

# TEXAS CRIMINAL JUSTICE COALITION

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## PART 1: MISSION, HISTORY, AND PROJECTS

**MISSION:** The Texas Criminal Justice Coalition (TCJC) is committed to identifying and advancing real solutions to the problems facing Texas’ juvenile and criminal justice systems. We provide policy research and analysis, form effective partnerships, and educate key stakeholders to promote effective management, accountability, and best practices that increase public safety and preserve human and civil rights.

**HISTORY:** TCJC is an Austin-based organization that was founded in 1999 as a project of ProTex: Network for a Progressive Texas. ProTex was an umbrella group organized in response to a growing need to coordinate the efforts of advocacy organizations seeking systemic change in Texas’ criminal justice, health care, and taxation systems. ProTex’s strongest program was its criminal justice program, then called the Texas Criminal Justice Reform Coalition. In 2004, ProTex closed; however, the Coalition – now called the Texas Criminal Justice Coalition (TCJC) – felt the need to sustain its efforts and took over ProTex’s 501(c)(3) status.

Throughout our ten years of existence, TCJC has become well known for our comprehensive approach to addressing the specific policies and practices that have forced so many people into Texas jails and prisons. Over time, we have emerged as a respected advocate of juvenile and criminal justice reform. We have generated consistent media attention for our efforts, and we have become well-versed in the intricacies of juvenile and criminal justice policy and the implementation of effective practices. By providing accurate, nonpartisan research, timely recommendations, and public safety-driven messages, we have won the genuine support of a broad range of groups and key individuals throughout all of our project areas – including probation directors, the Community Justice Assistance Division of the Texas Department of Criminal Justice, the Texas Task Force on Indigent Defense, the Association of Substance Abuse Programs, the Texas Christian Life Commission, the Texas Juvenile Justice Roundtable, and various city- and county-level Re-entry Roundtables – as well as the support of many unlikely allies (including some of our state’s most conservative policy leaders, such as the Texas Public Policy Foundation’s Center for Effective Justice) who share our goals.

**PROJECTS:** TCJC works to minimize the entry points into the juvenile and criminal justice systems – both to reduce Texas’ over-reliance on incarceration, and to lessen the devastating impact that many of our state juvenile and criminal justice policies and practices have on families. We have worked hard to address (1) deficiencies in the juvenile justice system that set youth up to fail and ultimately contribute to an increase in young people being waived into the adult system, (2) outdated practices that drive up arrests for low-level offenses and significantly contribute to jail and prison overcrowding, (3) weaknesses in court and conviction practices that lead to unequal sentencing and fill jail and prison beds, (4) a lack of treatment services, as well as under-funded and under-staffed probation and parole systems, that contribute to jail and prison overcrowding, and (5) barriers to re-entry that lead many formerly incarcerated individuals back inside jail and prison walls.

Specifically, TCJC has the following projects and initiatives:

- **Juvenile Justice Initiative: *Creating Avenues to Success for Troubled Youth and Their Families.*** This project advocates for juvenile justice policy solutions that maximize opportunities for troubled youth to become productive, law-abiding adults. We promote increased resources for community-based alternatives to incarceration, treatment for substance abuse and mental health problems, restorative justice practices, and pathways for successful re-entry.

TCJC created the **Texas Families of Incarcerated Youth (TFIY)**, a network comprised of family members of youth who are or were incarcerated in the Texas Youth Commission. TFIY provides support and information to other families of system-involved youth, and it advocates as a unified voice for systemic change to improve Texas' juvenile justice practices.

- **Public Safety Project: *Advocating for Fair, Effective Police Practices that Improve the Safety of Our Communities.*** This project engages in research and provides public education materials that address best practices in law enforcement. We seek to equip community members and law enforcement agencies with the tools to work together to implement effective, public safety-focused, value-driven police services.

TCJC promotes the adoption of programs that use risk-reduction strategies to identify and address individuals' criminal behavior. In order to effectively meet Texas' long-term public safety needs, it is crucial to provide individuals with the opportunity to access federal and community-based social services and support systems so they can break the cycle and remain on the right path.

