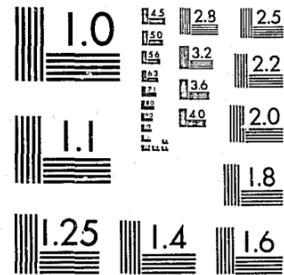


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**“ . . . The commission shall make a report to the governor and to the legislature each year covering its operations and the condition of probation services in Texas during the previous year and making whatever recommendations it considers desirable . . . ”
 Section 3.07 of Article 42.121, Texas Code of Criminal Procedure.**

TEXAS ADULT PROBATION COMMISSION

**John C. Vance, Chairman
 Dallas**

**Dermot N. Brosnan, Vice-Chairman
 San Antonio**

**Diana S. Clark, Secretary
 Dallas**

**Joe N. Kegans , Houston
 Clarence N. Stevenson , Victoria
 B. B. Schraub , Seguin**

**Max Sherman , Austin
 Byron L. McClellan , Gatesville
 Sam W. Callan , El Paso**

Don R. Stiles, Executive Director

**NCJRS
 MAY 9 1984
 ACQUISITIONS**

THE COMMISSION

BACKGROUND

In 1977 the 65th Texas Legislature saw the need for a state agency to oversee and improve the adult probation system. Emerging from the legislative session was a revision to the Texas Code of Criminal Procedure which added article 42.121, creating the Texas Adult Probation Commission.

The Commission is charged with establishing uniform state standards, providing for and improving of adult probation services through the disbursement of state aid to local adult probation departments in compliance with state standards.

OBJECTIVES

To achieve the legislative purposes, the Commission has adopted the following objectives:

- make adult probation services available throughout the state;
- improve the effectiveness of those services;
- establish uniform adult probation administration standards;
- provide alternatives to incarceration through provision of financial aid:
 - for the establishment and improvement of adult probation services;
 - community-based correctional programs;
 - restitution centers and
 - facilities other than jails or prisons; and,
- assist local adult probation departments choosing to participate in the implementation and maintenance of pre-trial diversion programs.

COMMISSIONERS

The Chief Justice of the Supreme Court of Texas appoints three of the district judges and two of the citizen members, while the Presiding Judge of the Texas Court of Criminal Appeals appoints the remaining members. Each member of the Commission is appointed for a six year term. If any member resigns or expires, the appointing authority will appoint another member to serve the remainder of the unexpired term.

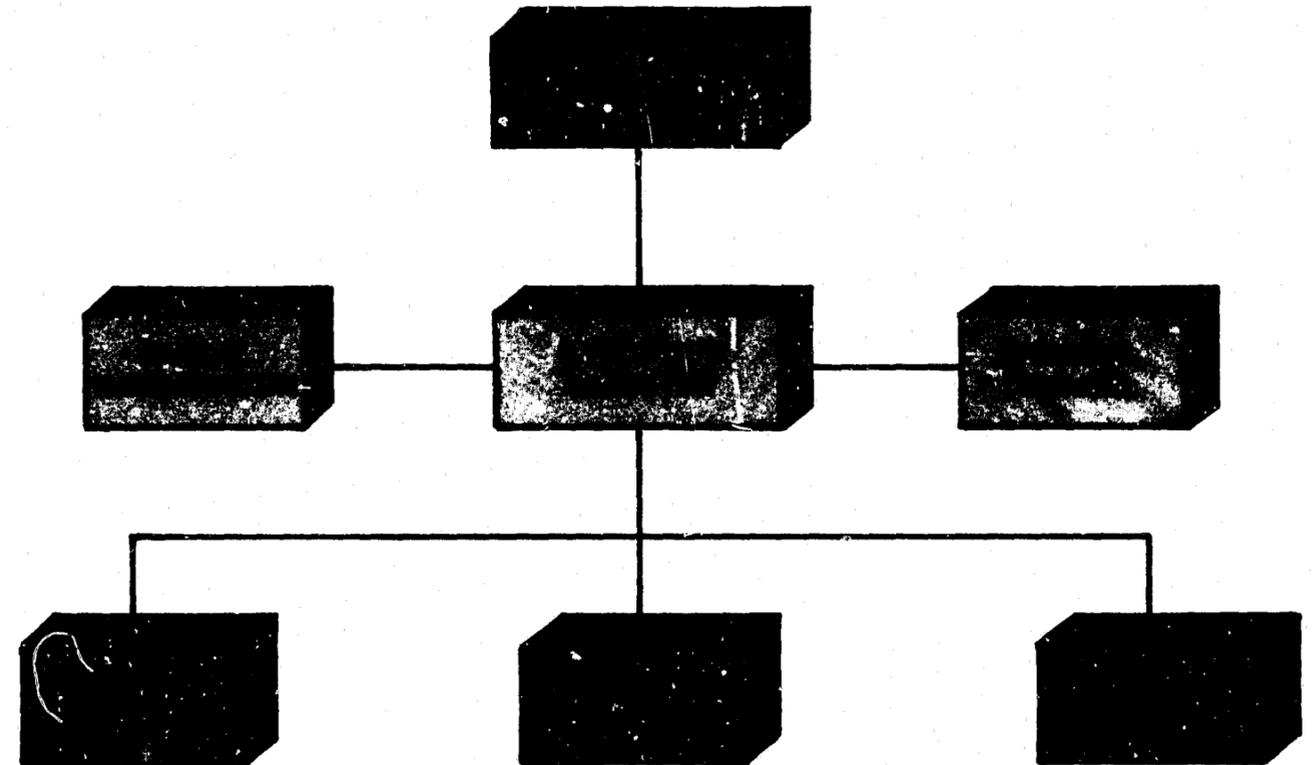
Currently serving on the Commission are:

