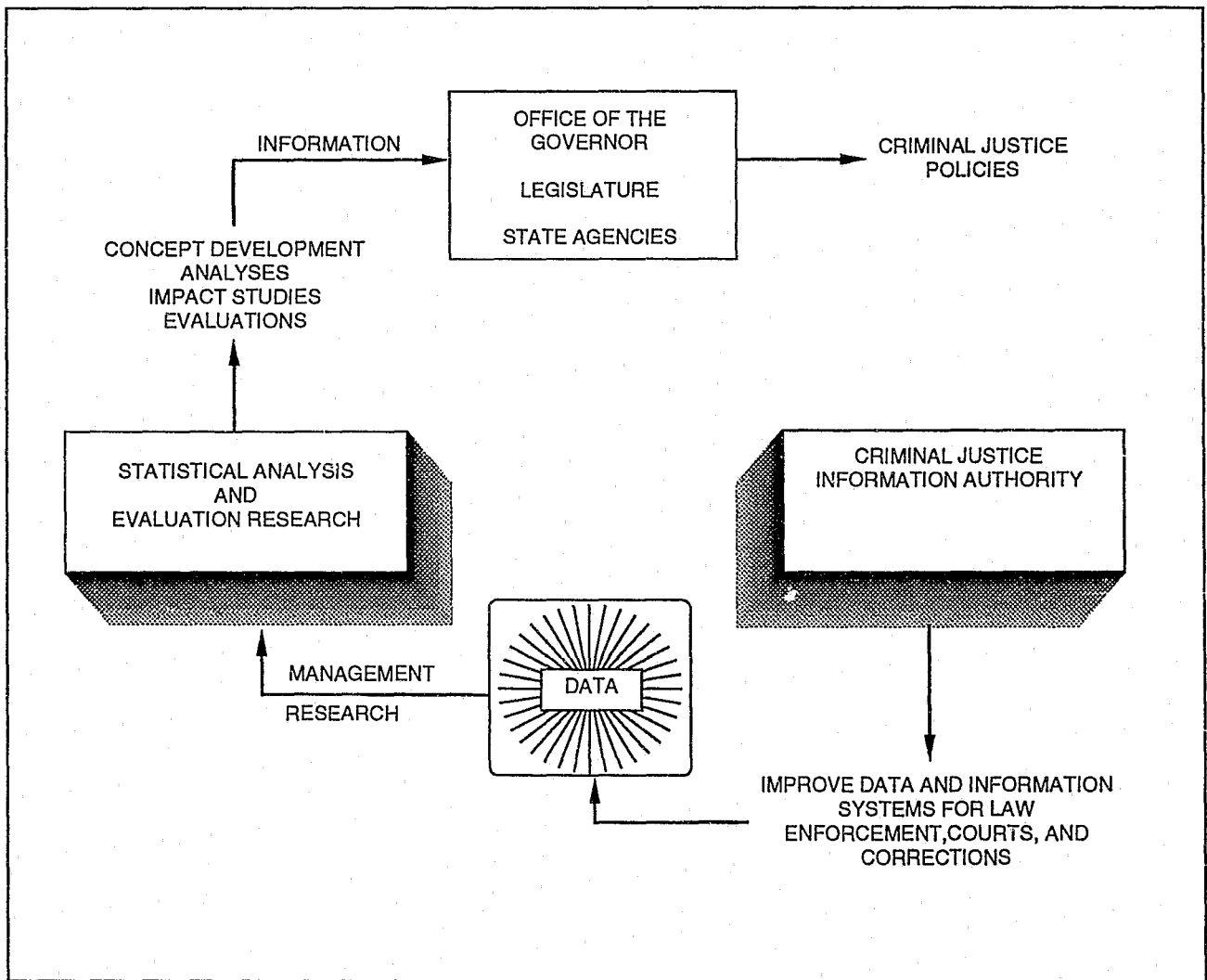
- When needed, further prison capacity should be considered to maintain the integrity and credibility of a structured system of sanctions.

- Performance outcome measures have to be integrated in program implementation to support long-term success.

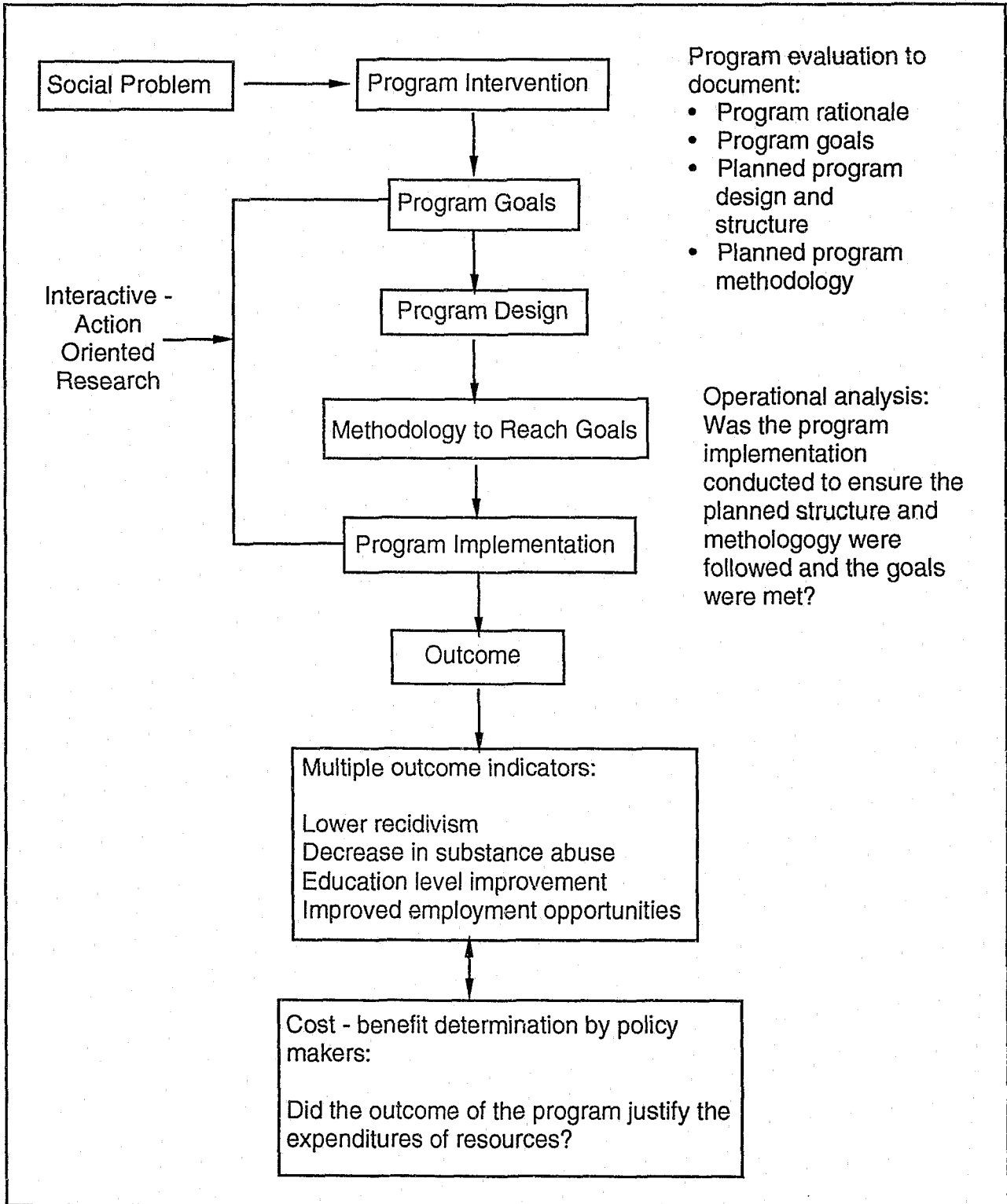
Action research is needed to effectively implement criminal justice programs. Action research is policy research specifically oriented to provide state policy makers the information to make policy decisions. Action research is policy research integrated in program implementation to provide agency and program managers the needed analytical information for effective implementation. Chart 7 and Chart 8 describes the role of action research at the policy and program level.

Strategic planning, policy research and program evaluations are critical to promote effective policies in the 1990's. The development of all of the above policies, particularly the need to develop performance outcome measures to examine the effectiveness of criminal justice policies, demands that the strategic research functions of the Criminal Justice Policy Council be strengthened.

Chart 7: Role of Action Research In Policy Development



**Chart 8: Action Oriented Research for Program Development and Implementation**



## Internal Assessment

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The Criminal Justice Policy Council is the only state criminal justice agency under an operational structure solely dedicated to conduct strategic planning, policy research and program evaluations. The agency staff is nationally recognized for its expertise in a variety of areas of policy research. The JUSTICE model, developed by the agency, is the most complex personal computer based projection and simulation model in criminal justice in the nation. The agency has also taken a nationally recognized role in improving criminal history records systems.

Presently, the agency is conducting the most comprehensive statewide sentencing study ever done in Texas. The effort will provide needed information to the 73rd Texas Legislature for policy development. But more important, after the completion of all phases of data collection in 1993, the Policy Council will have the most comprehensive data base in the nation to design criminal justice policies and to start developing innovative intervention strategies to more effectively manage the system. This is a major investment to improve policy development information.

Policy making based on policy research results in better policies. In the early 1980's, the lack of policy analysis in Texas led to the enactment of policies that aggravated the prison crowding crisis. But, with policy research and impact statements that have relied on proven analytical tools, the Criminal Justice Policy Council has supplied policy makers with information and analyses critical to effective decision-making. With the policy research conducted by the agency policy makers can understand the complexity and interrelationships in the system and the strength and direction of the effect of their proposed policies. In the 1990's, with limited financial resources and increasing needs, designing cost-effective policies and allocation of resources are the most critical issues to be decided in the public arena.

Policy research is needed to make evident possible negotiating positions in the political arena. The projections and impact studies of the Criminal Justice Policy Council have routinely supplied policy makers with a "picture" of the population dynamics fueling the population growth in the criminal justice system. This picture has allowed different political constituencies to agree on the baseline impact of present policies before new policies are adopted. In this manner, policy makers with different philosophies are negotiating from the same starting point. Policy development negotiations, therefore, have increasingly become more accountable to the effect of policies on the financial resources of the state.

Lastly, action research applies policy research in a proactive role to develop programs for criminal justice. In the 1990's criminal justice policies will demand effective policies to balance the goals of punishment, public safety and rehabilitation with the most efficient allocation of financial resources. Action research provides information to program managers and policy makers about "what works." Without action research program managers can only speculate about which critical factors affect the result of policies or programs.

## Agency Goals, Objectives and Strategies

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Goal: To provide state policy makers with scientifically valid, reliable and credible information for policy development, for designing models for the effective implementation of policies adopted and for evaluating the effectiveness of new initiatives.

### Objectives:

1. Develop comprehensive scientific data base to analyze sentencing dynamics in the state.
2. Develop projections that simulate the impact of proposed policies to aid in policy development.
3. Develop profiles of the criminal justice populations to aid in designing more effective policies.
4. Develop and test assessment instruments to aid sentencing officials and program managers in making their punishment and program placement decisions.
5. Develop uniform recidivism and cost-per-day measures for criminal justice programs.
6. Develop recidivism performance measures for key programs in criminal justice.
7. Conduct program evaluations of new initiatives.
8. Develop new methodologies to improve the quality and usefulness of policy analyses for policy making.
9. Conduct special research projects as assigned by the Governor and the legislature.



Strategies for objectives 1-9:

- Continue the collection of case sentencing information from prosecutors files and expand data collection effort to include social and substance abuse history information.
- Prepare analytical frameworks to use the sentencing dynamics and offender profile information to refine the JUSTICE model, to develop assessment instruments and to study the effectiveness of sentencing alternatives.
- Work with the Texas Commission on Alcohol and Drug Abuse and the Texas Department of Criminal Justice to develop drug and alcohol abuse assessment instruments to identify criminal offenders in need of substance abuse intervention.
- Work with the Texas Commission on Alcohol and Drug Abuse and the Texas Department of Criminal Justice to determine the most efficient substance abuse intervention strategies for different types of offenders.
- Prepare follow-up studies to develop recidivism outcome measures for key programs in criminal justice.
- Convene inter-agency working groups to update uniform recidivism and cost-per-day indicators.
- Conduct process evaluations of key new programs to identify successful implementation models.
- Conduct outcome evaluations of key new programs to determine their effectiveness.
- Work with interested criminal justice groups, constituencies and the academic community to design and implement new methodologies for developing performance outcome measures directed at improving the usefulness of policy analysis for policy making.

Outcome measures for objectives 1 - 9:

- Utilization by state decision-makers of information and analyses available to develop and implement policies.
- Development of outcome measures for criminal justice programs and policies not presently available to evaluate the performance of the system.
- Design of program implementation and intervention models that rely on proven effective strategies.
- Development of assessment instruments to improve decision-making concerning the sentencing and placement of offenders in the most effective punishment and substance abuse intervention option.
- Reduction of recidivism through the implementation of criminal justice policies responsive to identified needs.

Goal: To work with local, state and national agencies to improve criminal justice information systems.

Objectives:

10. Develop a plan to speed up improving local data systems and implementing electronic reporting between county data systems and the state Criminal Justice Information System using the federally mandated 5% set-aside of drug grant funds for improving criminal records.
11. Identify and reduce duplicative criminal justice conviction reporting that can be consolidated administratively or through legislation.

12. Develop an Offender Based Policy Analysis System within the Texas Criminal Justice Information System to provide the analytical framework needed to format data for policy analysis and planning.

13. Develop analytical models to use the information in the Texas Criminal Justice Information system to enhance the effectiveness of law enforcement, prosecutorial and sentencing policies.

14. Take a lead role in the national initiative by the U.S. Bureau of Justice Statistics, U.S. Department of Justice to establish a national infrastructure of state criminal justice indicators to aid in national policy development.