- **Fair Defense Project: *Ensuring a Just and Accountable Judicial System by Protecting the Right to Counsel.*** This project supports the efforts of the Texas Task Force on Indigent Defense in upholding the constitutional requirements for indigent defense, and it works to promote systemic change to ensure that indigent defendants are informed of their right to request counsel and are granted timely appointment of counsel that serves their best interests.

Through community advocacy and key partnerships, TCJC encourages counties to implement independent indigent defense systems that ensure voracity of the appointment process and provide defendants access to quality representation. We support county efforts that facilitate opportunities for the release of low-risk defendants in an effort to reduce costly jail overcrowding and collateral hardships to defendants and their families awaiting trial. Furthermore, we advocate for increased state resources, in parity with prosecutorial resources, so that defendants may have access to a fair trial.

- **Solutions for Sentencing & Incarceration: *Providing Proven and Cost-Effective Answers that Address Texas' Over-Reliance on Incarceration.*** This project advocates for criminal justice policy solutions that decrease costly jail and prison overcrowding, strengthen communities, increase public safety, and save taxpayers money. We support alternatives to incarceration and other practices that strengthen accountability and efficiency within the criminal justice system.

Through educational outreach at the county and state levels, TCJC promotes efficient probation and parole strategies, increased resources for community-based diversion programs, treatment options for substance abuse and mental health problems, and policies that address poor conditions of confinement, as well as other strategies that reduce the number of individuals in confinement.

- **Tools for Re-Entry: *Advocating for Policies that Enable the Formerly Incarcerated to Live Responsibly.*** This project identifies and works to reduce barriers to re-entry for formerly incarcerated individuals. Our goal is to connect people who have been incarcerated with available educational training opportunities, housing, job opportunities, voting information, and other information necessary to successfully re-enter Texas communities. TCJC also seeks to increase support and resources for employers, landlords, and service providers taking part in localized re-entry initiatives throughout Texas, and we monitor the implementation of policies that address these important community issues.

TCJC is committed to providing resources and conducting research on vital criminal justice issues that go beyond our project areas in order to continually refresh the knowledge base of practitioners and the public, and to fuel our own educational efforts. Towards that end, we have established the following resources:

- **Tools for Texas Inmates and Their Families: *Providing Resource Information Relevant to the Needs of Texas' Incarcerated Populations and Their Families.*** TCJC provides fact sheets and other educational materials on policy changes in corrections and criminal procedure, as well as guidance on issues relating to criminal defense, claims of innocence, conditions of confinement, and various other topics.
- **Tools for Practitioners: *Featuring Effective Juvenile and Criminal Justice Programs and Practices.*** TCJC highlights evidence-based best practices that could be duplicated throughout the state, while also providing other resource materials for individuals working in our juvenile and adult criminal justice systems, including substance abuse and mental health treatment providers, members of law enforcement, attorneys and judges, probation and parole practitioners, and other stakeholders.
- **Public Policy Center: *Providing Nonpartisan Juvenile and Criminal Justice Policy Recommendations.*** TCJC provides specific suggestions for reform throughout each of our project areas, as well as information about legislative actions and web links to relevant policies, and our own comprehensive public education materials spanning all projects.

## PART 2: 2009 ACCOMPLISHMENTS

During Texas' 2009 state legislative session, which took place from January through mid-June, our state leadership chose to continue its support of cost-effective, smart-on-crime practices put in place during the previous session in 2007. These fundamental public safety strategies, spanning the juvenile and criminal justice systems, are imperative in creating an infrastructure focused on saving taxpayers money and boosting the strength of our communities.

Throughout the interim prior to the next legislative session in 2009, TCJC engaged in comprehensive research and developed broad policy recommendations across our project areas in support of continued reforms. Through public education efforts and collaboration with various interests, we informed key stakeholders of numerous suggestions that ultimately became a reality for the state. Following that success, we were vigilant in monitoring the implementation of new policies to ensure agency heads and other leadership stay the course.

