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Agency News



83rd Texas Legislature set to convene

Editor's note: The 83rd Texas Legislature convenes on Tuesday, January 8. As in every legislative session, decisions regarding the general appropriations bill, which sets the state's budget for the next two fiscal years, will be of great interest to state agencies and state employees. The 83rd Legislature will also consider legislation incorporating the recommendations of the Texas Sunset Advisory Commission, which has completed its review of the Texas Department of Criminal Justice (TDCJ) and other criminal justice agencies. TDCJ Executive Director Brad Livingston recently answered questions about the upcoming legislative session.

Going into the session, does the state's budget situation look better or worse today than in 2011?

It has improved. Two years ago, shortly before the 82nd Legislature began its deliberations, state agencies received a request from the governor and the LBB to identify an additional 2.5 percent in budget savings during FY 2011. I don't anticipate agencies receiving similar instructions this year. Nevertheless, increasing student enrollment, caseload growth in health and human service agencies, and reversing some of last session's funding deferrals are among budget drivers requiring state legislators to confront fiscal challenges despite recent growth in state sales tax revenue. The budget situation is better, but still difficult.

Does that mean additional budget reductions are in store?

I couldn't begin to say. Fiscally conservative policy makers look for cost savings regardless of circumstances, so I'm certain we will discuss ways to reduce expenditures. We will be required to justify the current funding level, as well as our requests for additional funding.

Didn't the agency develop a plan for cutting the budget by 10 percent?

As was requested of all state agencies, our Legislative Appropriations Request (LAR) demonstrates the impact of a 10 percent reduction in our base appropriation. As you might expect, the impact of a reduction of that magnitude would be overwhelmingly negative to public safety and agency operations. We also submitted requests for addi-

tional funding consistent with instructions for preparing our LAR, so employees should not dwell on the 10 percent reduction scenario.

Additional funding was requested? For what?

The single biggest item is offender health care. Other general revenue requests relate to diversion programs, reentry, and critical operational needs like vehicles and computers. Bond funds are sought for repair and rehab of our correctional facilities, many of which are more than 75 years old, and for construction of additional correctional officer dormitory-style housing at some units with the most correctional officer vacancies.

Although we don't identify a specific dollar amount, we also advocate an across-the-

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board pay raise for all employees, and in the event funding is insufficient, suggest a targeted pay raise for uniformed security staff.

What should employees expect in regards to retirement and benefits?

The ERS published two separate reports regarding the retirement and group health insurance programs, and both are available on the Employees Retirement System of Texas (ERS) and TDCJ websites. I think the bottom line is the programs are in pretty good shape but may need tweaking to ensure their viability in the future. I don't expect current employees will see dramatic changes, but I recommend they read those reports to see what ERS identified as possible options for the legislature to consider.

What other issues do you expect will be discussed during the session?

Well, two trends should be of interest. First, the positive developments regarding offender population growth or the lack thereof, has resulted in a stable to somewhat declining inmate population. A combination of factors has contributed, not least of which is the job our staff and the employees of local community supervision and corrections departments have done in implementing treatment and diversion programs funded by the Legislature.

The second trend, not so positive, is the growing number of correctional officer vacancies in areas of the state where the oil and gas industry is booming. Although we

have paid increasing amounts of overtime and employed several other methods to cope with higher vacancies, additional options for addressing the shortfall should be considered. Obviously our LAR speaks to a couple of possibilities. We are fortunate the decline in offender population has coincided with the increase in CO vacancies; it has given us a little more flexibility in providing some relief to certain units.

Offender health care, specifically which model will be used to deliver health care in the future, is likely to be a prominent issue. Our current university partners, the University of Texas Medical Branch at Galveston and the Texas Tech Health Sciences Center, provide almost all offender health care. Several variations upon that approach may be considered, but I anticipate current medical staff would continue delivering offender health care regardless of the model chosen, so units may not notice a significant difference under any circumstance.

What about the TDCJ Sunset legislation?

Things happen during a legislative session that can derail almost any bill, but we're in agreement with Sunset's recommendations, and nobody believes the prison, parole and probation functions are not needed, so we hope the bill will pass without a problem. Clearly the general appropriations and the TDCJ Sunset bills are our highest legislative priorities.

When will employees know what the legislature has decided and how it will affect them?

We will use this newsletter and the website to keep employees informed of various events and milestones in the legislative process, like the filing of the house and senate version of the general appropriations bill, and will publish summaries describing how the bills allocate TDCJ funding. In any case, nobody will know how they're impacted until May at the earliest. Preliminary versions of bills change significantly as they advance through the legislative process. The appropriations bill enacted last session differed markedly from the bills initially filed, and I urge employees to be very skeptical of any dire media reports which often occur during the session. Sometimes they are premature, and sometimes they are just wrong. I know it's frustrating when matters affecting your job and your profession are being discussed, but getting accurate information requires both time and patience.

Do you think the Legislature appreciates the work done by TDCJ employees?

I absolutely do. The governor, lieutenant governor, speaker of the house, the chairs of Corrections, Criminal Justice, Appropriations and Finance, the members of those committees and virtually every member I have ever spoken to recognizes that our staff work in a difficult and demanding environment. I know it sometimes seems government workers are unappreciated,

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but I assure you they deeply appreciate TDCJ employees and their contributions to public safety.

Anything else to add?

Just that I appreciate our employees as well. The agency and the state are fortunate to have so many dedicated men and women supervising and treating offenders, or providing the critical support functions necessary for success. ●