- Honorable John C. Vance (Dallas); term expires 1985
- Monsignor Dermot N. Brosnan (San Antonio); term expires 1989
- Mrs. Diana S. Clark (Dallas); term expires 1987
- Honorable Joe N. Kegans (Houston); term expires 1989
- Honorable Clarence N. Stevenson (Victoria); term expires 1987
- Honorable B. B. Schraub (Seguin); term expires 1989
- Mr. Max Sherman (Austin); term expires 1985
- Honorable Byron L. McClellan (Gatesville); term expires 1985
- Honorable Sam W. Callan (El Paso); term expires 1989

ORGANIZATION

The Commission is empowered to employ an Executive Director whose qualifications comply with the standards for a probation officer and who has a minimum of two years experience in the administration and supervision of adult probation services.

Administratively, the Commission is organized as follows:



FUNDING

As a state agency, the Commission receives the bulk of its funding from state general revenue, which is appropriated by the legislature on a biennial basis.

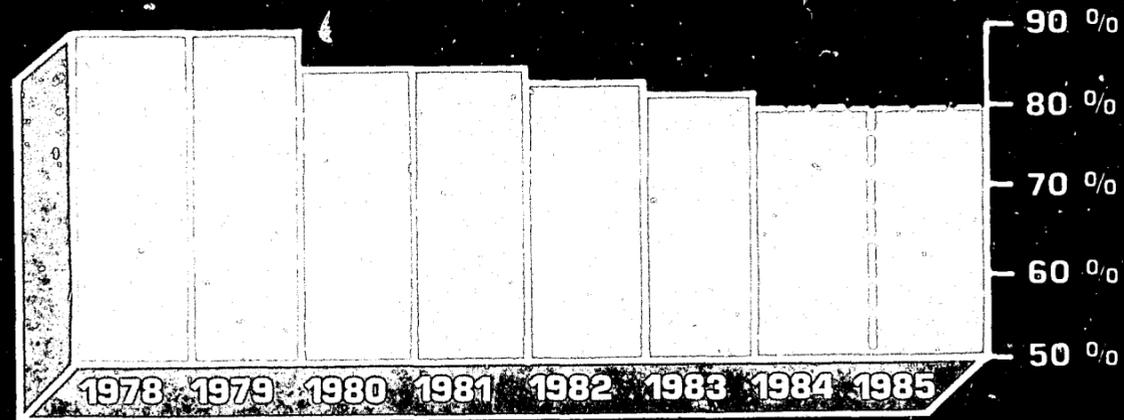
During the 1982-1983 biennium the Commission was appropriated a total of \$54,427,010 from state general revenue. For fiscal year 1983, alone, the total funds available to the agency amounted to \$28,748,123.

With less than 5% for state level administration, the Commission had \$27,440,000 available in fiscal year 1983 for state aid support of local adult probation services.