Strategies for objectives 10 - 14:

- Develop the state plan required by the federal government for the distribution of the 5% set-aside of drug grant funds for improving criminal records.

- Work closely with the Criminal Justice Division of the Office of the Governor to implement the above plan.

- Convene working group of local representatives to maintain the input of local system users and data providers in critical aspects of the operation of the TCJIS.

- Design the Offender Based Policy Analysis System as part of the TCJIS.

- Design analytical offender profile and tracking reporting for the use of law enforcement and court personnel.

- Study and make recommendations to streamline reporting requirements imposed by the state on local governments.

Outcome measures 10-14:

- A computerized state information system that tracks criminal offenders through their progression in the criminal justice system.

- A computerized state information system that increases the safety of law enforcement personnel and the community by supplying timely and reliable information to identify criminal offenders.

- A computerized state information system that enhances the goal of swift and just punishment by giving timely and reliable information concerning the prior criminal history of criminal offenders.

- A computerized state information system that enhances the ability of program managers to operate the criminal justice system quickly, efficiently and fairly by simplifying the flow of information among the different operational components of the system.

- A computerized state information system that uses electronic reporting from local jurisdictions to facilitate the efficient flow of information.

- A computerized state information system that provides comprehensive information for policy analysis to facilitate policy development by state policy makers.

- A computerized state information system that can be integrated into a national reporting system to facilitate policy development at the national level.

**Goal:** To provide expert support to the state leadership to assist in policy development and monitoring of program implementation.

15. To continue the meetings of the Executive Working Group of senior staff of the Governor and key legislative leaders.

Strategy:

- Coordinate closely with the senior staff of the Governor and key legislative leaders the work of the agency.

Outcome measure:

- Senior staff to the state leadership that have access to the best available information to advise their employers.

**Goal:** To develop and coordinate research resources efficiently among state agencies.

16. Develop biennially an inter-agency policy research agenda in criminal justice directed at meeting the information needs of state policy makers.

Strategy:

- Work with state criminal justice agencies and other state agencies with an interest in criminal justice issues to develop a research agenda.

Outcome measure:

- Development of clear framework of research priorities to coordinate research funding among criminal justice agencies and more effectively conduct strategic planning, research and program evaluations.

- More responsive plans based on coordinated strategic planning, research and program evaluation efforts.

Goal: To seek and assist other agencies acquire federal funds to conduct needed research and evaluations not funded by the state.

17. Establish relationships with federal funding agencies and work with the Texas Office of State-Federal Relations to identify federal funding priorities as they relate to state research needs.

18. Develop or assist other state criminal justice agencies in developing competitive proposals for acquiring federal discretionary grants.

Strategies:

- To provide interested agencies the expert staff to help in writing competitive proposals.

- To develop a Criminal Justice Grantsmanship Assistance Center in coordination with the Texas Office of State-Federal Relations to better coordinate the grant-seeking efforts of the interested state agencies.

Outcome measure:

- Increase funding for state criminal justice agencies from federal discretionary grants.

## Outputs

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### Objectives 1 - 9:

- Research reports distributed
- Presentations made
- Phone call requests
- Outcome measures developed
- Programs designed
- Assessment instruments developed
- Percent reduction in recidivism for those programs implemented with Criminal Justice Policy Council action research integrated as part of implementation process.

### Objectives 10 - 14:

- State plans developed
- Counties utilizing computerized system
- Offenders tracked in computerized system
- Criminal Justice Information System transactions
- Analyses using Criminal Justice Information System tracking information

### Objective 15:

- Meetings held
- Number of staff informed or briefed

### Objective 16:

- Policy Research Agenda developed
- Meetings held of Policy Agenda group

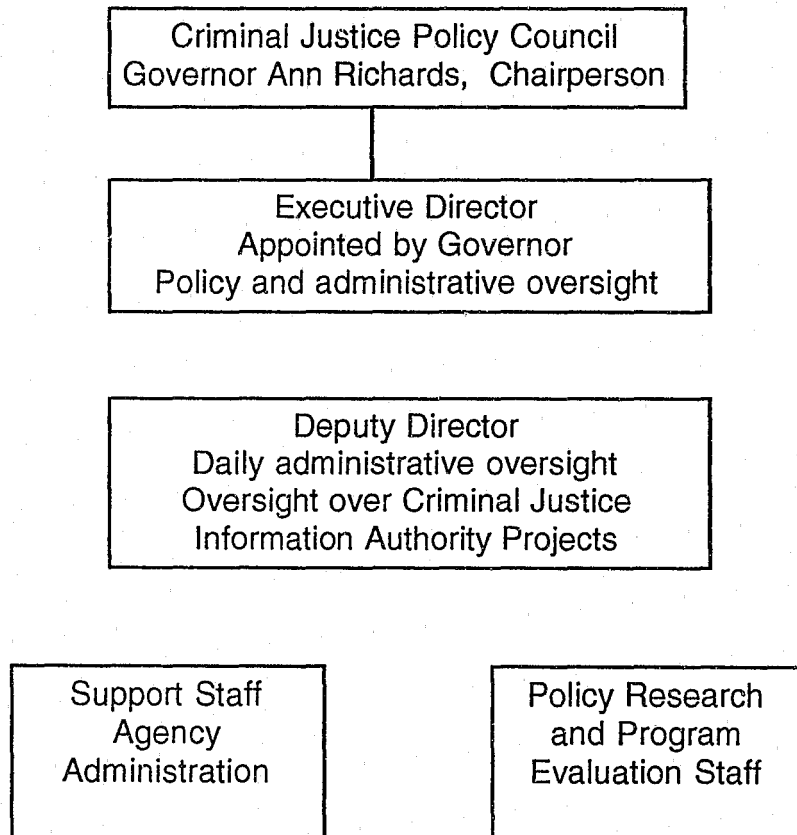
Objectives 17 - 18:

- Grants written/funded
- Technical assistance to other agencies in grant-writing
- Collaborative grant activities



# Current Organizational Chart

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**Appendix A**  
**Agency's Planning Process**

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The strategic plan for the Criminal Justice Policy Council was developed by the Executive Director and senior staff. The plan incorporates concepts that have been discussed during the year by different advisory groups working with the agency. In the Criminal Justice Information Authority area reports from the Clerks Reporting Study Committee composed of local district and county clerks and the Technical Subcommittee, composed of state and county data processing experts have been integrated in the planning concepts. The input from the Criminal Justice Information System Planning Board has also been integrated into the planning process. In other areas, the concepts that have been discussed by the agency's Executive Working Group (composed of senior legislative and governor staff) are cohesively integrated in the present plan. The plan was reviewed and approved by the Governor as chair of the Criminal Justice Policy Council.

**Appendix B**

**Interim Projections: Fiscal Years 1992 - 1998**

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# **Interim Projections: Fiscal Years 1992 - 1998**

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## **Sentencing Dynamics Study**

### **Report 2**

**March 5, 1992**

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(512) 463-1810**

## Note From the Director

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This is the second report of a series specifically designed to help the Texas Punishment Standards Commission in their policy development. The Commission requested that the Criminal Justice Policy Council simulate the effect of new capacity in reducing the backlog of state inmates in county jails under different parole release policies. The simulations were conducted using the JUSTICE model developed by the Criminal Justice Policy Council, and the fiscal impact of the simulations were estimated using figures calculated by the Legislative Budget Office, Criminal Justice Policy Unit. These are interim projections which will be revised before the next legislative session when new data will be available.

Parole releases from prison determine the number of prison admissions possible unless new capacity is available to increase admissions. When the state prison system instituted a controlled admissions policy in 1987, a target of 150 releases and admissions was established, based on the admission pressure at that time. Prison releases currently fluctuate at a lower rate than the targeted 150 per day which decreases admissions. Therefore, convicted felons who are sentenced to prison and are not admitted because of a lack of prison space remain in a "backlog" of inmates who reside in county jails awaiting transfer to prison. This report presents three simulations projecting the backlog of state inmates in county jails. Simulation One assumes the targeted admission/release policy of 150 a day, Simulation Two assumes 130 daily admissions/releases, and Simulation Three assumes 200 daily admissions/releases.

Tony Fabelo, Ph.D.  
Executive Director

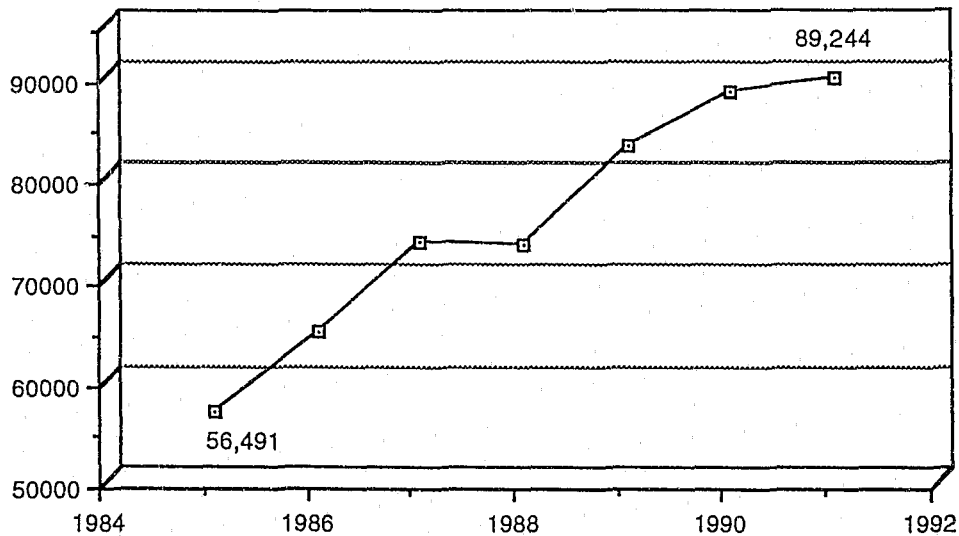
## Pressure for Correctional Resources Increasing

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- A steady increase in the number of felony convictions in Texas since 1988 has resulted in an increase in the number of offenders sentenced to prison

- √ Between 1985 and 1991 the number of felony cases convicted in Texas increased by 57.9%, from 56,491 in 1985 to 89,244 in 1990
- √ Approximately 45% of cases convicted are sentenced to prison

Chart 1: Felony Cases Convicted in Texas, 1985-1991



## Demand for Prison Space Largely Resulting from the Sentencing of Repeat Offenders

- **Approximately 75% of the offenders sentenced to prison are offenders who have had their parole or probation revoked for a new offense or a technical violation**
  - ✓ At the end of August 1991, there were 190,425 felony offenders on probation and parole supervision in Texas
  - ✓ Probationers and parolees are more likely to be convicted and sentenced to prison if arrested for a new offense
  - ✓ Probationers and parolees can also be revoked to prison for a technical violation of their supervision rules

Chart 2: Type of Admission for Offenders Sentenced to Prison

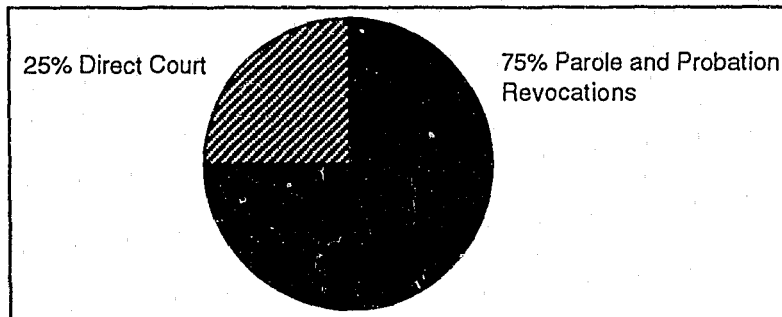
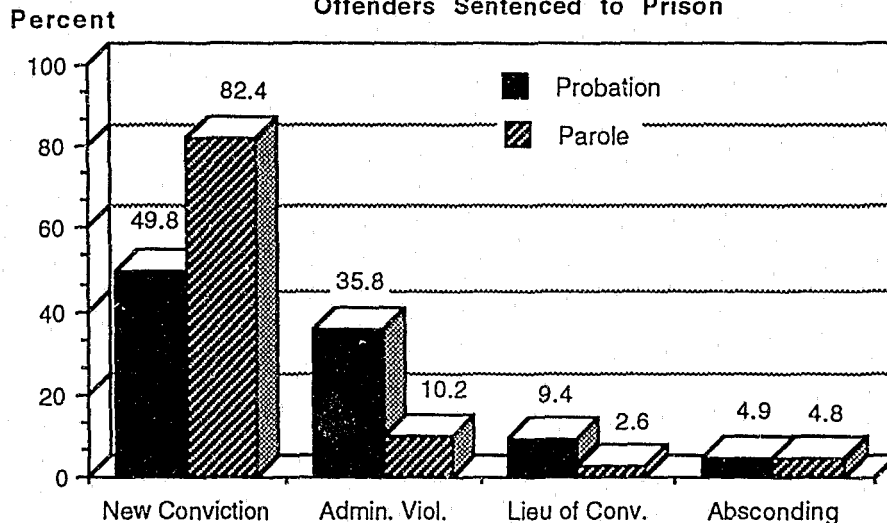