### JUVENILE JUSTICE INITIATIVE

- **We used the Sunset process to educate policy-makers and the public about the need to redirect state spending from incarceration (e.g., the building of maximum-security youth prisons) to community-based interventions (like non-residential and restorative justice programs).**

Beginning in mid-2008, Texas' juvenile justice agencies – the Texas Youth Commission (TYC), Texas Juvenile Probation Commission (TJPC), and the Office of the Independent Ombudsman (OIO) – began undergoing Sunset review. This statutorily mandated comprehensive review of a state agency arises only once every 12 years and offered a unique opportunity for a systemic evaluation of the administration of juvenile justice in Texas.

In late, 2008, the Sunset staff released its analysis of and recommendations on TYC, TJPC, and the OIO. Overall, we were pleased with the final report. It identified many important problems with the administration of juvenile justice in Texas (over-reliance on state incarceration; lack of coordination between TYC and juvenile probation; inadequate data on juvenile probation outcomes; administrative turmoil at TYC), and it contained several important recommendations for systemic coordination (including a pilot project to promote alternatives to TYC commitment; increased data collection from juvenile probation departments; and a 5-year juvenile justice strategic planning process). However, the most controversial of the Sunset staff recommendations was the consolidation of TYC and TJPC into a new state juvenile justice agency, to be called the Texas Juvenile Justice Department. We did not support consolidation of TYC and TJPC into a new agency, and we submitted detailed written testimony on the Sunset staff report at its December 2008 hearing.

Throughout Texas' 2009 state session, various stakeholders provided critical input on proposed reforms to the juvenile agencies; at session's conclusion, policy-makers passed a sweeping bill, refusing consolidation and instead putting into place a variety of elements to improve the function of the juvenile justice system at state and local levels. Most importantly, they opted to redirect a significant amount of funding toward rehabilitation programs operated by county juvenile probation departments, without inadvertently de-funding and destabilizing any progress

made by TYC in its ongoing reform effort. In fact, policy-makers allocated \$48 million in new money for TJPC to divert youth from placement in TYC facilities.<sup>1</sup>

Ultimately, the Juvenile Justice Initiative (JJI) was successful in using the Sunset review process as a vehicle to promote the importance of effective rehabilitation, rather than reflexively punitive incarceration, through the following activities:

- In large part, this achievement was the result of public education and coalition building efforts with the Texas Juvenile Justice Roundtable (“the Roundtable”).<sup>2</sup> Throughout 2009, JJI and Roundtable members engaged in coordinated outreach to key leadership, using written and web-based public education materials to drive home the point that systemic change must be guided by national best practices and sufficient state oversight in order to work. That is, simply shifting the burden of juvenile justice intervention downstream to county-operated systems without sufficient guidance or funding from the state would not end Texas’ problems with abuse, neglect, inadequate treatment, and violent conditions in its secure juvenile facilities.
- Other public education efforts involved critical reports and public events to ensure that key leaders in the reform effort understood the unique structure, history, and philosophy of the juvenile justice system. JJI partnered with William Bush, Ph.D., a History Professor at UNLV who wrote his dissertation on the history of TYC, to co-produce a 2-part series of publications on the history of TYC [*Part I – The Path to the Texas Youth Council: Creating a Protective Umbrella Juvenile Offenders, 1887-1949*], and recent public policy changes in juvenile justice from the mid-1990s to the present [*Part II – The TYC Era: Between Rehabilitation and Punishment, 1949-2008*].<sup>3</sup> Part I was released in October, 2008, while Part II was released in January, 2009; we distributed hundreds of these reports to a variety of stakeholders, including TYC leadership, TJPC leadership, the Juvenile Law Section of the Texas State Bar, and other “grasstops” stakeholders. Complementing these reports were web-based outreach, including email alerts and web updates, and the co-hosting of a policy primer with the Texas Public Policy Foundation (TPPF)<sup>4</sup> to address the impact of major 2007 legislative reforms, as well as the role that TYC and community-based correctional programs should play going forward.
- We also conducted an anonymous online survey of local juvenile probation chiefs to determine their perception of substantive issues facing the system, such as gaps in services,

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<sup>1</sup> Juvenile probation departments that receive the new diversion funding will be required to report a variety of information to TJPC about their use of the monies, including details about the kinds of programs that will be developed or expanded, and outcomes for all youth placed in the diversion programs as an alternative to TYC commitment. The information about juvenile probation outcomes gathered by TJPC in its grant-making process to juvenile probation departments will vastly improve the state’s ability to promote successful county-operated programs and provide technical assistance where needed.