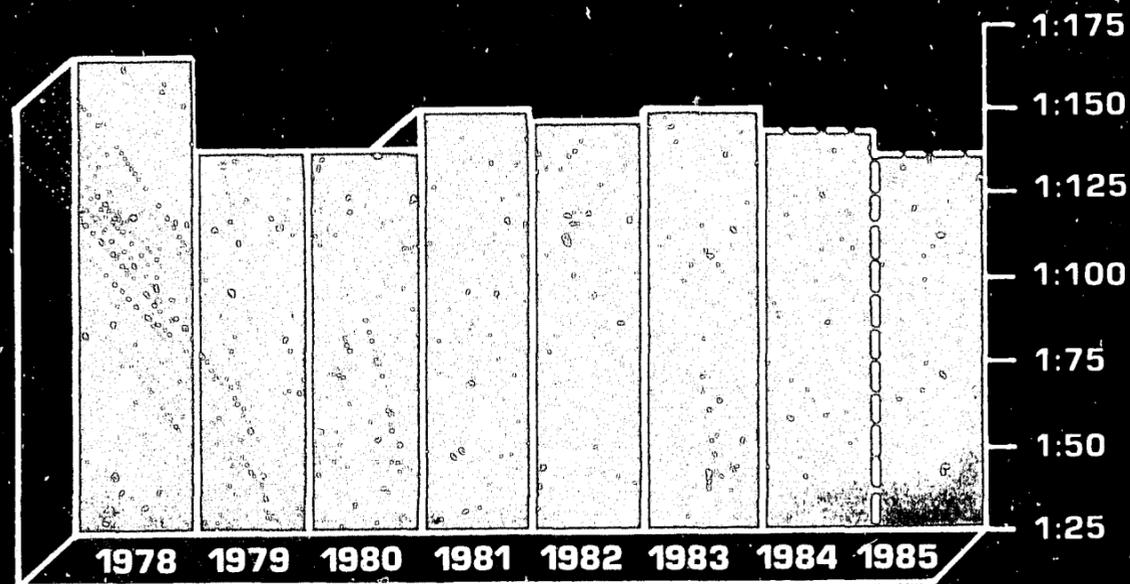
Basic adult probation services are supported through a per capita formula which disburses funds on a per probationer basis; while funding of special or innovative probation programs is achieved through a grant process.