Chart 3: Revocation Reason for Offenders Sentenced to Prison

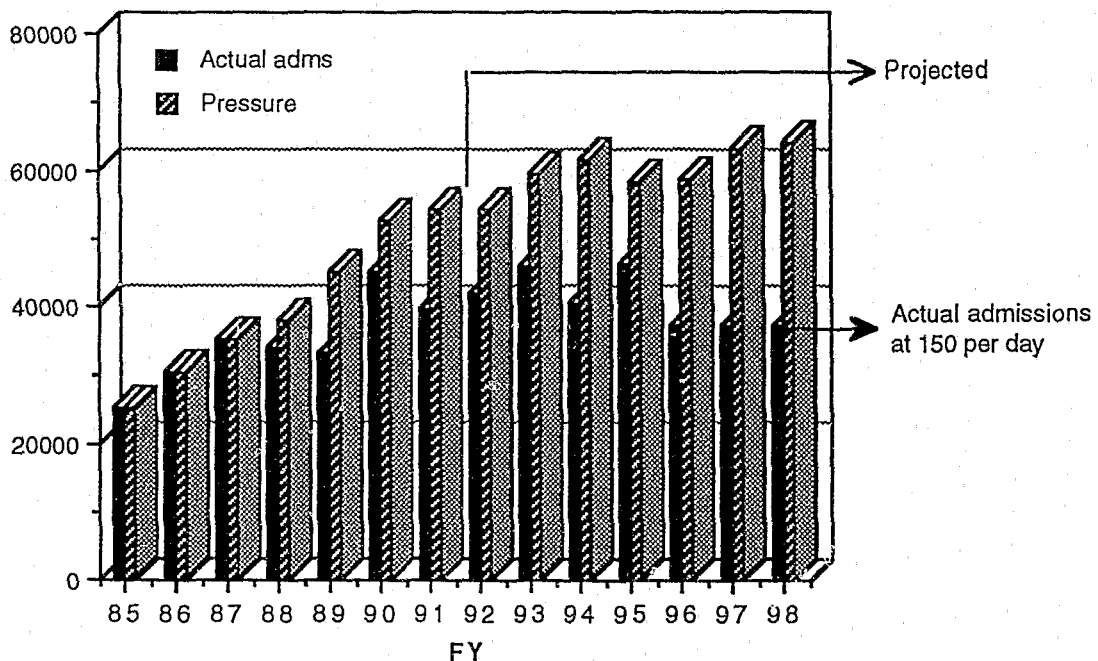




## Demand for Prison Space Outpacing Capacity

- **Prison capacity has not been sufficient to accommodate the demand for prison space resulting from present sentencing practices**
  - √ In 1987, a prison scheduled admissions policy was adopted to limit the number of sentenced felons who were to be accepted for prison admission from each county
  - √ In 1989, a factor-based allocation formula replaced the historically-based scheduled admissions policy
  - √ Releases from prison have been targeted at 150 per day to allow the admission of an equivalent number of convicted felons per day
- **The prison admission pressure has exceeded and is projected to exceed the targeted policy of 150 admissions per day**

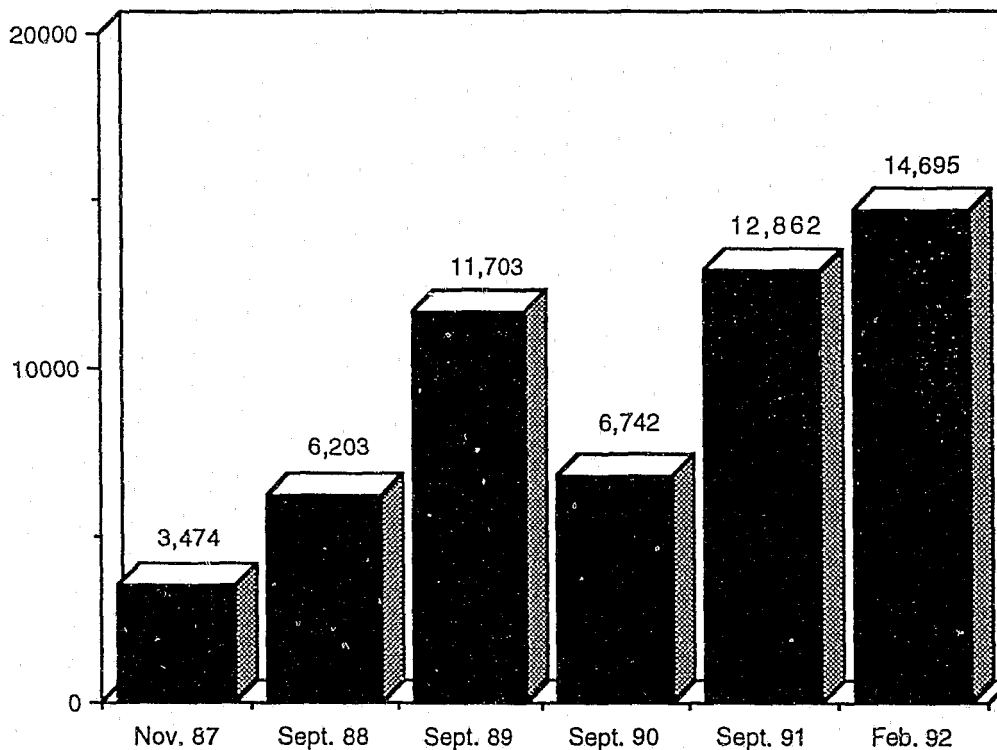
Chart 4: Prison Admissions vs. Admission Pressure  
Actual 85-91- Projected 92-98



## Shortfall in Prison Admissions Resulting in a Jail Backlog

- **Convicted felons sentenced to prison who are not admitted because of lack of space remain in a "backlog" of inmates residing in county jails and awaiting transfer to prison**
  - √ The number of parole releases from prison determines the number of prison admissions possible unless new capacity is available to increase the number of admissions
  - √ Prison releases have recently fluctuated at a lower rate than the targeted 150 releases per day decreasing admissions below 150 per day
  - √ Eligible state inmates can be released on parole directly from jails (Parole-in-Absentia, PIA) relieving some of the backlog pressure
    - In 1991, there were 8,121 inmates released on PIA from county jails

Chart 5: Offenders Awaiting Transfer to Prison in County Jails - Jail Backlog



## Correctional Bed Capacity Projected to Increase

- Funds for the construction of approximately 25,000 correctional beds were authorized by Texas voters during the bond election of November 1991
  - √ Of the 25,000 correctional beds authorized, 12,000 are beds in Community Corrections Drug Treatment Facilities
  - √ The schedule for correctional bed expansion and the projected total correctional bed capacity is shown below
    - The schedule includes beds that were funded prior to the November 1991 bond election

Chart 6: Correctional Bed Expansion Schedule, FY 92 - 96

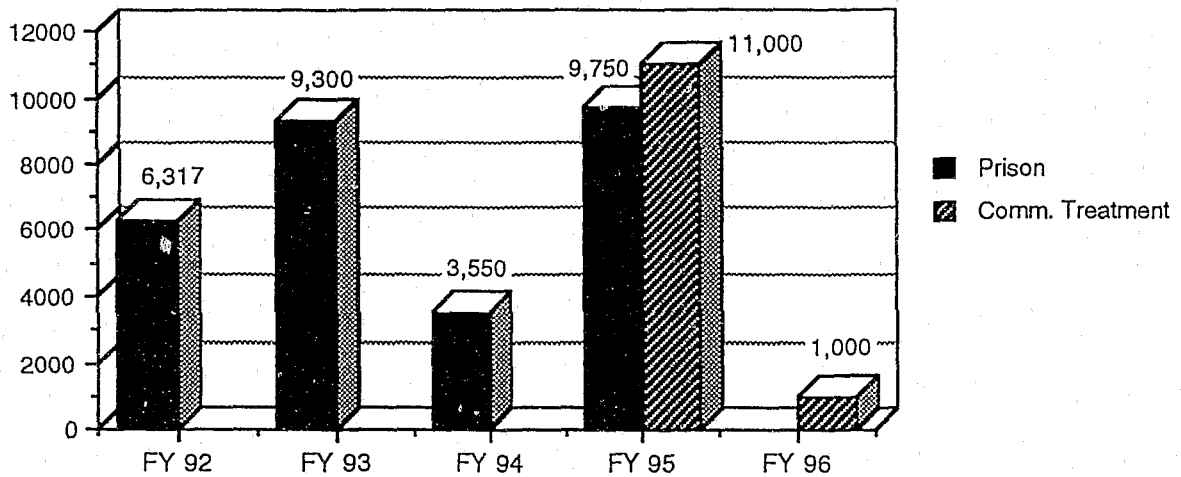
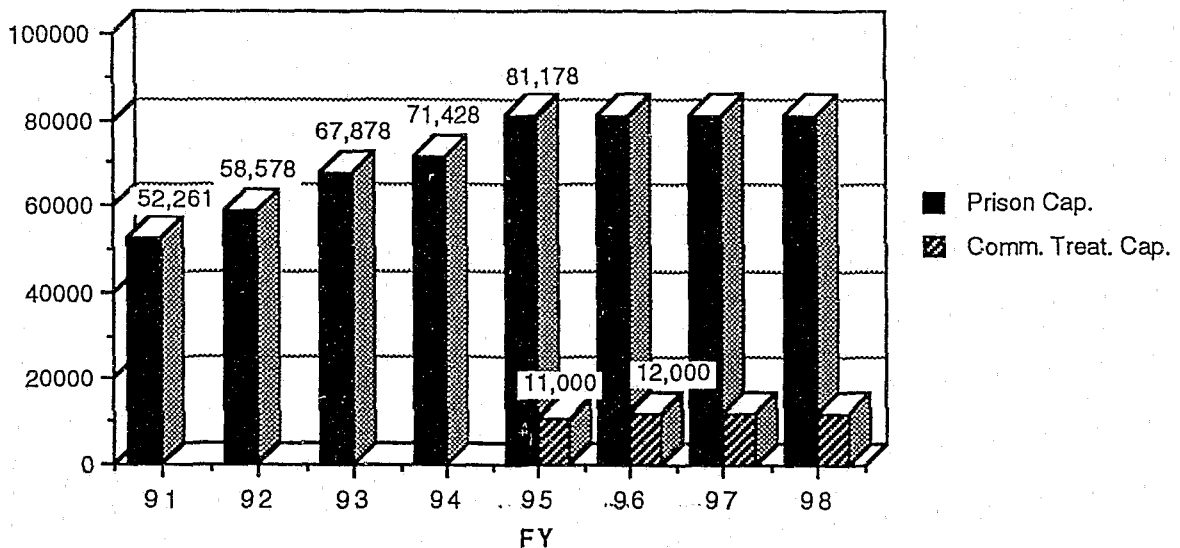


Chart 7: Correctional Bed Capacity, FY 91 - 98



## Impact of New Capacity: Simulations Under Different Parole Release Policies

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- Assuming different parole release policies, projections are presented below simulating the impact of new capacity in reducing the jail backlog
- The simulations were done using the JUSTICE model developed by the Criminal Justice Policy Council
- These are interim projections to be revised before the next legislative session when new data will be available to update the model
- The fiscal impact of the different simulations is estimated using figures developed by the Legislative Budget Office
  - √ These figures assume the following:
    - The state will compensate counties for holding state prisoners in the backlog up to 1995
    - After 1995 the state will construct new prisons to deal with the backlog
  - √ These figures are for comparative purposes only
    - During the appropriations process the Legislative Budget Office will calculate more comprehensive and precise figures following detailed guidelines based on actual policies and programs proposed for specific fiscal years

## Assumptions Common to All Simulations

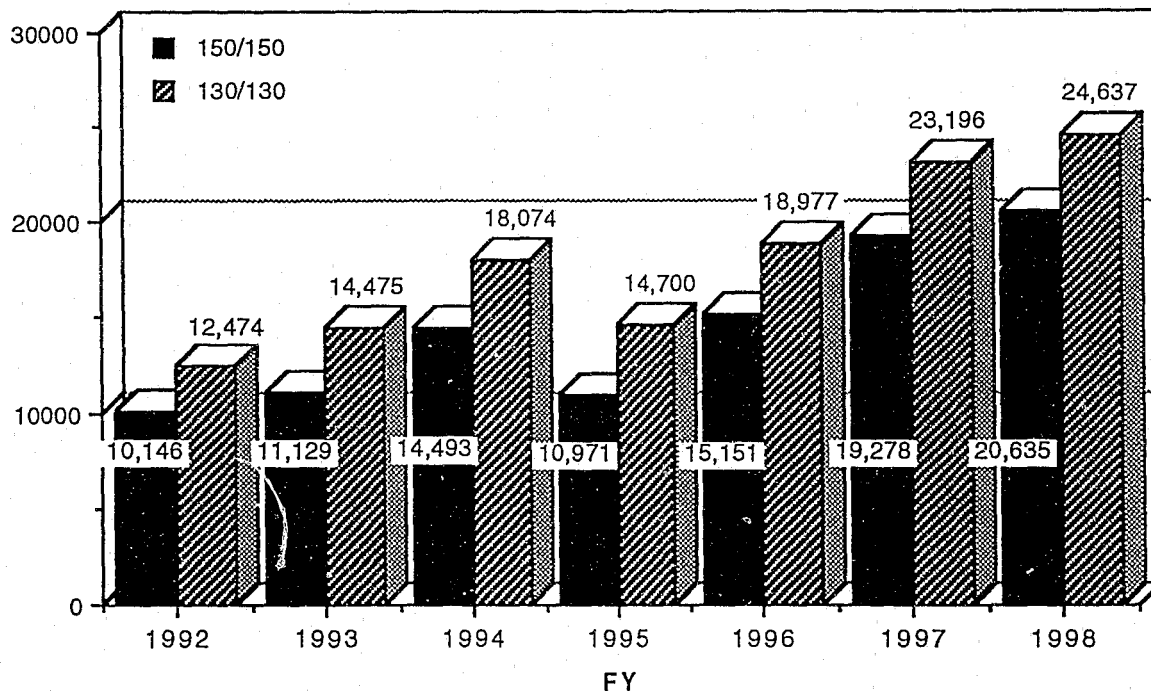
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- **Prison capacity and the capacity of the Community Corrections Drug Treatment Facilities will become operational according to the schedule in Chart 6**
  - √ This schedule is based on projections made in January 1992 by the Texas Department of Criminal Justice - Institutional Division
- **Added prison capacity will be used for reducing the backlog as soon as it becomes operational**
  - √ This assumes that the maximum daily processing capacity of the Institutional Division Diagnostic Unit will increase from the present 225 inmates per day to 400 inmates per day by May 1992
- **Residential facilities funded by the Texas Department of Criminal Justice - Community Justice Assistance Division, which become operational in FY 1992, will result in approximately 759 new diversions from prison**
- **Releases from county jails on Parole-in-Absentia will continue at the same rate**
- **The Prison Management Act will not be invoked during the period of the projection to increase parole releases**
- **The community corrections drug treatment beds will operate as follows:**
  - √ The facilities will operate at full capacity
  - √ Offenders will serve an average of nine months in these facilities
  - √ Approximately 50% of offenders placed in these facilities will be diversions from prison (would have gone to prison otherwise)
  - √ Approximately 95% of the offenders placed in the facilities will complete the drug treatment program successfully
  - √ All those completing the program successfully will be ordered by the court to complete their sentences on probation
  - √ All those not completing the program successfully will be ordered by the court to complete their sentences in prison

