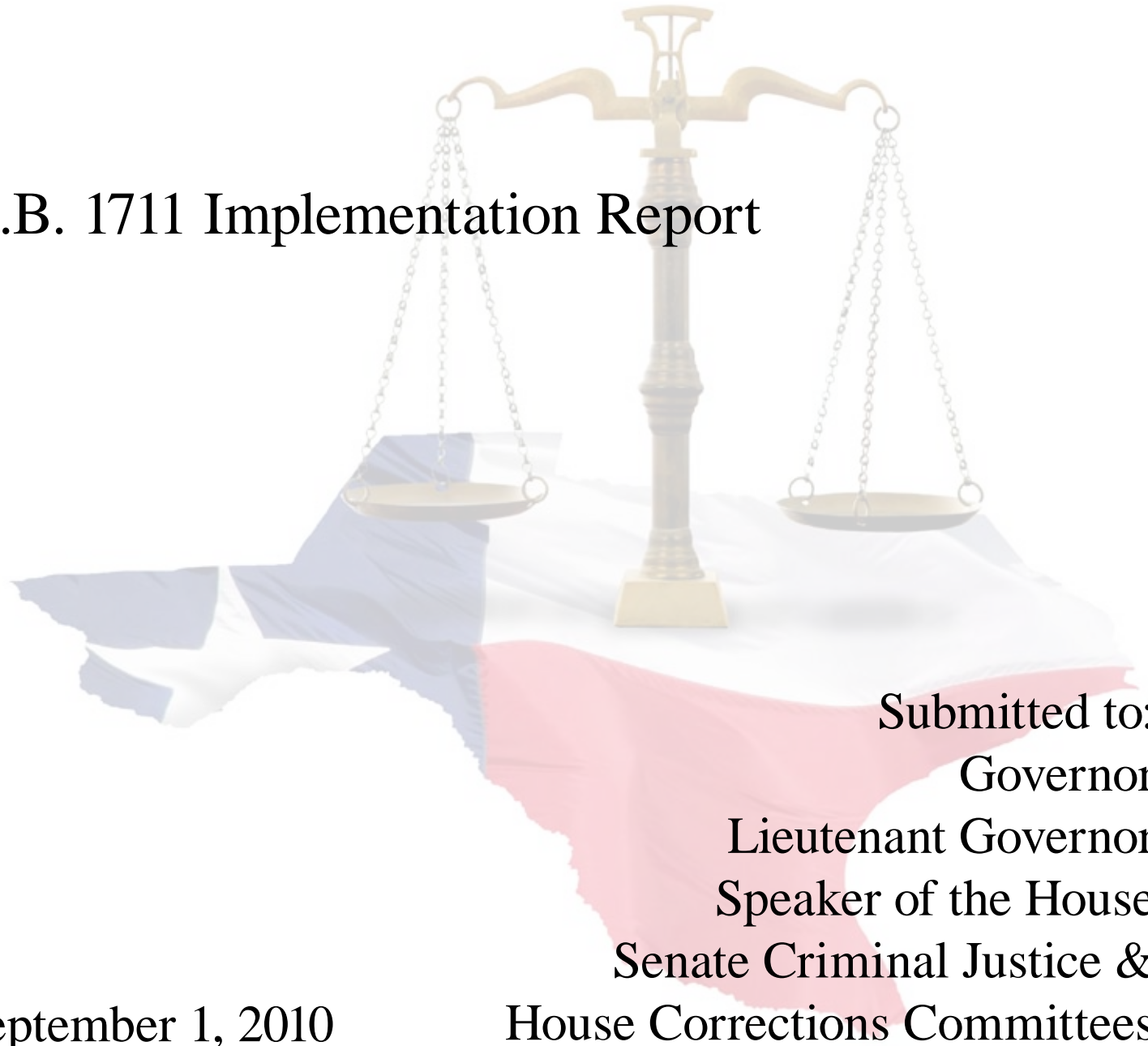


H.B. 1711 Implementation Report



Submitted to:
Governor
Lieutenant Governor
Speaker of the House
Senate Criminal Justice &
House Corrections Committees



September 1, 2010

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Implementation
Report
Submitted to the
Governor,
Lt. Governor,
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Justice &
House Corrections
Committees

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INTRODUCTION

H.B. 1711, enacted during the 81st Legislative Session, directs the Texas Department of Criminal Justice (TDCJ) to submit a report to the state's leadership on the following provisions:

Sec.501.100. RECIDIVISM STUDY; REPORT. (a) The department shall conduct and coordinate research to determine whether the comprehensive reentry and reintegration plan developed under Section 501.092 and the policies adopted under Section 501.099 to encourage family unity and participation reduce recidivism rates.