THE STATISTICS

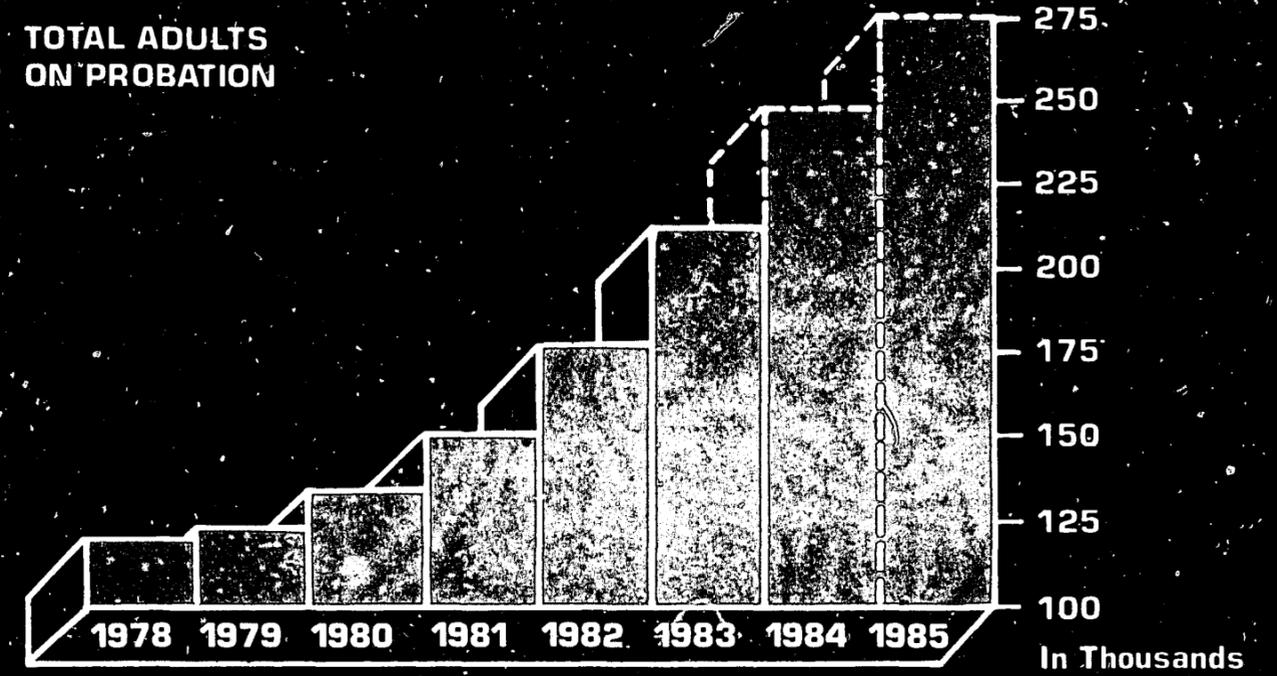
**SUCCESS RATE
AVERAGE**



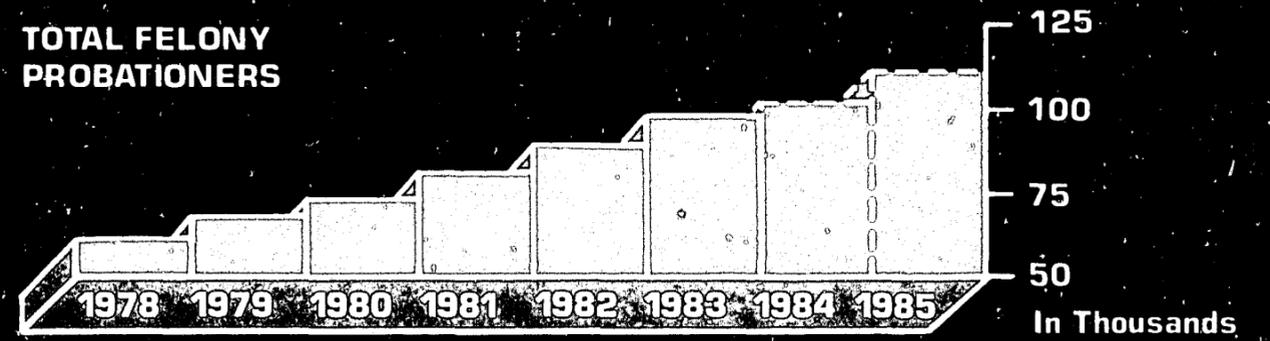
**CASELOAD RATIOS
OFFICERS TO PROBATIONERS**



