



Agency News

An employee publication of the
Texas Department of Criminal Justice

Legislative update for TDCJ employees from the executive director

By Brad Livingston, Executive Director

Among the many important issues acted upon by the 83rd Texas Legislature, the most significant for the Department involved appropriations for agency operations and employee pay raises, enactment of the Texas Department of Criminal Justice (TDCJ) Sunset legislation and changes to the pension program serving state employees. Since an overview of the new retirement provisions is provided separately, this update will focus on appropriation and Sunset matters.

Budget

The Legislature generally maintained agency operations at the fiscal year (FY) 2012-13 levels, although increased appropriations were provided for community corrections, parole caseload growth, reentry and continuity-of-care, offender health care and certain capital/infrastructure items like facility repair, computers and vehicles. Note that increased appropriations did not necessarily expand programs; some funding increases simply offset caseload growth or rising health care costs.

A significant reduction in funding for contract prisons, privately-operated state jails and residential pre-parole facilities was made possible by recent declines in the offender population. Largely attributed to the Legislature's expansion of treatment and diversion programs, the decreased number of inmates led policymakers to reduce funding by \$97.3 million in the FY 2014-15 biennium. Consequently two facilities will be closed by September 1, 2013.



Most state employees will receive a 1 percent salary increase in FY 2014 (\$50 monthly minimum) followed by a 2 percent increase

in FY 2015 (also a \$50 monthly minimum); however, TDCJ's uniformed security staff will receive a 5 percent pay raise effective the first year of the biennium, and licensed peace officers employed by the Office of Inspector General will also receive a salary adjustment effective September 1, 2013.

A more detailed overview of how the general appropriations bill will impact the agency and our employees is available on the TDCJ website. But in summarizing the big picture, it's fair to say the current situation is markedly better than it was two years ago. In 2011, fiscal constraints required TDCJ and many other agencies to focus on minimizing the negative impact of budget reductions. In 2013, legislative appropriations to TDCJ will maintain programs and services as needed based on demand, and selectively expand certain functions like offender reentry. In addition, the actions taken to put the employee retirement program in a better long term fiscal situation, in combination with the salary enhancements described above, represent, in my opinion, a very favorable outcome for current state employees.

Continued on page 2

Continued from page 1

Note: The governor has until June 16 to act on SB 1 and most other legislation approved by the Legislature, so all information provided, while current, is subject to change.

Sunset

The Sunset Review process began back in the summer of 2011, with the Texas Department of Criminal Justice submitting a self-evaluation report and numerous other documents requested by the Sunset Advisory Commission. In addition to reviewing the large volume of information provided by the Department, Sunset staff then spent months touring facilities and offices, meeting with senior and front line staff and observing agency operations. They also sought input from various individuals and groups, to include judges, prosecutors and other criminal justice professionals, as well as the families of offenders, advocacy groups and other concerned citizens.

In May 2012, the Sunset staff report was released. The report contained multiple recommendations impacting the Texas Department of Criminal Justice, the Board of Pardons

and Paroles, the Windham School District and the Correctional Managed Health Care Committee. From an agency perspective, perhaps the most significant finding was that the Texas criminal justice system was working well, and the most significant recommendation involved extending the life of the agency for another twelve years.

After meeting in a public hearing to take both agency and public testimony, the members of the Sunset Advisory Commission met again during September 2012 to adopt their final recommendations pertaining to TDCJ and other adult criminal justice agencies. With a few exceptions, the staff recommendations were adopted in their entirety and published in the Staff Report with Commission Decisions. One modification of note involved extending the life of the agency for eight years, not 12, in order to provide more frequent reviews of all the criminal justice agencies and their vital public safety functions.

The TDCJ Sunset bill, SB 213 by Whitmire and Price, was filed on March 5, 2013, and incorporated the Commission's recommendations. After being considered in the appro-

priate House and Senate committees and by the full membership of both legislative bodies, the bill emerged from the legislative process with relatively few amendments, none of which significantly impacted TDCJ. As of June 12, SB 213 is on the governor's desk pending his consideration.

I could not be more pleased with the Sunset Review process and the outcome. Sunset staff was both professional and courteous to our employees. The members of the Commission were equally good to work with, contributing their experience and insights to the final report. The review produced a number of useful recommendations that we are already working to implement. Finally, while the review did identify some areas for improvement, the overall conclusion was positive, and the life of the agency was extended another eight years.

A synopsis of the Sunset bill and other significant criminal justice legislation can be found on the TDCJ website. ●