(b) Not later than September 1 of each even-numbered year, the department shall deliver a report of the results of research conducted or coordinated under Subsection (a) to the lieutenant governor, the speaker of the house of representatives, and the standing committees of each house of the legislature with primary jurisdiction over criminal justice and corrections.

FY 2010 REPORT ON H.B. 1711 IMPLEMENTATION

Due to the short time period covered by this report, September 1, 2009 – August 31, 2010, a recidivism study on the effect of positive family policies on recidivism rates was not possible. However, the TDCJ, in cooperation with partner agencies, has implemented several reentry related activities that are highlighted in this report including:

- Creation of statewide Reentry Task Force and **seven (7)** topic specific work groups;
- Development of a comprehensive reentry and reintegration plan that addresses risk and needs of offenders;
- Initiation and implementation of family unity and participation practices;
- Expansion of faith based initiatives for offenders during and after incarceration;
- Identification verification and document provision for offenders being released from TDCJ within the next **twelve (12)** months; and
- Submission of **three (3)** federal grants for reentry funding and technical assistance.

These and other implementation activities are discussed in more detail in the following sections.



Offender Demographics

OFFENDER DEMOGRAPHICS

According to a report by the Pew Foundation, 1 out of 22 Texans are under some form of supervision in the state's criminal justice system. This number includes the following offender populations:

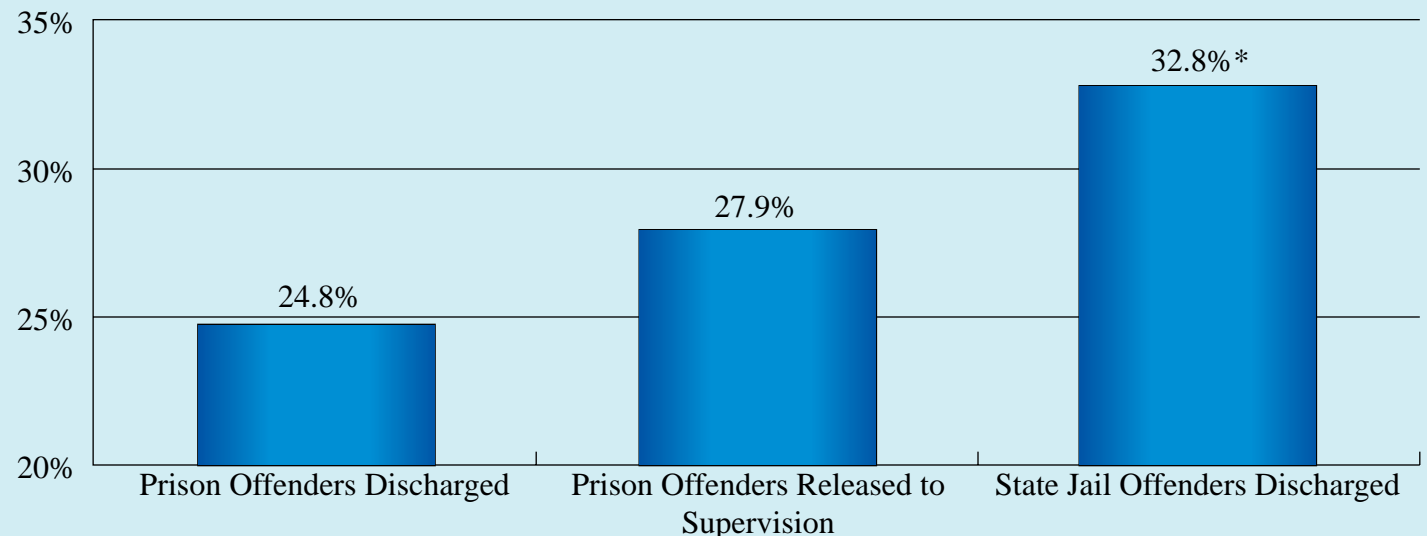
- One million plus offenders are processed in local jails on an annual basis;
- 423,521 offenders on misdemeanor or felony probation;
- 154,517 offenders incarcerated in TDCJ facilities; and
- 81,317 offenders on parole.