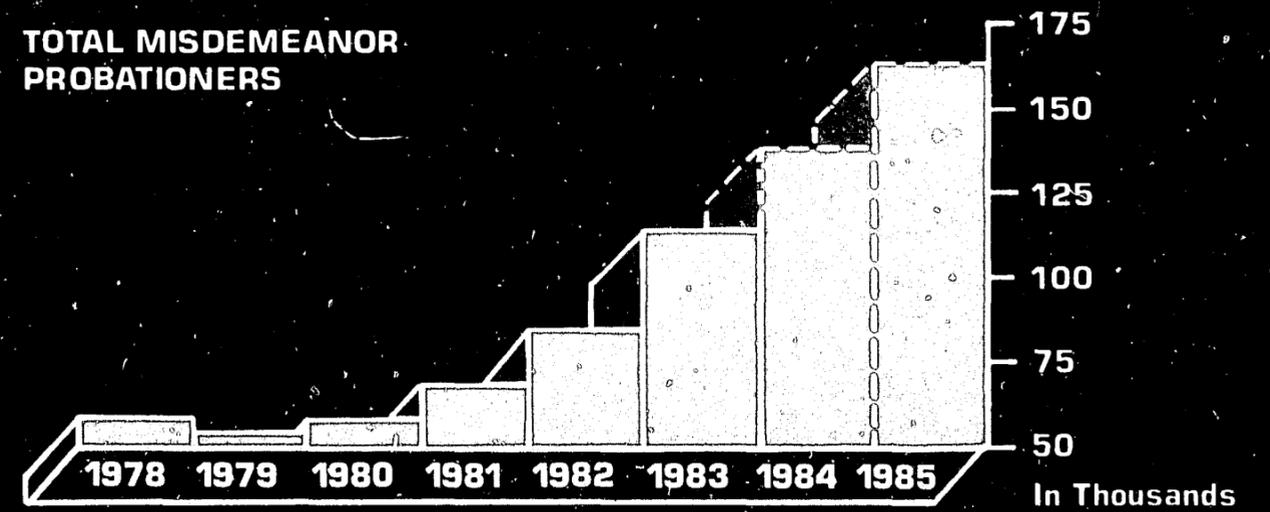
**TOTAL ADULTS
ON PROBATION**



**TOTAL FELONY
PROBATIONERS**

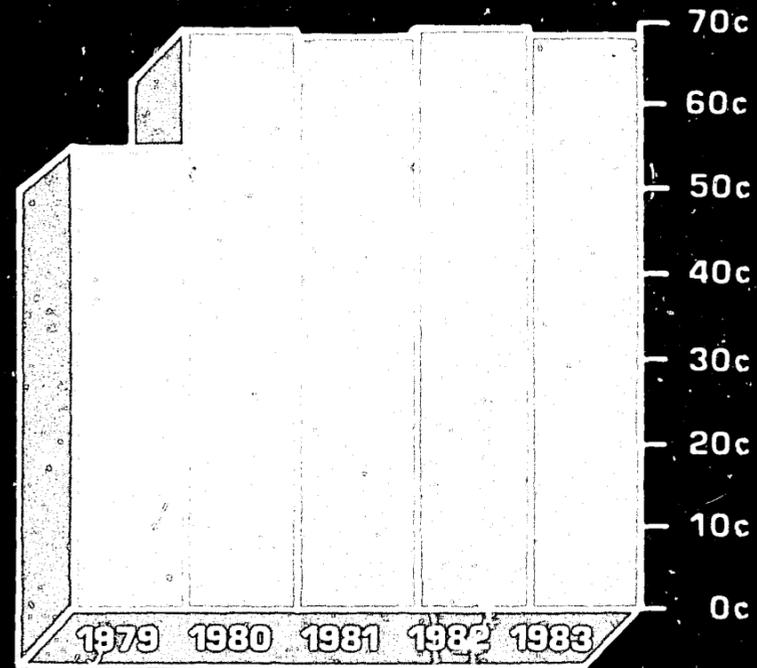


**TOTAL MISDEMEANOR
PROBATIONERS**

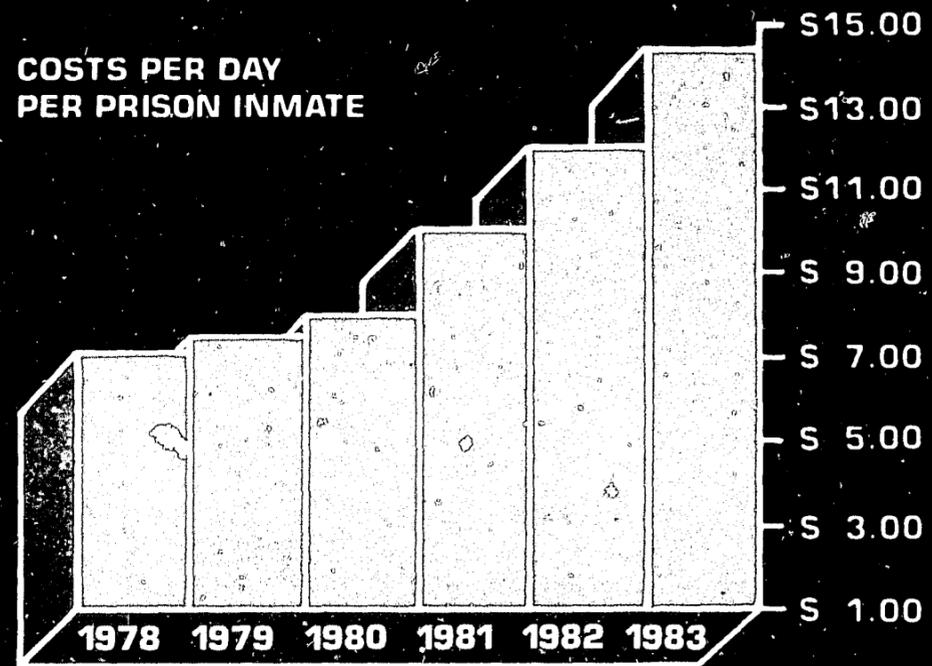


THE ECONOMICS

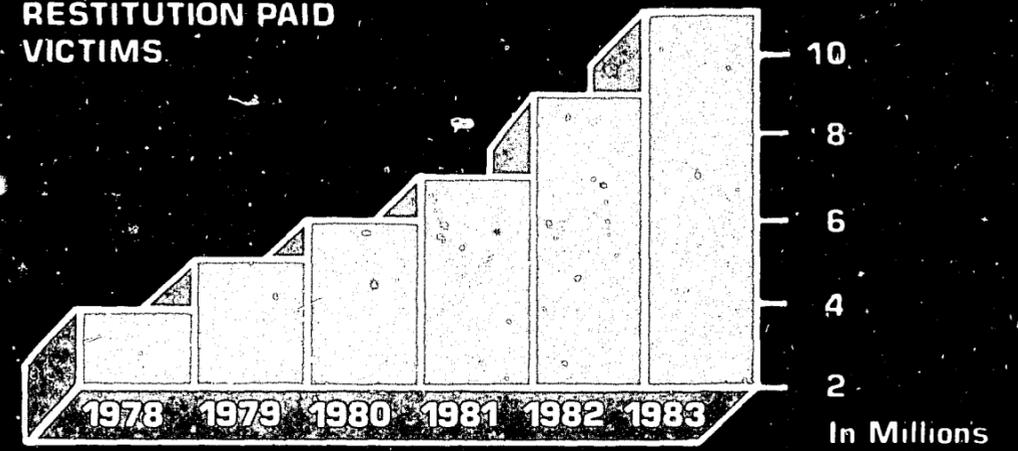
COSTS PER DAY PER PROBATIONER



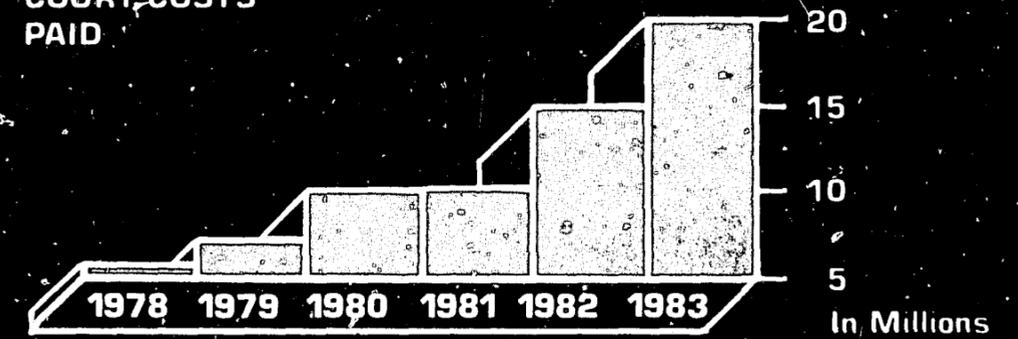