## Simulation 1 and 2: Impact of Release Policies

- Simulation 1 assumes a prison release/admission rate of 150 a day
  - Simulation 2 assumes a prison release/admission rate of 130 a day
  - Release policy is assumed to have taken effect on January 1992
- √ Chart 8 below shows the projected backlog under both simulations

**Chart 8: Projected Jail Backlog of State Prisoners Under Different Release Policies**



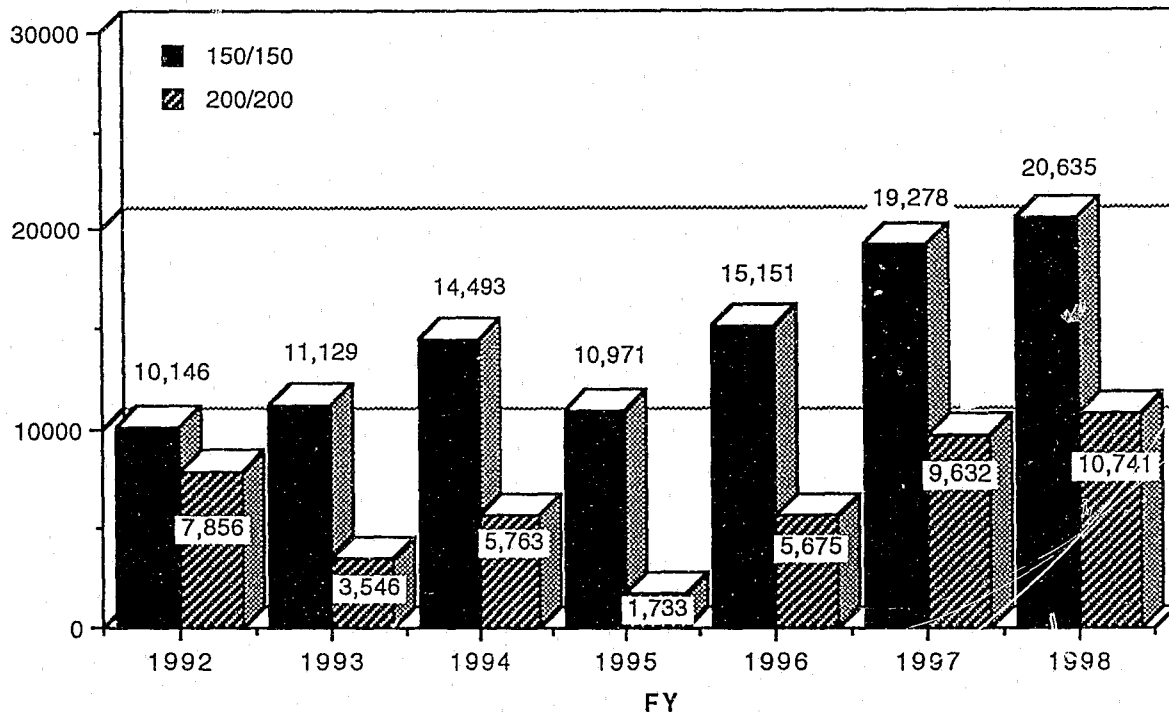
- Average time served for offenders in prison will increase under both simulations
- A larger prison population means that more offenders in the prison population will be eligible for parole
- A 150 or 130 releases per day policy will result in a decrease in the parole rate compared to the present parole rate for the same number of releases per day
- A decrease in parole rate will increase time served in prison.

- √ Present average time served in prison: 20 months
- √ Average under the 150/150 simulation by 1998: 32 months
- √ Average under 130/130 simulation by 1998: 34 months

## Simulation 3: Impact of Increasing Releases

- Simulation 3 assumes a prison release/admission rate of 200 a day
  - Release policy is assumed to have taken effect on January 1992
- √ Chart 9 below shows the projected backlog under this simulation and the 150 release/admission rate simulation

Chart 9: Projected Jail Backlog of State Prisoners Under Different Release Policies

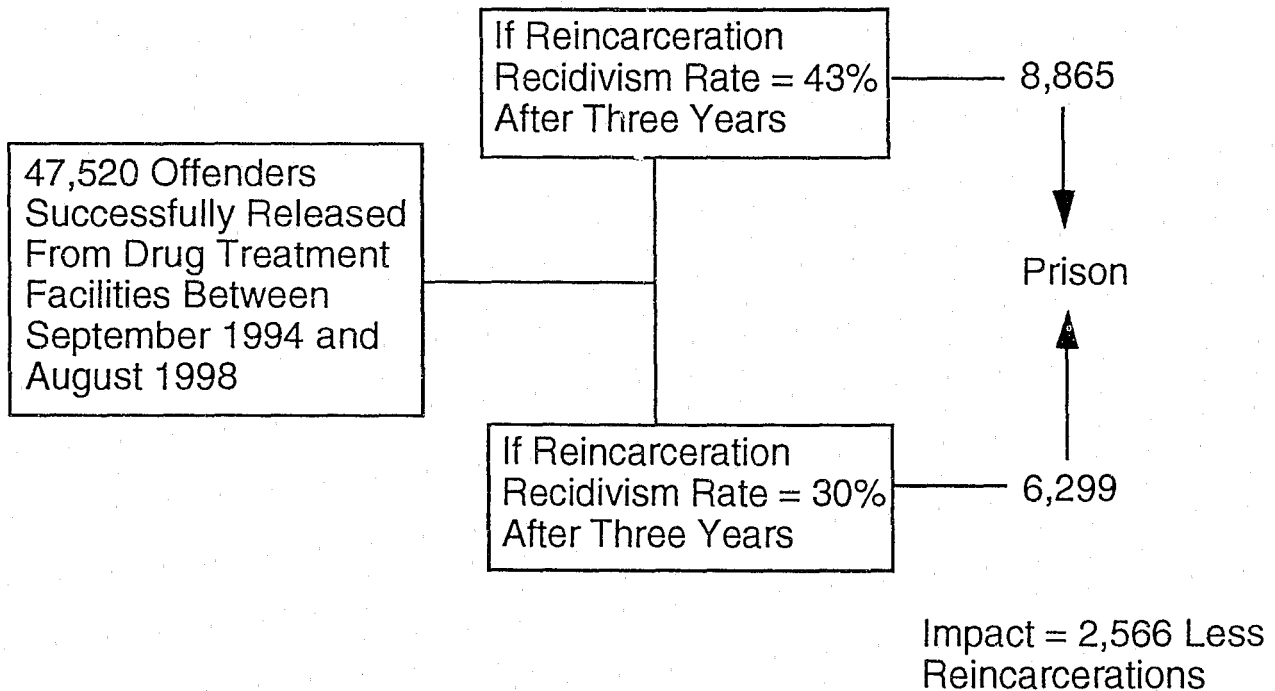


- Under the 200 prison release/admission simulation average time served for offenders in prison will be maintained at approximately the present average of 20 months

# Community Corrections Drug Treatment Facilities: Potential Impact in Reducing Recidivism

- The reincarceration recidivism rate after three years for offenders released on parole is 43%, and for offenders placed into Intensive Supervision Probation (ISP) is 42.8%
  - √ In other words, of 100 offenders placed on parole or ISP, almost half of them will be back in prison after three years
- Chart 10 below depicts the impact of reducing by 30% the recidivism rate for offenders successfully released from Community Corrections Drug Treatment Facilities
  - √ The reincarceration recidivism rate is assumed to be reduced from 43% to 30% after three years
  - √ The impact shown is only for the period of the projection (to 1998)
  - √ The full impact in the reduction of recidivism will occur by the year 2000

**Chart 10**

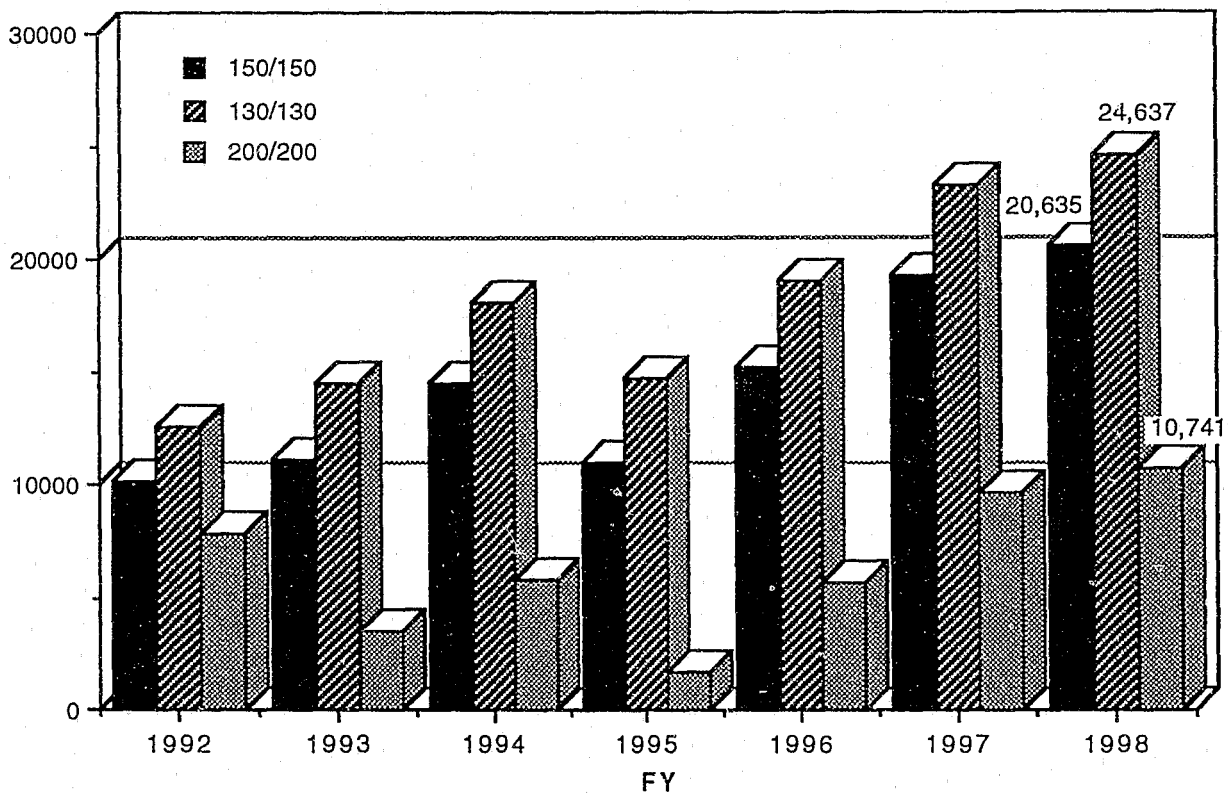


Construction cost saved: \$77.1 million  
Operational cost saved for this number of offenders: \$28.7 million



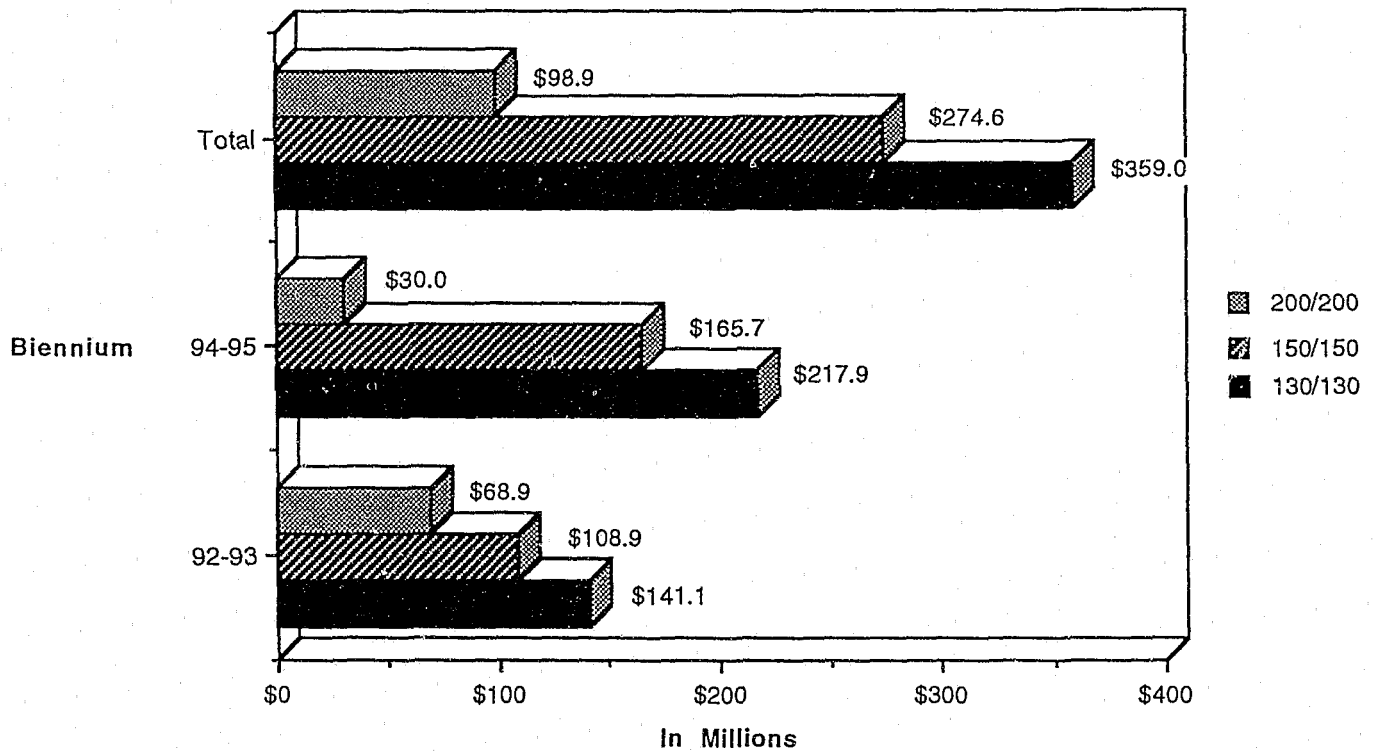
## Summary of Impact: Projected Backlog Under Different Release Policies

