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FACT SHEET

## RESTRICTURE PROBATION FUNDING TO ENCOURAGE SUCCESS REWARD PROBATION DEPARTMENTS THAT RE-INTEGRATE OFFENDERS

### TEXAS MUST RESTRICTURE HOW IT FUNDS ITS PROBATION SYSTEM.

The manner in which the state of Texas funds its Community Supervision and Corrections Departments (CSCDs) – commonly referred to as probation departments – creates an incentive to maintain offenders on supervision as long as possible because departments are dependent on probationers' supervision fees to support operations.

### WHAT DOES H.B. 3200 DO?

H.B. 3200 by Representative Madden would give probation departments **incentives to utilize progressive sanctions programs**. Specifically, the bill would establish a new funding formula for basic supervision through four funding lines:

- (1) funding calculated at placements for felony probationers (as opposed to funding direct felony probationers)
- (2) funding for felons being supervised in pre-trial diversion programs;
- (3) misdemeanor funding for 182 days of supervision (limited to 70 cents per day); and
- (4) funding for community correction programs calculated in the same manner as now.

Every two years, the Community Justice Assistance Division (CJAD) would have to develop a funding formula that considers weights applicable to funding for certain offenders.

This formula would have to include higher per capita rates for probationers serving the early years of a term of community supervision than for those serving the end of the term of community supervision. The formula would also impose penalties on a department's per capita funding with respect to each probationer who received a technical revocation. Lastly, it would award per capita funding with respect to each felony probationer who was discharged following an early termination of community supervision.

The first two factors would be applicable to both misdemeanor and felony probated cases, and the third factor would apply only to felony probated cases.

Finally, the bill would authorize the Texas Board of Criminal Justice to adopt a policy limiting the percentage of benefit or loss a department could realize as a result of the operation of the per capita funding formula established under this measure.