COSTS PER DAY PER PRISON INMATE



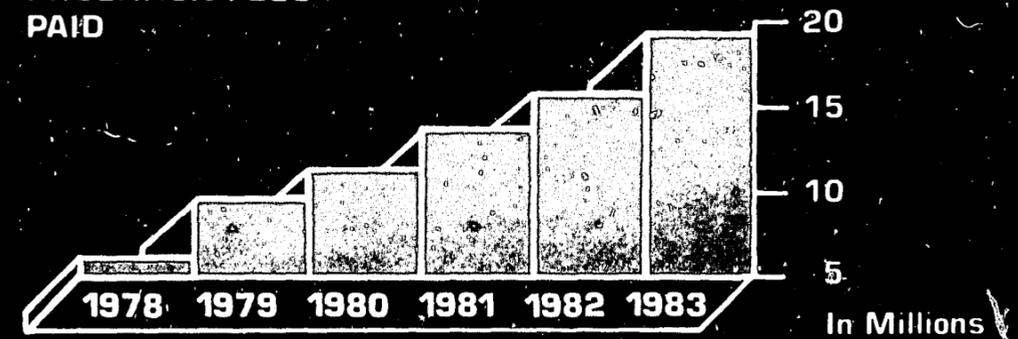
RESTITUTION PAID VICTIMS



COURT COSTS PAID



PROBATION FEES PAID



THE PROGRAMS

INTENSIVE SUPERVISION

Responding to crowded prisons, the Legislature and the Commission began a program in September of 1981 to divert offenders into a highly supervised probation program.