In addition, over 70,000 offenders are admitted to and released from TDCJ facilities on an annual basis. Almost half of these offenders are released without any supervision requirements.

RECIDIVISM RATES COMPARISONS

The Texas recidivism rate for parole is the lowest among the four largest correctional systems: California 58.23%, Florida 44.2%, New York 44.2%. Even when factoring in other release types, as noted in the chart below, the overall recidivism rate is favorable when compared to these states.

Three-Year Recidivism Rates By Release Type



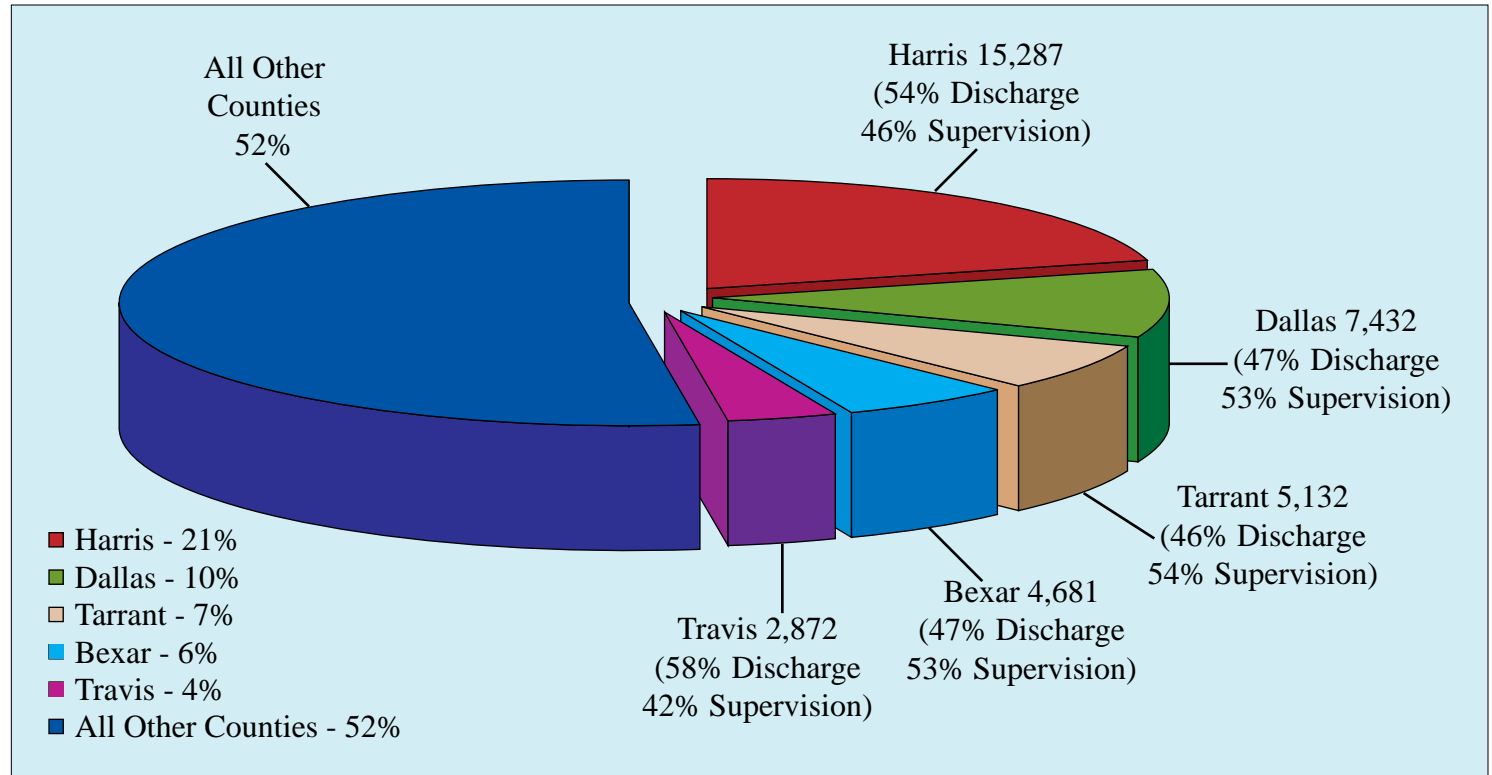
* A number of factors contribute to the higher recidivism rate for state jail felons, including type of offense (80% property or drug offenses), lack of post release supervision and treatment requirements and age of the offender (average age 34).