Chart 11: Projected Jail Backlog of State Prisoners  
Summary - Impact of Different Release Policies



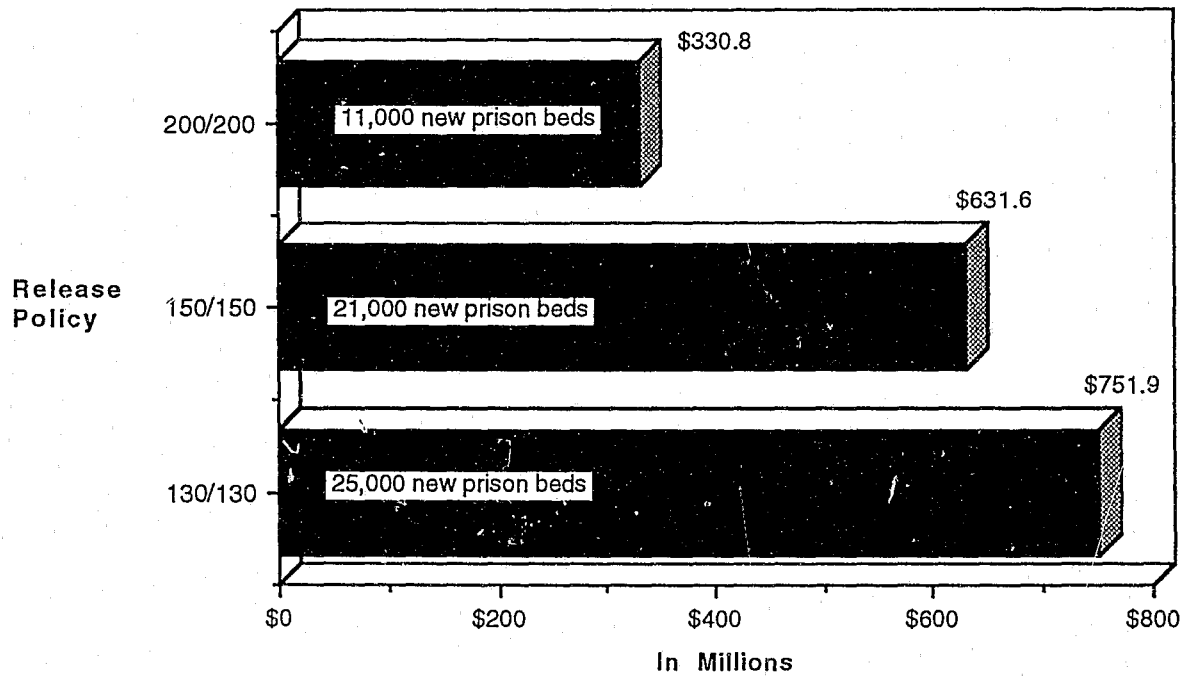
# Fiscal Impact: Projected Payment to Counties

Chart 12: Projected Payment to Counties Under the Provisions of H.B. 93 Assuming Different Release Policies



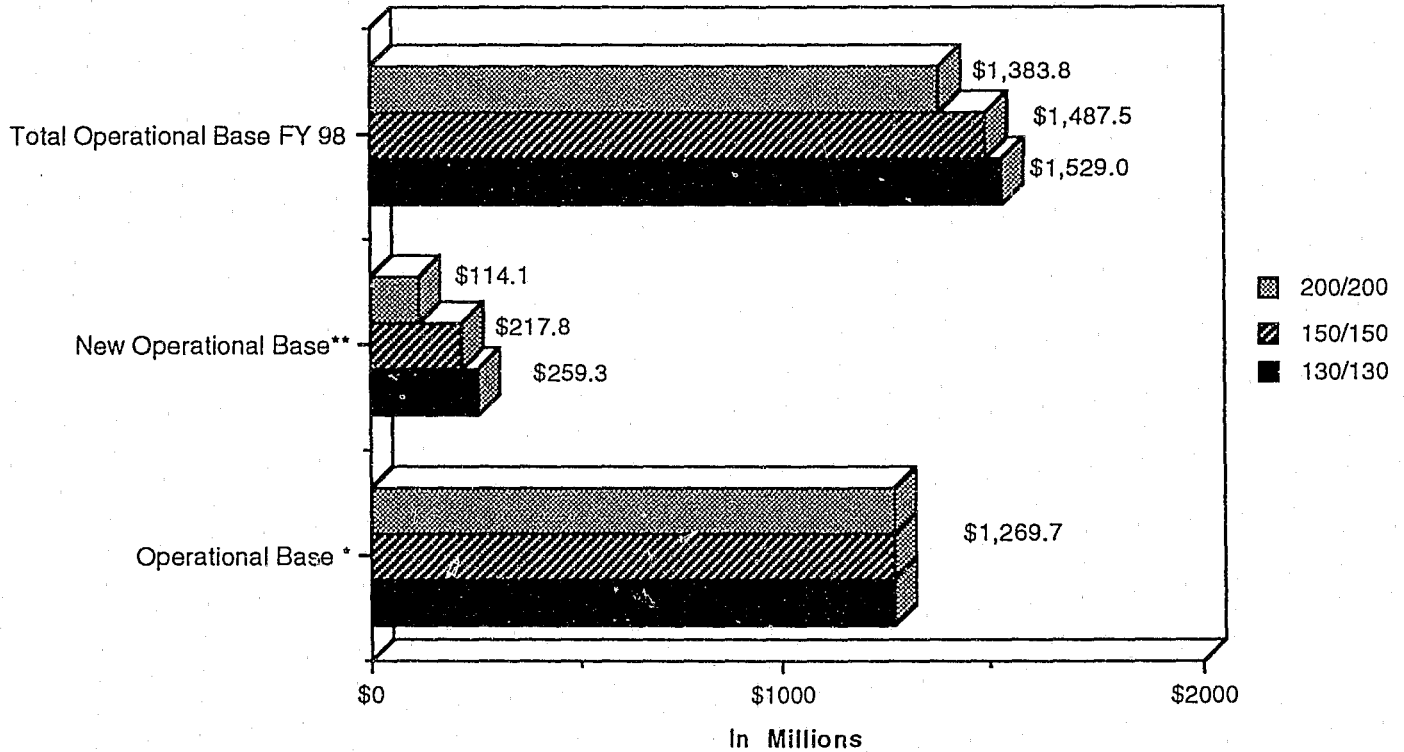
# Fiscal Impact: Projected New Capacity

Chart 13: Projected Additional Capacity Cost in General Revenue to Deal with Jail Backlog After FY 95



# Fiscal Impact: Additional Operational Cost

Chart 14: Projected Prison Operational Yearly Cost by FY 1998  
(Including Community Justice Drug Treatment Beds)



\* Annual prison operating cost with all presently authorized prison construction completed (including Community Justice Drug Treatment Beds)

\*\* New operational base after building additional capacity projected in the different scenarios. Assumes all new capacity will be operational by FY 1998

**Appendix C**

**Strategic Implementation Plan for the Texas Criminal  
Justice Information System**

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# Strategic Implementation Plan For The Texas Criminal Justice Information System (CJIS)



December 31, 1991

CRIMINAL JUSTICE POLICY COUNCIL  
DEPARTMENT OF INFORMATION RESOURCES  
DEPARTMENT OF PUBLIC SAFETY  
DEPARTMENT OF CRIMINAL JUSTICE

**Strategic Implementation Plan For The  
Texas Criminal Justice Information System  
(CJIS)**

December 31, 1991

CRIMINAL JUSTICE POLICY COUNCIL  
DEPARTMENT OF INFORMATION RESOURCES  
DEPARTMENT OF PUBLIC SAFETY  
DEPARTMENT OF CRIMINAL JUSTICE

## Acknowledgements

The Criminal Justice Policy Council wishes to acknowledge the cooperative spirit of the Department of Public Safety, the Department of Criminal Justice, and the Department of Information Services in developing this report.

Acknowledgement is also given to the U. S. Department of Justice, Bureau of Justice Statistics for providing federal grant funds to the Policy Council. These grant funds were used to assist DPS and Tarrant County in converting their data systems and in testing the feasibility of electronic disposition reporting from counties to the state CJIS.



# STRATEGIC IMPLEMENTATION PLAN FOR THE TEXAS CRIMINAL JUSTICE INFORMATION SYSTEM (CJIS)

## INTRODUCTION

Chapter 60.17, Code of Criminal Procedure mandates the Criminal Justice Policy Council to coordinate a working group of the Policy Council, the Department of Information Resources, the Department of Public Safety, and the Department of Criminal Justice to expedite implementation and continued improvement of the criminal justice information system.

Chapter 60.17 further mandates that a report be provided to the Legislative Criminal Justice Board not later than January 1, 1992. This report is submitted in response to that mandate.

## BACKGROUND

Since its inception in 1970, the Department of Public Safety's Computerized Criminal History file (CCH) has served as the principal repository of arrest, disposition, and custody/supervision data for individuals arrested in Texas. Since January of 1974, local law enforcement agencies in Texas have enjoyed on-line access to CCH information through the Texas Law Enforcement Telecommunications System (TLETS). CCH serves the operational needs of law enforcement and criminal justice users, as well as the informational needs of policy makers for decisions affecting crime, prisons, law enforcement, etc.

While CCH provides an important service, users have been aware for some time that the CCH suffers from deficiencies of completeness and utility. A 1988 study by the Criminal Justice Policy Council documented a number of these problems. Particularly noteworthy is the number of arrests without corresponding dispositions. In addition, the current CCH lacks the capability to track an offender through the criminal justice system on a given charge and to provide workload information on the different components of the system.

## ENHANCEMENT LEGISLATION

The enhancement of the computerized criminal history file has been an issue for a number of legislative sessions, but no new requirements were actually passed until the 71st Texas Legislature in 1989. First introduced as House Bill 1792 by Representative Bill Carter, the language finally passed the Regular Session as a part of House Bill 2335 - The Criminal Justice Reform Bill. Senate Bill 41 (71st Legislature, Sixth Called Session) provided cleanup revisions. The result is Chapter 60, Code of Criminal Procedure, which defines the concept of the Criminal Justice Information System (CJIS). In addition to defining a great deal of the specific data elements that must be included in the system, statutory requirements of the CJIS include:

- Assignment of an "incident number" to each arrest event. This number will allow CJIS to track the progress and results of that arrest and charge through the criminal justice system;
- Mandatory use of a multi-part incident form for reporting arrest and subsequent data. This form will have the incident number pre-printed on it and will follow the individual through the system. Those automated agencies wishing to report electronically must capture the incident number that is associated with the arrest fingerprint card as that is the identifier within CJIS to link disposition data to arrests;

- Mandatory reporting to the DPS of arrests and dispositions for all felonies and Class A and B misdemeanors;
- The Department of Criminal Justice (DCJ) must create a "Corrections Tracking System" (CTS) and collect, among other data, the start and end dates for each program, level of probation or parole supervision, and reason for termination from programs;
- A link must be established between the DPS's Enhanced CCH and the DCJ's Corrections Tracking System. This link will provide for TLETS access to data within both systems; and,
- Electronic reporting of data should be used whenever possible.

The electronic link between the Computerized Criminal History and Corrections Tracking Systems is a very important aspect of the CJIS. These two systems, and the link between them, define the Criminal Justice Information System. The DPS and DCJ are currently working to define the interrelationships between these two data bases. The agencies are particularly mindful of the requirements of the recently enacted Prison Management Act, and are making every effort to coordinate procedures so as to reduce the reporting impact on local contributors.

The 72nd Legislature set an implementation date of January 1, 1993 for CJIS.

#### CJIS DESIGN

The statutory requirements of the CJIS have far reaching implications for local agency contributors as well as for DPS and DCJ. Data reporting begins with the multi-part "uniform incident fingerprint card". The basic design of the form is a fingerprint card attached to a multi-part NCR-type form. The identification data will copy through the form to the attached fingerprint card. The multi-part form will contain multiple sheets for identification/arrest data and judicial/prosecutor data.

The arresting agency reports the identification and arrest data on the fingerprint card and the arrest sheet from the multi-part form. The remaining sheets of the form are then passed to the prosecutor (or court) for completion of the prosecution data elements. Depending upon the action of the prosecutor, the prosecution data can be reported by the prosecutor or the clerk, according to local preference. The clerks must report the court disposition on the judicial sheet. If the individual is sentenced to DCJ, the court will send the form to DCJ, who will report the custody/supervision information to DPS through the on-line computer link between the two agencies.