Structured into units, where one well-trained and experienced probation officer has a caseload of no more than 40 or no less than 25 offenders, the program initially concentrated on those areas of the state with high rates of prison commitments.

By the end of fiscal year 1983 there were 88 units operating in 27 adult probation departments. Through the conclusion of the same fiscal year a total of 5,183 offenders had been placed on intensive supervision probation; 51% were placed at the time of sentencing, while 34% were placed in lieu of having their probation revoked and only 15% entered after being released from prison on shock probation.

The majority on intensive supervision probation are males under the age of 26. Ethnically, 51% are Anglos, 25% are Black and 24% are Hispanic. Their offenses include burglary, controlled substances violations, theft, driving-while-intoxicated, forgery, and others. More than one-fourth are experiencing serious problems with chemical dependencies and one out of five have chronic employment problems.

Those adult probation departments which choose to participate in the program are reimbursed at a rate of \$5 per day per intensive supervision probationer, to offset supervision expenses. During fiscal year 1983 the Commission disbursed a total of \$4,433,850 to local departments participating in the program.



RESIDENTIAL SERVICES

Many probationers need a short term of structured living or residential treatment to increase their probability of compliance with the conditions of probation.

To meet these needs the Commission awarded \$1,810,053 during fiscal year 1983 to local adult probation departments to establish and maintain court residential treatment centers or to contract for residential services. The funding enabled residential services to be provided to about 300 probationers at any given time. Since most probationers do not remain in a residential program for more than four months, it is estimated some 900 probationers received residential services during fiscal year 1983.

Departments operating court residential treatment centers include El Paso, Harris, McLennan, and Tarrant counties. During fiscal year 1983 the capacity of the Court Residential Treatment Center in El Paso was expanded to supervise a total of 65 residents and a vocational education program was added. The expansion was in compliance with a directive of the Special Session of the 67th Legislature.

Additionally, departments in Bell, Bexar, Dallas, San Patricio, and Travis counties, using funds from the Commission, contracted for residential services from independent organizations operating such facilities.

CASE CLASSIFICATION

Bringing the latest innovations to the field of adult probation, the Commission developed a process to more objectively evaluate a probationer for the appropriate level of supervision needed.

In 1979 the case classification system was introduced to Texas adult probation departments on a pilot project basis.

The system assists the probation officer in determining the primary factors related to the probationer's illegal activity. It also provides the probation officer significant information to structure a supervision plan which encourages a change in behavior on the part of the probationer. An essential element of the classification system involves periodic, usually on a six-month basis, reassessments of the probationer's progress.

Useful not only as a diagnostic tool, adult probation departments are finding the case classification system to be a valuable management device for assessing the workloads of officers in the department.



REPEAT DWI PROJECT

On January 1, 1983 the Commission and four local adult probation departments began participating in a national research project on repeat DWI (driving-while-intoxicated) offenders.

With funds from the State Department of Highways and Public Transportation, coordinated through the Commission, departments in Bexar, McLennan, Nueces, and Potter counties established specialized caseloads comprised of 50 repeat DWI offenders. The purpose of the project is to determine whether such a specialized caseload supervised by a highly trained probation officer is more effective in reducing recidivism than regular probation supervision.

While the research project is not complete, it appears the courts have accepted the specialized caseload approach as a valuable sentencing alternative.

TRAINING

To maintain a professional level of adult probation services, the Commission in its statewide standards require adult probation officers to receive not less than 20 hours of in-service training annually.

The training effort of the Commission compliments the implementation of the other programs of the agency. The training sessions conducted range from basic and advanced case classification and strategies for case supervision to specialized training involving pre-sentence investigation procedures, case management techniques, interview skills, supervision methods for DWI repeat offenders, and usage of the Mortimer-Filkins Court Procedure for Identifying Problem Drinkers.

During fiscal year 1983 some 70 training sessions were conducted for 1,000 adult probation officers.