Offender Demographics

TDCJ ADMISSION AND RELEASE DATA

Based upon data compiled by TDCJ, five (5) counties account for 48% of all admissions to and releases from institutional facilities. As the following chart depicts, Harris and Travis counties have a larger percentage of discharged offenders (54% and 58% respectively) than the other three (3) counties:



Due to the large number of offenders from those five (5) counties, TDCJ and its community partners have identified a number of strategies to enhance current and future reentry activities in these targeted locations.



Reentry Task Force & Work Groups

REENTRY TASK FORCE & WORK GROUPS

H.B. 1711 required TDCJ in coordination with the Office of Court Administration (OCA) to establish a task force comprised of the following entities:

Sec.501.098.REENTRY TASK FORCE. (a) The department shall coordinate the work of the task force with the Office of Court Administration, and by rule shall enter into a memorandum of understanding with the following entities to establish a Reentry Task Force:

- (1) the Texas Youth Commission;*
- (2) the Texas Workforce Commission;*
- (3) the Department of Public Safety;*
- (4) the Texas Department of Housing and Community Affairs;*
- (5) the Texas Correctional Office on Offenders with Medical or Mental Impairments;*
- (6) the Health and Human Services Commission;*
- (7) the Texas Judicial Council; and*
- (8) an organization selected by the department that advocates for or provides reentry or reintegration services to offenders following their release or discharge from a correctional facility.*

H.B. 1711 provisions also provides guidance to the Task Force on what reentry issues they may want to focus on:

(b) The reentry task force established under Subsection (a) may:

- (1) identify gaps in services for offenders following their release or discharge to rural or urban communities in the areas of employment, housing, substance abuse treatment, medical care, and any other areas in which the offenders need special services; and*
- (2) coordinate with providers of existing local reentry and reintegration programs, including programs operated by a municipality or county, to make recommendations regarding the provision of comprehensive services to offenders following their release or discharge to rural or urban communities.*