As each report sheet comes to the DPS it will have the pre-printed incident number and the information reported to DPS by the previous agency. The CJIS will use the incident number to link the separate actions to the same arrest event.

A sample reporting scenario is as follows:

An individual is arrested for burglary and resisting arrest. The arresting agency completes the fingerprint card/incident form, which has the incident number A12345678Z. The Burglary receives Incident Number Suffix "001" and the Resisting Arrest receives Incident Number Suffix "002" on a supplemental form. The arresting agency sends the arrest fingerprint card and the arrest sheet from the multi-part form to DPS. The rest of the form goes to the prosecutor.

The prosecutor files the Burglary, but rejects the Resisting Arrest. The Burglary code is entered

under the "001" Incident Number Suffix, but the Resisting Arrest charge is rejected under Incident Number Suffix "002". The multi-part form is sent to the court.

The court finds the defendant guilty and sentences him to 2 years probation. The clerk reports the two years probation for Burglary under Incident Number Suffix "001". No court disposition is reported under suffix "002" because the Judicial/Prosecutor sheet already reports the rejection by the prosecutor. The clerk sends the completed Judicial/Prosecutor sheet of the form to DPS and the remainder of the form to the local probation department.

Subsequent changes in probation status will be reported to the DPS CCH directly through the DCJ Corrections Tracking System.

This is a simplified example, but it illustrates the basic philosophy of the system.

In automated counties, the form itself does not need to be passed as described, however, if the form is replaced by data in a local Subject In Process file, the resulting transmission to DPS, whether paper or electronic, must contain the same data as if the incident form were actually mailed. Through a grant to the Policy Council from the U. S. Department of Justice, Bureau of Justice Statistics, DPS is developing an electronic reporting prototype with Tarrant County.

#### STATUS

From the passing of the original legislation, DPS and DCJ have been working on system design and concept and the linking of the CCH and CTS. The legislature mandated certain tasks to the Criminal Justice Policy Council including the formation of certain local agency input committees, which include DPS and DCJ participation.

The Policy Council formed a "Clerks Reporting Study Committee", which was a group of district and county clerks, to review existing reporting requirements and provide a local perspective on the Criminal Justice Information System. A "Technical Subcommittee", comprised of DPS, DCJ, DIR, and local data systems experts reviewed and made further refinements on the system. The resulting Technical Subcommittee Report is the basis for the current system concept and Data Dictionary. The Policy Council has also formed an Advisory Committee of state and local data systems experts to develop standards and protocols for the electronic reporting of criminal justice data from counties to the state based on the work performed by DPS and Tarrant County to develop a prototype for electronic transfer of data.

A statewide workshop of contributors and users was hosted by DPS on December 2, 1991 to obtain further user and contributor input on the implementation of the system. The workshop raised a number of reporting procedures issues that need to be standardized. Standardized reporting procedures will require that the same form (or its electronic equivalent) is used in every county, that the data originates from the correct source, even if it passes through other reporting entities on the way, and that the resulting criminal history records are uniform in quality.

To facilitate the standardization of reporting procedures, and to provide input on other implementation issues, a "CJIS Planning Board" has been formed. Members of the Planning Board are representatives of the entire criminal justice system and will greatly assist the DPS and DCJ to ensure the CJIS is responsive to local needs and constraints.

HB 93 MANDATED INFORMATION (Art. 60.17(b))

1) IDENTIFY THE STATUS OF THE IMPLEMENTATION OF THE CRIMINAL JUSTICE INFORMATION SYSTEM

DEPARTMENT OF CRIMINAL JUSTICE - Corrections Tracking System (CTS)

Hardware Upgrades

Installation of terminal equipment in Parole Field Offices	On Schedule for March 1992
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Software Conversion

CTS Data Base Design

Probation Portion	Completed
Parole Portion	Completed
Institutional Portion	Completed

CTS Applications Software Development

Probation Portion	In Process
Parole Portion	In Process
Institutional Portion	In Process

DEPARTMENT OF PUBLIC SAFETY - Enhanced Computerized Criminal History File (CCH)

Hardware Upgrades

Purchase of additional disk drives	Purchased Three (3)
Purchase of Solid State Disk (SSD)	On Schedule for January 1992
Additional DPS hardware (terminals, printers, channel to channel adapters, etc.)	On schedule to be purchased in first quarter 1992
Telecommunications equipment for electronic reporting of CCH and CTS data	To be determined with county representatives
Further enhancements to storage subsystem (disk drives, solid state disk, cache memory, etc)	Will be required as system matures

Software Conversion

To implement the Enhancement of the CCH file, DPS is converting from a hierarchical database to a data base management system called Model 204. The project has required the hiring of new programmers. The migration to M204 has required the training of the new and existing programmers. The training is completed.

Create 500,000 record M204 Test Database	Completed
Write data entry programs	In Process
Write Inquiry programs	In Process
Write interface to FBI Interstate Identification Index (III) file	To be done
Write interface to DCJ CTS	To be done
Write Utilities for system administration	To be done
Write interface to AFIS system	To be done
Testing	Ongoing in each phase

DPS AND DCJ -

Establish telecommunications link between DPS Enhanced CCH System and Department of Criminal Justice Corrections Tracking System.

The physical telecommunications line will be established in January 1992, allowing for testing as software is developed.

DPS, DCJ and LOCAL AGENCY CONTRIBUTORS -

The CJIS Planning Board mentioned above is addressing the issues of standardizing local agency reporting procedures raised at the workshop. March 1992 is set as the date to have reached agreement among the Planning Board members and other local representatives on the reporting procedures required which are to be tested in a pilot mode. The process of training the local agencies will continue throughout calendar year 1992 and beyond. DPS, DCJ, and the Policy Council will hold at least three regional meetings throughout the year to work with contributors on these standardized reporting procedures and to identify enhancements for legislative consideration beyond Fiscal Year 1993. DPS has hired six Field Service Representatives who will provide continuing classroom and on-site education on system procedures and requirements for local agencies. The Uniform Incident Fingerprint Card will be implemented in the first quarter of 1992 in a pilot mode, with its use expanded throughout the state by September 1992.

During January, 1992, the Advisory Committee of state and local data processing experts will begin to review the work done between DPS and Tarrant County, and work on expanding that prototype to other automated counties. Without assistance from the state, automated counties will face local system enhancement costs to integrate CJIS reporting into their existing operation, including data transmission expenses.

2) DETERMINE FROM THE TEXT OF THIS CHAPTER, THE LEGISLATIVE HISTORY OF THE ENACTMENT AND AMENDMENTS TO THIS CHAPTER THE STRATEGIC GOALS OF THE CRIMINAL JUSTICE INFORMATION SYSTEM.

1. To create a criminal justice information system which will serve the needs of law enforcement, prosecutors, courts, and corrections personnel and provide a source of information for policy makers to evaluate the functioning of the criminal justice system.
2. To attain the highest degree possible of reporting to the DPS Computerized Criminal History (CCH) in order to ensure the quality of the information available from the CJIS, in

keeping with legislative mandates and intent.

3. To identify and reduce duplicative criminal justice reporting that can be consolidated administratively or through legislation.
4. To provide the legislature resource information regarding the design and operation of the Criminal Justice Information System.
5. To enhance long-term planning through the improved use of state wide criminal justice data.

3) TRANSLATE STRATEGIC GOALS INTO SPECIFIC PROJECT GOALS AND OBJECTIVES AS WELL AS GIVE PRIORITIES TO, SCHEDULE COMPLETION DATES FOR, AND IDENTIFY RESOURCES NECESSARY TO COMPLETE THOSE GOALS AND OBJECTIVES.

<u>Strategic Goals</u>	<u>Project Goals/Objectives</u>	<u>Completion Date</u>	<u>Resources</u>
1 -			
Create a criminal records database which will serve the needs of law enforcement, prosecutors, courts, and correction personnel and provide a source of information for policy makers to evaluate the functioning of the criminal justice system.	Test multi-part Uniform Incident Fingerprint Card to link arrest events with subsequent case dispositions.	March 1992	No new resources needed beyond those currently budgeted.
	Adopt multi-part form to link arrest events with subsequent case dispositions.	September 1992	No new resources needed beyond those currently budgeted.
	Develop the Computerized Criminal History component of CJIS.	January 1993	Additional programmers may be needed for the project.
	Develop Probation Data Collection and Reporting portion of CTS.	July 1992	No new resources needed beyond those currently budgeted.
	Develop Parole Data Collection and Reporting portion of CTS.	November 1992	No new resources needed beyond those currently budgeted.
	Relocate existing DCJ application programs to the IBM architecture computer and phase out the Unisys architecture computer.	November 1992	No new resources needed beyond those currently budgeted.
	Improve data collection and reporting for Institutional portion of CTS.	December 1992	No new resources needed beyond those currently budgeted.

Convert existing Institutional applications to CTS Data Base.

December 1992

No new resources needed beyond those currently budgeted.

Implement full Probation and Parole portions of CTS.

November 1992

Additional mainframe disk drives will be required by DCJ in Fiscal Year 1994.

2 -

To attain highest degree possible of reporting to the CJIS in order to ensure the quality of the information available from the CJIS, in keeping with legislative mandates and intent.

Test electronic transmission of disposition data between county data systems and the state CJIS.

November 1991

Resources provided by grant from U.S. Department of Justice, Bureau of Justice Statistics.

Develop standardized local agency reporting procedures for CJIS data.

March 1992.

No new resources needed beyond those currently budgeted.

Implement pilot local agency training program.

March 1992

No new resources needed beyond those currently budgeted.

Begin implementing electronic transmission of disposition data between county data systems and the state CJIS.

After startup of CJIS operations

Telecommunications network capable of handling additional secure data transfers.

County data processing departments convert their databases and adopt state telecommunications standards and protocols.



Develop a plan to expedite improving local data systems and electronic reporting between county data systems and the state CJIS using the federally mandated 5% set-aside of grant funds for improving criminal records.

March 1992

Criminal Justice Policy Council will develop the plan on behalf of the Office of the Governor, Criminal Justice Division.

Distribution of 5% set-aside funds to local jurisdictions.

October 1992

Office of the Governor, Criminal Justice Division will implement the 5% set-aside plan using federal funds.

Implement matching of persons holding state licenses against the state CJIS to replace present paper conviction reporting by local jurisdictions (see Reporting Requirements the State has Placed on Local Governments - Analysis and Recommendations, Criminal Justice Policy Council November 1990).

After startup of CJIS operations

Name/race/sex/date of birth match (least reliable) requires licensing agencies to provide lists to DPS.

Fingerprint match (most reliable) requires statutorily mandated fingerprinting of license holders and submission of prints to DPS. Increased resources for processing fingerprint cards by DPS may be needed.

The Uniform Fingerprint Incident Card represents consolidation of reporting offenses affecting a person's driver's license status (for DWI convictions).

3 -

To identify and reduce duplicative criminal justice conviction reporting that can be consolidated administratively or through legislation.

4.	Analyze existing criminal justice data collection processes and instruments used by state agencies and recommend ways to eliminate redundant data collection.	January 1, 1995	Statutory mandate needed for Criminal Justice Policy Council to perform this operational analysis.	
To provide the legislature resource information regarding the design and operation of the Criminal Justice Information System.	Provide system design and operational documentation to committees and individual members of the legislature.	As needed.	No new resources needed beyond those currently budgeted.	
5.	To enhance long-term planning through the improved use of state wide criminal justice data.	Develop Offender Based Policy Analysis System (OBPAS): the analytical framework necessary to format CJIS data for policy analysis and planning.	1993	Criminal Justice Policy Council will perform this function if current funding levels continue.
	Downloading of OBPAS data to the Criminal Justice Policy Council.	1994	Data will be provided by DPS and DCJ in accordance with Chapter 60, CCP.	
	Testing of OBPAS data.	1994	Criminal Justice Policy Council will perform this function if current funding levels continue.	
	Analytical function in place for the state leadership to access the information in the CJIS.	January 1995	Criminal Justice Policy Council will perform this function if current funding levels continue.	

**Appendix D**

**In a Nutshell: Trends and Strategic Issues in Texas  
Criminal Justice**

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**In a Nutshell: Trends and Strategic Issues  
in Texas Criminal Justice**

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**Sentencing Dynamics Study**

**Report 1**

**January 17, 1992**

**Criminal Justice Policy Council  
P.O. Box 13332  
Austin, Texas 78711  
(512) 463-1810**

## Note From the Director

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The Office of the Criminal Justice Policy Council is a state agency that conducts research, program evaluations and strategic planning for the Texas criminal justice system. The agency, under the direction of the Governor, provides objective research information to the state leaders on selected areas or special projects. For the 1991-1992 biennium the Governor directed the Office to provide the Texas Punishment Standards Commission with the necessary research to support the commission's policy development. House Bill 93, in the last legislative session, also directed the Office to conduct a special project to study sentencing dynamics in the state. The Criminal Justice Policy Council was directed to design the study to "provide the legislature with information necessary to perform a proper revision of the Penal Code and statutes relating to sentencing in criminal cases." This study is presently underway. Preliminary results are expected by the summer of 1992 to assist the Punishment Standards Commission. More detailed findings will later assist the 73<sup>rd</sup> Texas Legislature in 1993.