THE FUTURE

RESTITUTION CENTERS

As a part of the response to the problem of crowded state prisons, the 68th Texas Legislature passed House Bill 658 to amend Articles 42.13 and 42.121 of the Texas Code of Criminal Procedure and enable the establishment of restitution centers.

A restitution center is a facility where non-violent offenders reside and are supervised by probation officers. During their residency, which lasts 6 months to one year, the probationer is required to work full-time, repay the victim, and perform community service work for governmental or non-profit community agencies. Such centers offer the courts and the community an effective alternative in punishing the non-violent offender.

In creating the restitution center program, the Legislature gave the Commission responsibility to develop program guidelines and standards under which local adult probation departments could apply for funding to establish centers. To fund the program, the Legislature appropriated \$5 million for the first year of the biennium and \$7 million for the second year.

COMMUNITY SERVICE RESTITUTION BY PROBATIONERS IN 1983		
Total Hours of Service	Dollar Value of Service	Agencies Benefitting From Service
210,486	\$927,326	691

During the last quarter of fiscal year 1983, before legislative appropriations for the program were available, the Criminal Justice Division of the Governor's office awarded funds to the Commission to begin preliminary design of the restitution center program. The funding enabled the Commission to employ program staff and allow four local adult probation departments to begin their planning process to establish restitution centers.

It is expected during fiscal year 1984 as many as 15 restitution centers could be established by local adult probation departments. Considering the level of funding for fiscal year 1985, possibly 5 more centers could be established. The net impact of creating 20 restitution centers over the next two years could mean 1,200 non-violent offenders being diverted from the state's prisons.

INTENSIVE SUPERVISION

Another element in the Legislature's response to the prison crowding issue was further enhancement of the intensive supervision probation program for the fiscal 1984-85 biennium.

A total of \$14.76 million was appropriated for the two-year period. With the additional funding came greater expectations for diverting offenders from the state's prisons. Over the biennium the intensive supervision program is to divert a minimum of 8,400 persons.

To accommodate additional diversions, the Commission took actions to expand the intensive supervision program to all adult probation departments interested in participating. To accomplish the expansion, the commission has developed a standard allowing departments previously unable to reach the minimum caseload of 25 intensive supervision probationers to operate a combined caseload of regular and intensive supervision probationers. These combined caseloads may not exceed 125 regular probationers and for each intensive supervision probationer entering the caseload, five regular probationers must exit. This approach should ensure the probation officer will not become overburdened with regular cases and adversely affect the protection of the public.

SPECIALIZED CASELOADS

The Commission will continue to support supervision services to probationers with special problems including alcohol and other dependencies and emotional disorders as another method to reduce already high regular probation caseloads.

In its special funding category for fiscal 1984, the Commission authorized the funding for specialized caseloads where offenders are grouped by offense or need. Departments receiving funds under this category could establish caseloads comprised of drug abusers, sex offenders, repeat DWI offenders, or mentally retarded offenders. The funding would allow the department to employ an experienced and trained probation officer to supervise the particular caseload established.

PRE SENTENCE REPORTS

The 68th Legislature authorized the Commission to begin funding in fiscal 1984 pre-sentence investigation reports prepared by local adult probation departments on felony offenders.

While making \$2,333,333 available during fiscal 1984 for the pre-sentence investigation report subsidy, the Legislature limited reimbursement to \$100 per felony PSI prepared.

To qualify for the PSI reimbursement, participating local adult probation departments will use a report format approved by the Commission. The format is one designed originally during fiscal year 1981 when judges, adult probation officers and representatives of other criminal justice agencies participated in a project to develop a standardized format.

TRAINING

Expanding the number of training staff on the Commission in fiscal 1984 offers additional training opportunities for local adult probation officers.

With the expansion of the case classification system, the primary effort of the Commission's training program will be toward case classification and case management training. To be offered several times a month on a regional basis, this training will be conducted on a follow-up basis in those departments experiencing a problem in implementing the systems.

In addition to continuing to offer specialized training for intensive supervision probation officers, DWI repeat offender officers, restitution center program staff, and officers supervising special offender caseloads, the Commission will monitor training needs of all local adult probation departments.

To assist local departments comply with the revised DWI laws, the Commission in cooperation with the Texas Commission on Alcoholism, will conduct training workshops on the evaluation of the DWI offender.

END