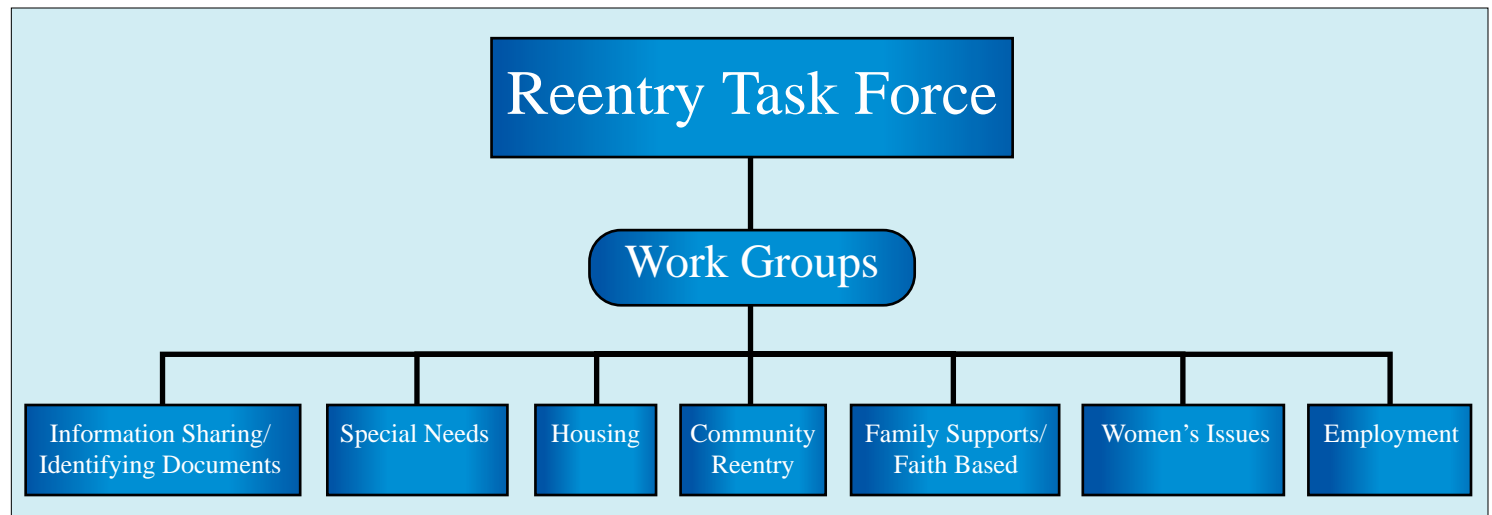


Reentry Task Force & Work Groups

Due to the broad scope of reentry challenges faced by offenders at the local and state levels of the criminal justice system, TDCJ, in consultation with OCA, decided to expand the Reentry Task Force membership from eight (8) to twenty-three (23). As noted in the following list, the Task Force is comprised of a broad and diverse membership of local and state agencies, special interest groups and elected officials:

- Texas Department of Criminal Justice
- Texas Board of Pardons and Paroles
- Office of Court Administration
- Texas Department of Public Safety
- Texas Department of Family and Protective Services
- Texas Commission on Jail Standards
- Department of State Health Services
- Texas Workforce Commission
- Texas Department of Housing and Community Affairs
- Health and Human Services Commission
- Windham School District
- Texas Juvenile Probation Commission
- Texas Youth Commission
- TCOOMMI Advisory Committee
- Drug Impact Court
- Sheriff's Association of Texas
- Office of Criminal Justice Coordination
- Travis County Criminal Justice Planning
- Nacogdoches County
- Tarrant County
- Covenant Church
- Texas Inmates Families Association
- Texas Criminal Justice Coalition

As noted on the following charts, the Reentry Task Force has established **seven (7)** topic specific work groups to address barriers to effective reentry practices:



In addition to the Reentry Task Force members' participation on the work groups, members of the general public have been active participants.



Reentry Task Force & Work Groups

During the past six (6) months, the work groups have identified the following priorities for review and recommendations:

Employment

- Ensure that all workforce boards have consistent and uniform requirements for Project Re-Integration of Offenders (RIO) staff.
- Require local workforce boards to utilize Project RIO funded positions exclusively for offender related activities.
- Improve offender employment training opportunities to better match local workforce needs and funds.
- Enhance coordination between institutional and community based Project RIO programs to improve pre and post release employment activities for offenders.

Housing

- Examine local housing authorities' guidelines for criminal backgrounds and eligibility for housing assistance.
- Compile resource guide for each local community's housing opportunities and exclusionary criteria for offenders.
- Explore opportunities for providing monetary incentives to private housing entities who will rent to offender populations.
- Expand temporary housing voucher or rental assistance programs for offenders released from incarceration regardless of release type (parole, discharged).

Family and Faith Based

- Improve the orientation process for the family and friends of offenders incarcerated within TDCJ facilities by making the orientation more user friendly.
- Examine strategies for improving the visitation process to include on-site volunteers to assist with family visits, activities for children to participate in during visitation.
- Enhance the availability of community based, spiritual mentoring of offenders and their families during and after release from incarceration.
- Examine opportunities to create faith based reentry wings on certain facilities for targeted offender populations.



Reentry Task Force & Work Groups

Information Sharing / Identification Verification Documents

- Provide required documents (birth certificate, social security card, military records, etc.) to each offender released from TDCJ facilities.
- Identify and document the status of the offender's drivers license or state identification card at the time of intake to determine what actions are needed to secure or maintain license or identification.
- Verify each offender's true identity beginning at time of arrest, community supervision or during incarceration.
- Coordinate with Texas Department of Public Safety on facilitating the provision and/or continuation of the offender's drivers license or state ID during and at time of release.

Special Needs

- Examine strategies for improving post-release treatment access for offenders who discharge their sentence and are released with no supervision requirements.
- Improve the process for initiating the federal entitlement application process prior to release from incarceration.
- Utilize risk based assessments to target high risk offenders to intensive supervision and treatment programs.
- Monitor implementation of legislative initiatives designed to improve the identification process.