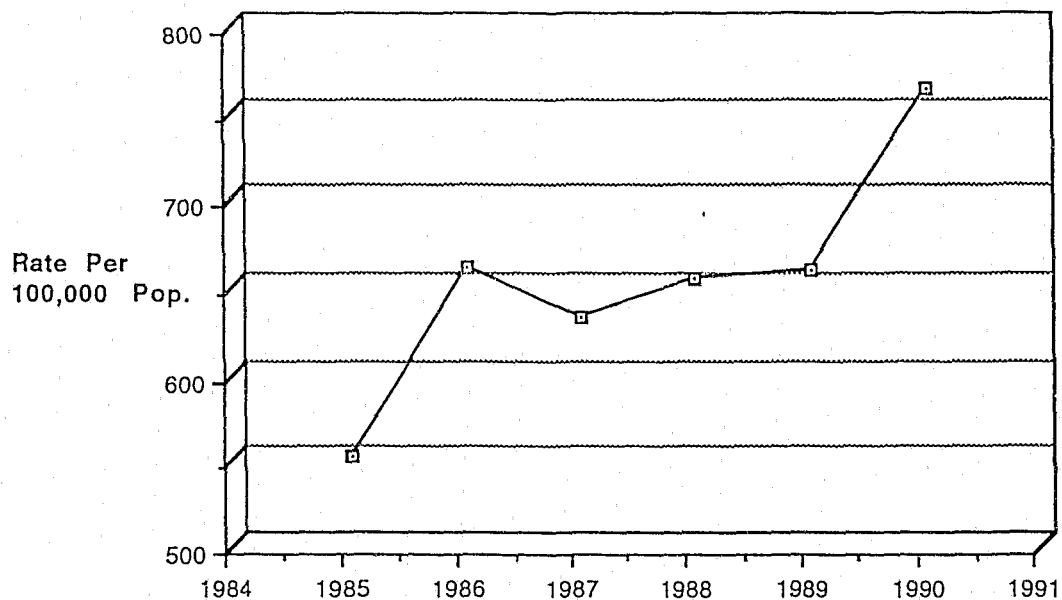
This report is the first in a series of reports or briefings specifically designed to assist the Texas Punishment Standards Commission in their policy development. The report presents the complex dynamics of the Texas criminal justice system in a conceptual framework that illustrates past trends and identify strategic issues critical to policy development. Text bullets and graphical analyses are used to present complex information as effectively as possible. A similar format will be used for future reports. However, the Office will elaborate and present more in-depth information on any of the issues presented in reports if policy makers request additional information.

Tony Fabelo, Ph.D.  
Executive Director

## Violent Crime in Texas Increasing

- In 1990 there were 1,329,339 Index Crimes reported in Texas
  - √ 129,345 Violent Index Crimes (Murder, Rape, Robbery and Aggravated Assault)
  - √ 1,199,994 Property Index Crimes (Burglary, Theft, and Motor Vehicle Theft)
  - √ Drug violations are not reported as Index Crimes
    - There were 62,384 juvenile and adult drug arrests in Texas in 1990
- Total Index Crimes in Texas have declined since reaching a peak in 1988 but Violent Index Crimes increased in 1990
  - √ The crime rate in Texas per 100,000 population decreased by 1.3% from 7,926.8 in 1989 to 7,825.9 in 1990
  - √ The violent crime rate increased by 15.6%, from 658.3 Violent Index Crimes per 100,000 population in 1989 to 761.5 in 1990

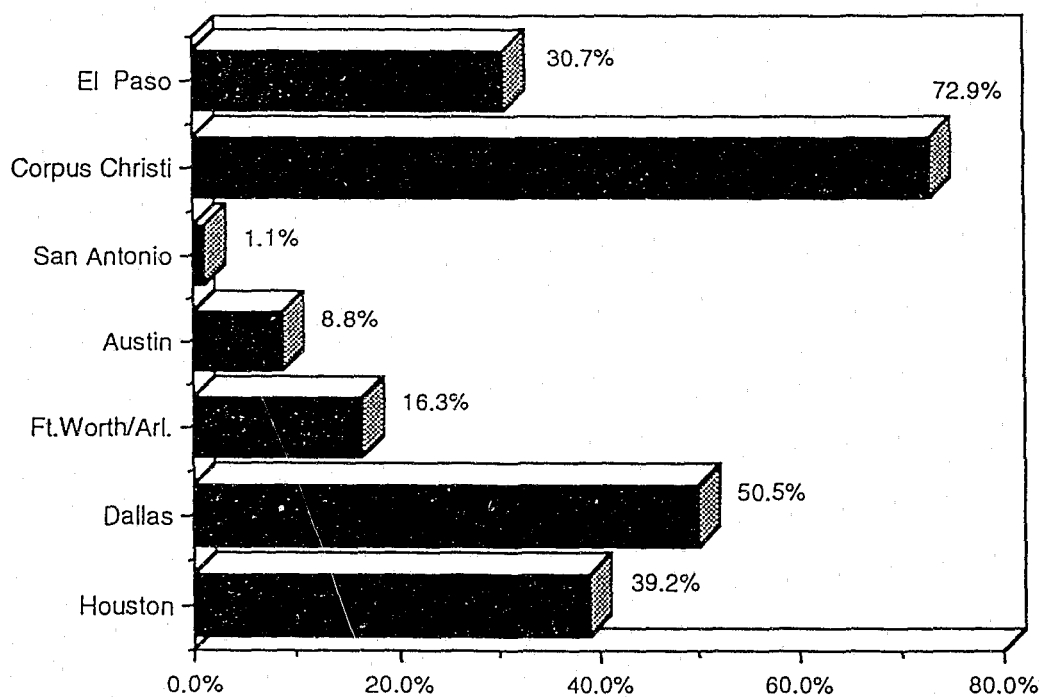
Chart 1: Violent Index Crime Rate  
Per 100,000 Population in Texas, 1985-1990



## Violent Crime in Texas Increasing (cont.)

- For the first six months of 1991 Violent Index Crimes in Texas increased by 14.5%
  - √ Between January and June of 1991 there were 69,704 Violent Index Crimes reported in Texas compared to 60,863 for the same months of 1990
  - √ The January to June 1991 crime rate was 3,834.8 per 100,000 population compared to 3,805.2 for the same period in 1990
- The violent crime rate in the seven largest metropolitan areas in the state has increased since 1985

Chart 2: Percent Change in Reported Violent Index Crime Rate in Texas Largest MSAs as Reported by FBI, 1985-1990



## Texas Crime Compared to the Nation in 1990

- **The crime rate in Texas ranks fourth in the nation, after the District of Columbia, Florida, and Arizona**
  - √ The rate of property crime in Texas also ranks fourth in the nation
  - √ The violent crime rate ranks eleventh in the nation
  - √ After California, the largest number of Index Crimes in the nation were reported in Texas
  - √ The total number of arrests for Index Crimes in Texas ranks second in the nation after California
- **Of the 30 metropolitan areas in the nation with the highest crime rate, 10 are in Texas**
  - √ The table below shows these metropolitan areas in rank order within Texas, their crime rate per 100,000 population and their national ranking

MSA	Crime Rate	Nat. Ranking
Odessa	11,974.7	2
San Antonio	10,479.8	3
Dallas	10,296.6	4
El Paso	10,286.8	5
Wichita Falls	9,478	7
Fort Worth-Arl.	9,381.2	9
Austin	8,919.3	14
Corpus Christi	8,687.2	20
Houston	8,494.8	24
Laredo	8,472.7	25

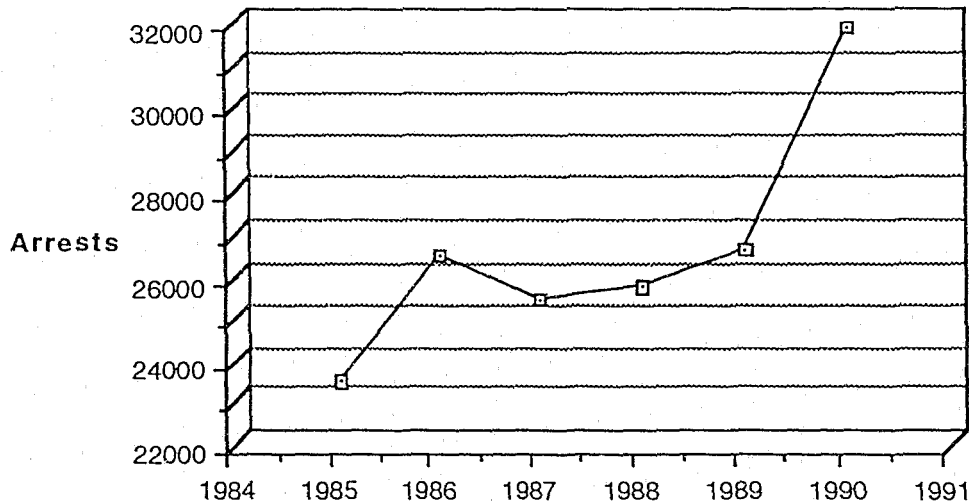


## Criminal Justice System Growth Arrests Increasing

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- **Adult arrests in the state declined in 1987 and 1988 but since 1989 arrests have increased**
- **Between 1989 and 1990:**
  - √ Total adult arrests increased by 10.2% (875,805 arrests)
  - √ Arrests for Violent Index Crimes increased by 19.4% (31,779 arrests)
  - √ Arrests for property crimes increased by 1.1% (155,509 arrests)
- **Arrests for drug violations peaked in 1989 with 68,351 but declined by 13% in 1990 to 59,405**

Chart 3: Adult Arrests for Violent Index Crimes in Texas, 1985-1990



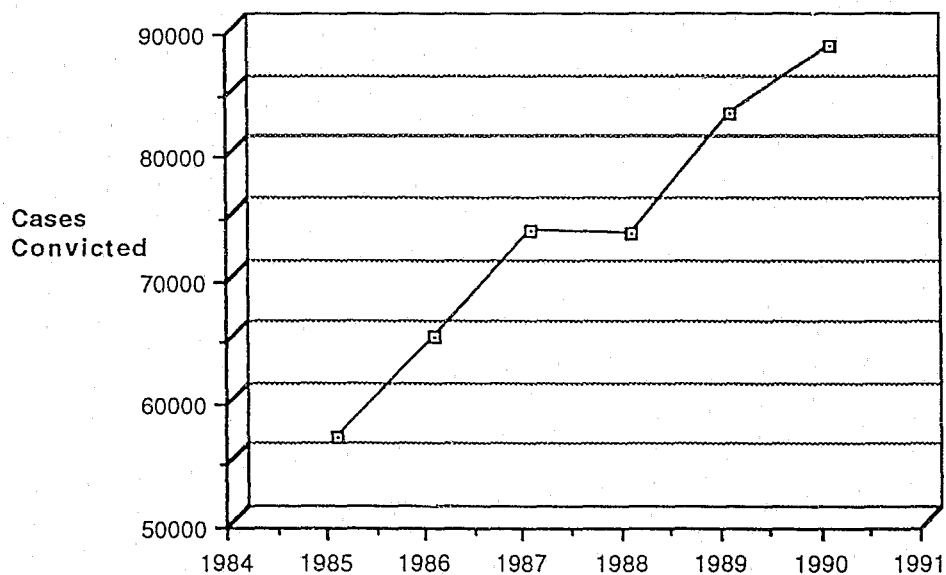
## Correctional Pressure Increasing

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- **Increasing violent crime and increasing arrests have led to more convictions for adult felony cases**

- √ Between 1985 and 1990 felony cases convicted have increased by 55.9%, from 56,489 in 1985 to 88,122 in 1990
- √ Approximately 55% of cases convicted are granted probation
- √ A large probation and parole population means that more offenders with prior criminal records are being supervised and are more likely to be convicted if arrested for a new offense
- √ System information technology is improving, leading to better identification of offenders and better evidence for convicting offenders

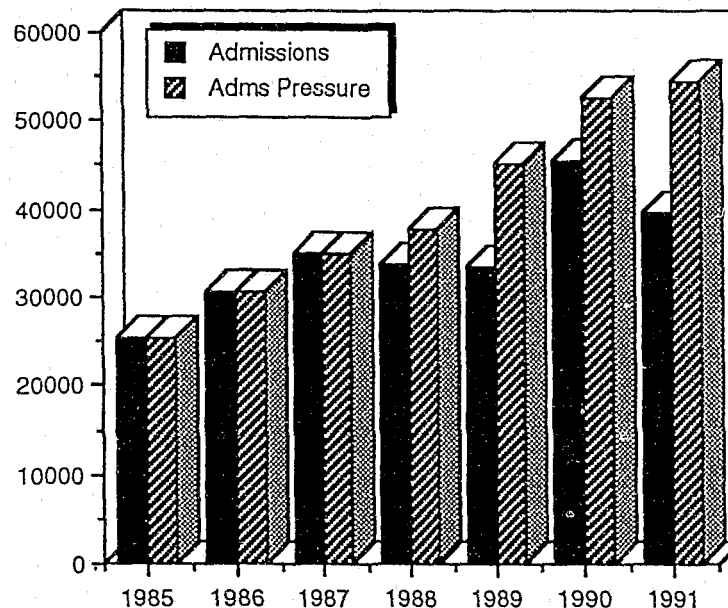
Chart 4: Felony Cases  
Convicted in Texas, 1985-1990



## Prison Capacity Shortfall

- The rising number of convictions has increased the pressure for system capacity in the correctional system
- Prison capacity has not kept up with the demand for prison space
  - √ In 1987 a prison scheduled admissions policy was adopted to limit the number of sentenced felons that were to be accepted for prison admission from each county
  - √ In 1989, a factor-based allocation formula replaced the historically-based scheduled admissions policy
  - √ Releases from prison have been targeted at 150 per day to allow the admission of an equivalent number of convicted felons per day
- Convicted felons sentenced to prison that are not admitted because of lack of space remain in a "backlog" of inmates residing in county jails and awaiting transfer to prison
  - √ The prison admission pressure exceeds the targeted 150 admissions per day increasing the jail backlog
  - √ Prison releases have also fluctuated at a lower rate than 150 per day decreasing the number of targeted admissions
  - √ Some of the felons in the backlog are released on parole directly from jails (Parole-in-Absentia, PIA)
    - In 1991 there were 8,121 inmates released on PIA from county jails

