

**Texas Department of Criminal Justice**



**Family Violence Pretrial  
Diversion Pilot Program  
Report: Bexar County**

**December 1, 2020**

# Texas Board of Criminal Justice

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## Introduction

Texas Government Code 509.018 creates a family violence pretrial diversion pilot program in Bexar County to reduce rates of family violence recidivism.

The pretrial diversion pilot program requires the Texas Department of Criminal Justice-Community Justice Assistance Division (TDCJ-CJAD) to collaborate with judges in Bexar County to establish a family violence pretrial diversion pilot program for individuals who are charged with an offense involving family violence, and who suffer from a substance abuse disorder or chemical dependency.

TDCJ-CJAD is statutorily required to review the pilot program and submit a report to the Governor, Lieutenant Governor, Speaker of the House of Representatives, and the Legislature by December 1st of 2020 and 2022.

## Pilot Program Overview

The Bexar County Domestic Violence Pilot Program, known as the “Reflejo Court” in Bexar County, is presided over by County Court 13 Judge Rosie Speedlin-Gonzalez.

The program’s goal is to minimize future violence for persons charged with a family violence offense, for the first or second time, and who suffer from a substance abuse disorder or chemical dependency.

Reflejo Court is an intensive twelve-month program consisting of four phases administered by a team that includes the judge, community supervision officers (CSOs), a case manager, treatment providers, prosecutors, and defense attorneys.

The Bexar County District Attorney’s office reviews and recommends cases for placement in the program.

To be eligible for the program, participants must be charged with a family violence offense and meet the assessment criteria for substance abuse disorder or chemical dependency. Furthermore, participants cannot have a current felony or misdemeanor deferred or adjudicated case.

If found appropriate for the program based on a screening conducted by the team, those selected are required to attend court, meet with a CSO, and participate in services that address the participant’s criminogenic needs.

These services may include substance abuse treatment, counseling, cognitive behavioral therapy, and batterer intervention and prevention sessions. Reflejo Court

requires participants to comply with multiple conditions, including a \$1,000 court services fee.

Additionally, the program uses a progressive sanctions and interventions model which rewards participants who comply with program requirements and sanctions participants who are not compliant with requirements. Incentives for program compliance include recognition by the judge, decreased court appearances, and gift cards. Sanctions include increased drug testing, increased court appearances, admonishment by the judge, and jail time. Other conditions may be required as determined by the team.

Participants who successfully complete the program will have their case dismissed.

## **Implementation Challenges**

COVID-19 affected implementation of the program. Bexar County officials declared a state of local disaster March 13, 2020, due to the imminent threat posed by COVID-19. The state of local disaster remains in effect until 14 days following the termination of the state-wide public health emergency as declared by Governor Greg Abbott.

As a result, Bexar County Court Judges implemented a plan rescheduling all criminal and civil dockets for 30 days. This limited the number of daily dockets and reduced courtroom capacity.

Bexar County Court Judge Speedlin-Gonzalez suspended in-person hearings beginning Friday, March 20, 2020. Additionally, the court's closure to in-person proceedings limited the program's ability to screen candidates for program eligibility.

These logistical challenges have made it more difficult to find offenders who are eligible and willing to participate in the program.

## **Implementation Status**

The first session of Reflejo Court was held on July 31, 2020, via videoconferencing. Two people were placed in the program that day and one additional person was placed in the program in August 2020.

At the end of Fiscal Year (FY) 2020, all three participants remained in the program. At full capacity, the program projects to serve 110 participants a year.

## Implementation Timeline

<b>2019</b>	<ul style="list-style-type: none"> <li>• Governor Abbott signed HB3529.</li> </ul>
	<ul style="list-style-type: none"> <li>• The first formal planning meeting was scheduled by Chief Jarvis Anderson, Bexar County CSCD.</li> </ul>
	<ul style="list-style-type: none"> <li>• Informal meetings to define the program and ensure it met the requirements of HB3529.</li> </ul>
	<ul style="list-style-type: none"> <li>• Judicial Services met to begin process of hiring a case manager.</li> </ul>
	<ul style="list-style-type: none"> <li>• Chief Jarvis Anderson received an update on the program implementation process, and suggested program aspects to ensure TDCJ-CJAD compliance.</li> </ul>
	<ul style="list-style-type: none"> <li>• Sheriff Javier Salazar commits to law enforcement participation.</li> </ul>
	<b>2020</b>
<ul style="list-style-type: none"> <li>• Grant application submitted to TDCJ-CJAD.</li> </ul>	
<ul style="list-style-type: none"> <li>• Stakeholders including the Judge, CSCD, case manager, treatment providers, and defense attorney met to discuss the pilot program.</li> </ul>	
<ul style="list-style-type: none"> <li>• Judge Speedlin-Gonzalez suspends in-person hearings.</li> </ul>	
<ul style="list-style-type: none"> <li>• TDCJ-CJAD approves a grant to Bexar County CSCD for \$78,065 in FY20 and \$187,355 in FY21.</li> </ul>	
<ul style="list-style-type: none"> <li>• Reflejo Team meeting began developing standard operating procedures (SOPs) and program phases; reviewed goals, objectives, and available resources; and determined eligibility requirements.</li> </ul>	
<ul style="list-style-type: none"> <li>• Reflejo Team meeting discussed referral process, SOPs and phases, and eligibility requirements.</li> </ul>	
<ul style="list-style-type: none"> <li>• Reflejo Team meeting for status updates. District Attorney's Office has reviewed over 150 cases for program eligibility.</li> </ul>	
<ul style="list-style-type: none"> <li>• First staff meeting to review and accept persons in the Reflejo Court. First dockets (male and female), determined two accepted (one male, one female), two rejected (one male, one female).</li> </ul>	
<ul style="list-style-type: none"> <li>• New participant accepted into the program.</li> </ul>	
<ul style="list-style-type: none"> <li>• Bexar County CSCD meets with TDCJ-CJAD Research and Evaluation Section to discuss data collection and required reports.</li> </ul>	

## Funding Sources

The program has received funding from different sources, including:

- TDCJ-CJAD awarded Bexar County CSCD with a diversion pilot program funding grant of \$78,065 for FY2020 and \$187,355 for FY2021.
- The program received \$100,000 for the case manager and services, \$25,000 for outpatient treatment and \$542,025 for transitional housing from county general funds.
- The Criminal Justice Division within the Office of the Governor provided a grant of \$13,800.
- The Alamo Area Council of Governments has indicated they would provide \$68,000 for the program; however, the CSCD reports those funds have not been received to date.

## Recommendations

Given the logistical challenges, it would be premature to make any legislative or other recommendations.

The next report will include legislative or other recommendations, if any.

## Acknowledgements

TDCJ-CJAD would like to thank the Bexar County CSCD for their assistance with this report.



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