Women Offender Issues

- Ensure that all skills training, programming or treatment services are designed to address unique issues presented by women offenders.
- Examine opportunities to improve the interactions between women offenders and their children during incarceration.
- Identify programs that have proven to be successful in improving the offender's parenting skills during and after release.
- Enhance the pre-release application process for benefits the offender may be eligible for upon release (TANF, food stamps, child care, Medicaid, etc.).



TDCJ Reentry Implementation Activities

TDCJ REENTRY IMPLEMENTATION ACTIVITIES

During the past 12 months, TDCJ has initiated and/or completed the following activities to improve the agency's overall reentry practices:

- Established a new division in the agency to focus on creating a seamless reentry system across divisions;
- Submitted **two (2)** Second Chance Act grants to provide community based reentry services to state jail discharges;
- Prepared and submitted a successful grant application to the National Institute of Corrections for technical assistance on reentry practices. The grant has provided TDCJ and the Reentry Task Force with **two (2)** nationally recognized Reentry experts to serve as consultants during the next **three (3) to five (5)** years;
- Established interagency contacts with Department of State Health Services to purchase birth certificates and Social Security Administration to verify social security numbers of all offenders in TDCJ-Correctional Institutions Division facilities;
- Created a centralized identification verification unit to facilitate the completion of identification information and certified documents for offenders scheduled for release within **twelve (12)** months (**70,000** plus offenders);
- Established an internal steering committee comprised of executive administration, Board of Pardons and Paroles Chair, and division directors to oversee the enhancement of reentry practices within the agency;
- Established a policy team and work groups to identify gaps or duplication of effort in the assessment, case management, transition, information technology programs and supervision activities conducted by the agency and its divisions;
- Created an internal advisory committee comprised of unit based reentry and RIO staff to provide input on institutional reentry practices; and
- Established **six (6)** release sites within the state's Correctional Institutions Division (CID) to facilitate the release of offenders in closer proximity to county of residence and family (H.B. 2289).

TDCJ REENTRY FAMILY REUNIFICATION ACTIVITIES

Due to the legislative directive to enhance family reunification activities, the TDCJ in consultation with the Family and Faith Based work group, has initiated and/or completed the following activities:

- Obtained feedback from family members and ex offenders on improving the pre and post admission orientation process;
- Revised the offender family guidebook to incorporate recommendations from families and offenders on making the guide more user or customer friendly;



TDCJ Reentry Implementation Activities

- Directed reentry and RIO case managers to establish contact with family members to facilitate their involvement in the pre and post release reentry and release process;
- Solicited information from other state department of corrections on effective family reunification and visitation programs; and
- Initiated contact and discussion with statewide faith based representatives to improve spiritual mentoring for offenders after release from incarceration.

RESEARCH AND EVALUATION OF RECIDIVISM

As previously noted on page 3 of this report, H.B. 1711 requires TDCJ to conduct a research study to determine if the reentry and reintegration plan and policies encouraging family unity and participation have an impact on reducing recidivism rates. The agency has initiated the following activities to address this statutory provision:

- Coordinated with the Urban Institute on establishing measures for evaluating recidivism as part of the NIC Technical Assistance grant;
- Targeted state jail discharges as the priority for reentry planning services due to high recidivism rates;
- Identified risk assessment activities needed to better assess offenders who are at most risk of recidivism due to criminogenic factors; and
- Initiated a review of recidivism rates of state jail felonies prior to and after FY 2003 budget reductions for state jail treatment services.



NEXT STEPS

During FY 2011, the agency and Reentry Task Force will continue working on the reentry initiatives and challenges outlined in this report. Additionally, the following issues will require further coordination and collaboration with local and state partners during the next biennium.

- 1) Reducing duplication of effort within and outside the agency;
- 2) Improving the use of technology to facilitate internal and external information sharing;
- 3) Establishing single points of contact within communities to coordinate pre and post release reentry referrals and aftercare; and
- 4) Coordinating with local jails, courts and Community Supervision and Corrections Departments to improve the identification verification process during the offender's initial involvement in the criminal justice system.