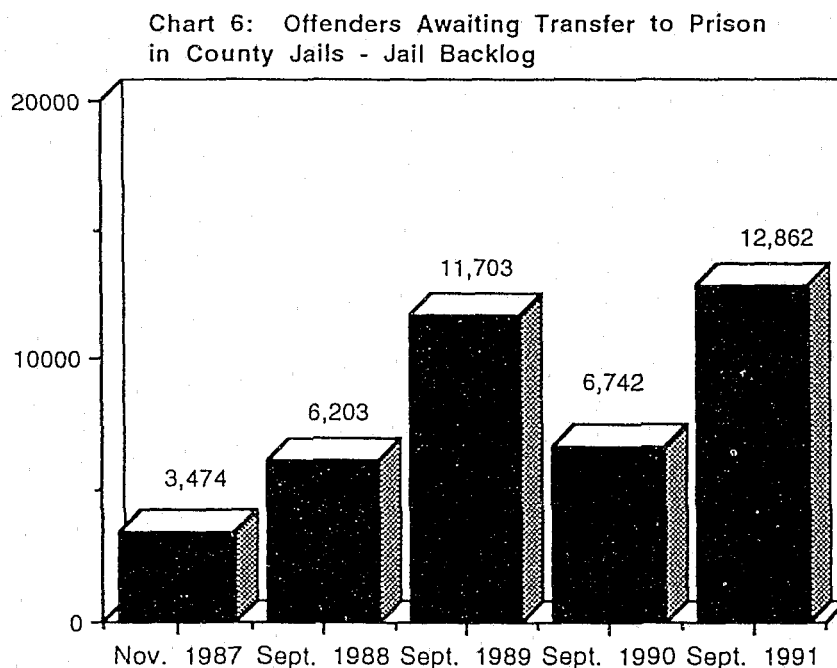
Chart 5: Actual Admissions of Sentenced Offenders to Prison Compared to Admissions Pressure, 1985-1991



## Jail Backlog

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- The Texas Commission on Jail Standards first started to count the number of state inmates awaiting transfer to prison in 1987
  - √ The census of the backlog until August 1991 was conducted only for jails with a capacity of 100 or more, counting only 80% of the state inmates awaiting transfer to prison
  - √ Since September 1991 all jails are counted in the monthly backlog census and a distinction is made between inmates in the backlog that are "paper ready" to transfer to prison and those still awaiting their paper work
- The historical count of the backlog is shown below

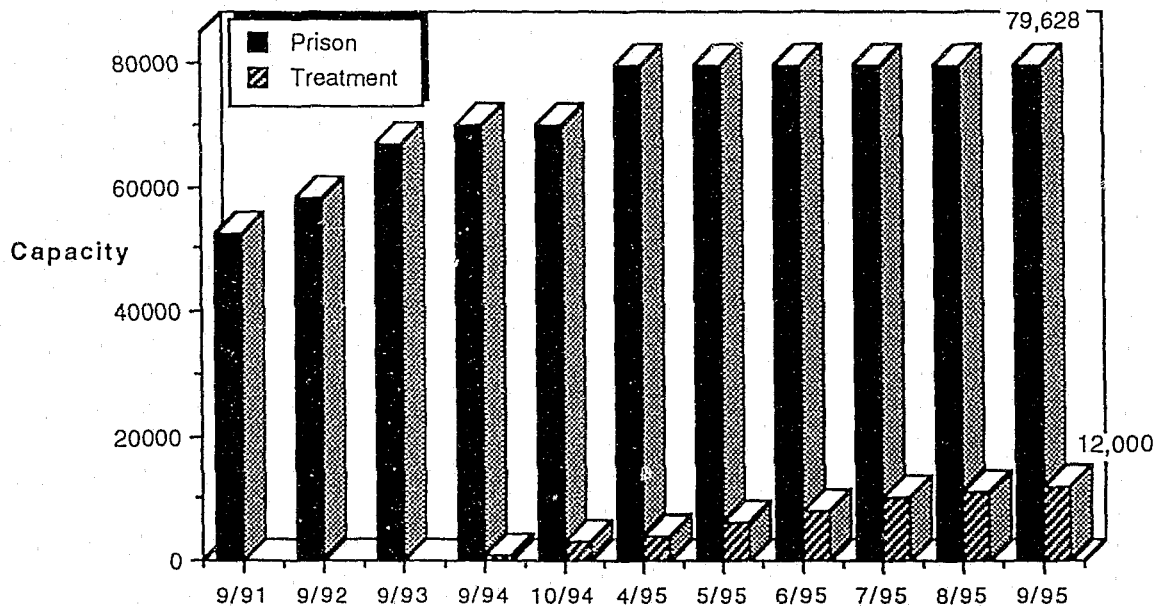


## Prison Construction, Early Releases, and Community Corrections as Main Policies

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- **Prison construction, early releases, and community corrections policies have been implemented to deal with the system capacity shortfall**
  - √ The total prison capacity was 26,576 in 1980 and 40,134 in 1985
  - √ Funding for constructing over 40,000 new prison beds and community corrections substance abuse treatment beds has been authorized since 1987 and these beds should be operational by 1996
  - √ The total state bed capacity (prison and substance abuse treatment beds) will have increased by 244% between 1980 and 1996
  - √ The prison capacity in 1996 will be 79,628 beds with an additional 12,000 community corrections substance abuse treatment beds for a total state bed capacity of 91,628

Chart 7: Projected Prison Capacity  
and Drug Treatment Bed Capacity



## Prison Construction, Early Releases, and Community Corrections as Main Policies (cont.)

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- **Early releases from prison and community corrections policies also have been used to manage the population growth in the system**
  - √ Between 1985 and 1991 total releases from prison increased by 61.7%, from 23,333 in 1985 to 37,735 in 1991
  - √ Parole releases during the same period increased by 260%, from 9,328 in 1985 to 33,633 in 1991
    - Early releases led to a decrease in average time served in prison from 24 months in 1985 to 20 months in 1991
    - In 1991 offenders with a sentence of 5 years served an average of 11 months in prison
  - √ The parole population under supervision increased by 115%, from 34,813 in 1985 to 74,789 in 1991
  - √ New felony probation admissions increased by 40%, from 38,085 in 1985 to 53,354 in 1991
- **There are presently 1,988 community halfway-house and pre-parole beds for parolees and 2,206 contract beds for probationers funded by the state**
  - √ Community corrections state funding is presently being used by local governments to further expand community corrections beds and treatment facilities
- **At the end of August 1991, there were 375,068 adult offenders under some form of criminal justice supervision in the state representing 3 out of every 100 adults in Texas**
  - √ 21,483 in local jails
  - √ 11,912 state inmates in jail awaiting transfer to prison
  - √ 49,608 state prisoners
  - √ 74,789 state parolees
  - √ 115,636 probationers serving a felony sentence
  - √ 101,640 probationers serving a misdemeanor sentence

## Crime and Correctional Policies

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- Crime is a complex social problem affected by numerous personal and socioeconomic factors
  
- The effectiveness of correctional policies depends in great part on the ability of correctional and programmatic policies to deal with the socioeconomic and personal needs of offenders while encouraging deterrence and punishment for criminal behavior
  - √ The economic recession in Texas in the late 1980's has limited the economic opportunities available to populations that have high-risk potential for involvement in crime
    - Declining social conditions, particularly in the inner cities, have affected the socioeconomic opportunities and living environment of poor people, particularly minorities
  - √ Substance abuse is a multiplier for other factors that correlate with crime
    - The use and illicit trade of cocaine, particularly crack cocaine in the late 1980's, have aggravated violent crime in the inner cities
    - Cocaine continues to be the number one illicit substance abuse problem for clients admitted to substance abuse treatment programs in the state
      - In 1990, 53% of the males and 49% of the females booked as arrestees in Houston tested positive for cocaine in urinalysis
      - The equivalent number in Dallas was 43% for males and 46% for females
    - The intensity of criminal careers (the number of crimes committed) tends to increase as substance abuse involvement gets more expensive
      - Over one-third of the offenders admitted to prison said that drugs were a factor in their offense
      - Inmates were over 50 times more likely to report "trouble with the police over drugs" in the past year than the overall adult population in the state

## Crime and Correctional Policies (cont.)

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- **The reincarceration recidivism rate after three years for offenders released on parole is 43%, and for offenders placed into Intensive Supervision Probation (ISP) is 42.8%**
  - √ In other words, of 100 offenders placed on parole or ISP, almost half of them will be back in prison after three years
- **Recidivism studies in Texas show that offenders that have better socioeconomic conditions are less likely to recidivate**
  - √ Offenders with a history of steady employment return to prison at a rate of 10% after one year compared to 25% for those with unsteady employment
    - Approximately 16% of the prison population reported being unemployed when they were admitted to prison; 23% reported working part-time only
  - √ Offenders who have a high school education return to prison at a rate of 10% after one year compared to 16% for those who do not have the same education
    - Approximately 68% of the prison population does not have a high school diploma or G.E.D.
- **Programs directed at improving the personal or socioeconomic conditions of offenders under supervision can have a long-term positive impact in reducing crime**
  - √ After one year, the reincarceration recidivism rate of parolees who received substance abuse treatment in prison with community follow-up is 26%, compared to 53% for a comparable sample who received no institutional or supervision substance abuse services
    - Drug use is more prevalent in the prison population: 47.7% of offenders admitted to prison, versus 5.8% of the general population report, "current drug use" of one or more drugs
  - √ After one year, the failure rate for parolees who participated in the employment services Project RIO (Re-Integration of Offenders) is 16% compared to 22% for those not participating

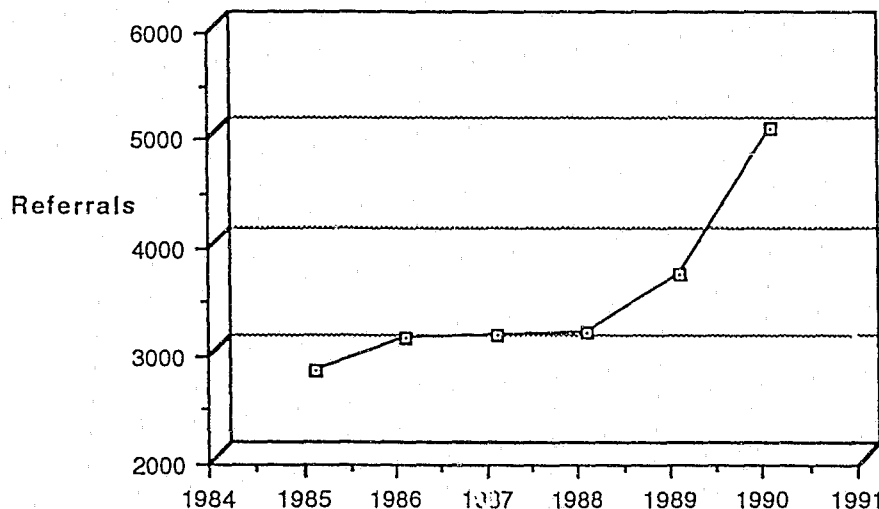


## Juvenile System: Early Warning of Future Trends in the Adult System

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- The juvenile justice system has experienced similar growth patterns as the adult system, and this can be seen as an early indicator of the continuation in the present growth of the adult system
  - √ Juvenile arrests in Texas between 1985 and 1990 increased by 14.8%, from 108,039 arrests in 1985 to 124,135 in 1990
    - For the same period juvenile arrests for Violent Index Crimes increased by 74.6%, from 2,651 arrests in 1985 to 4,631 in 1990
  - √ Referrals of juvenile offenders to juvenile probation departments during the same period increased by 10.5%, from 88,734 referrals in 1985 to 98,044 referrals in 1990
    - Referrals for violent felony delinquent offenses increased by 81.1%, from 2,762 in 1985 to 5,002 in 1990
  - √ The number of juveniles held in secure detention facilities increased by 13%, from 24,517 in 1985 to 27,723 in 1990
  - √ The number of juveniles adjudicated to probation increased by 22.3%, from 8,434 in 1985 to 10,315 in 1990
  - √ In spite of an increase in the number of juvenile referrals, the number of commitments to TYC has remained fairly stable due in part to the use of probation diversions
    - The number of TYC commitments in 1990 was 2,136 compared to 2,148 in 1985
    - There were 2.1 TYC commitments per 100 referrals to juvenile probation departments in 1990 compared to 2.4 in 1985

Chart 8: Referrals of Juveniles to Texas Juvenile Probation Departments for Violent Felony Delinquent Offenses, 1985-1990



## Strategic Issues to Consider

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- In the 1990's, the state faces a crossroads in criminal justice policy in which policy makers will have to design more responsive policies to deal with crime and criminal justice
- Policy makers face four strategic issues for achieving effective reforms in the criminal justice system
  - √ The issue of the interrelationship between local sentencing discretion and the availability of state resources to accommodate this discretion
  - √ The issue of classifying the diversity of criminal offenders and criminal behavior in order to make punishment decisions and treatment programs more effective
  - √ The difficulty and cost issues related to finding solutions after years of system capacity shortages which have distorted the functioning of the criminal justice system
  - √ The long term issue of the relationship of criminal justice policies to other areas of policy not formally connected to criminal justice (such as employment, early childhood development, and health and human services)

## The New Texas

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- **The new Texas of the 1990's demands that the criminal justice crisis be confronted from a systemic strategic perspective**
  - √ Policies improving economic, educational and substance abuse treatment opportunities in the state should collectively have a positive long-term impact in reducing crime
  - √ Policies that cut across agency boundaries should be enacted to deal with the overlapping needs of the offender population like employment, adult education, substance abuse treatment and crisis intervention
  - √ Sentencing policies that target prison space for the most violent and/ or repeat offenders should be considered as a critical element in the effective utilization of limited incarceration resources
  - √ Development of alternative facilities and services which integrate treatment, secure detention and public safety should be part of a continuum of punishments and programs
  - √ If needed, further prison capacity should be considered to maintain the integrity and credibility of a structured system of sanctions
  - √ Performance outcome measures have to be integrated in program implementation to support long-term success

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