<sup>2</sup> The Texas Juvenile Justice Roundtable is coalition of advocacy groups spearheaded by Texans Care for Children (including faith-based, child welfare, and civil rights organizations) that are concerned with juvenile justice policy but lack the organizational capacity to focus resources on the issue. For more information on the Roundtable, please visit [www.texasjjroundtable.org](http://www.texasjjroundtable.org).

<sup>3</sup> For a link to both reports, please visit [www.criminaljusticecoalition.org/juvenile\\_justice/publications](http://www.criminaljusticecoalition.org/juvenile_justice/publications).

<sup>4</sup> TPPF is a non-profit, non-partisan research institute guided by the core principles of individual liberty, personal responsibility, private property rights, free markets, and limited government.

access to treatment, workforce challenges, and ideas for systemic improvement. This helped us (a) determine which public policy solutions we could identify as shared goals, and (b) better understand the particular concerns and constraints of local juvenile probation systems. We used the findings to inform our larger policy recommendations, included in TCJC's second policy guide (released in January, 2009, and discussed more fully below under "TCJC Resources and Organizational Outcomes").

- Lastly, TCJC produced a video featuring the efforts of Will Harrell, inaugural Ombudsman for the Texas Youth Commission (discussed in this section below), who sought to call attention to a critical problem with mental health services in the juvenile system.<sup>5</sup> Specifically, youth chosen for a mental health discharge (for being unable to progress with TYC's rehabilitative programming) were ineligible to receive continuity of care services through TCOOMMI,<sup>6</sup> which affords access to services for special needs offenders.

Throughout the video, Will interviews special needs youth in TYC, a TYC Treatment Center Superintendent, an Advocacy Incorporated attorney, and youth ombudsmen. Collectively, they paint a bleak picture of treatment services in and outside of TYC, and their testimony demands urgent reform. Due in part to the widespread distribution of this video, policy-makers unanimously supported a bill to enable discharged youth to access TCOOMMI's services.

When 2009's session closed, we were thrilled by the route that policy-makers chose to take, and in the latter part of 2009 we continued to monitor the implementation of these mandates for reform.

➤ **We examined the implementation of other reform efforts.**

We continued to be involved in monitoring the implementation of S.B. 103 (omnibus reform legislation passed in 2007 which aimed to increase the accountability and structural integrity of TYC).<sup>7</sup> Specifically, we were involved in a variety of working groups formed by TYC to engage concerned stakeholders in the process of reform – including parole redesign, parents' Bill of Rights, volunteer policy redesign, youth advocacy curriculum, youth grievance redesign, and advocacy group access.

➤ **We urged leadership to fill a vacant Ombudsman seat.**

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<sup>5</sup> To watch the video, please visit

[www.chron.com/content/chronicle/special/07/templates/listpop.html?bcpid=823433113&bctid=18997497001](http://www.chron.com/content/chronicle/special/07/templates/listpop.html?bcpid=823433113&bctid=18997497001)

<sup>6</sup> TCOOMMI is the Texas Correctional Office on Offenders with Medical or Mental Impairments. This agency is given targeted funds by the Legislature to ensure that special needs offenders are provided immediate access to services. Specifically, TCOOMMI identifies psychiatric, psychological, and rehabilitative services for these individuals; develops a plan for meeting their needs; and coordinates the procedures among various agencies to ensure orderly service provision.

<sup>7</sup> Specific legislative reforms in S.B. 103 include the following: rules for the placement and classification of incarcerated youth intended to improve safety; a parents' Bill of Rights; a special prosecution system and an Office of Inspector General for the independent investigation and prosecution of crimes occurring in TYC facilities; public reporting of cases of abuse occurring in TYC facilities; an independent ombudsman to act as an advocate for incarcerated youth; and gender parity in programs, treatment, and facilities.

In 2007, the Texas Legislature (with key TCJC support) created the position of Independent Ombudsman for TYC to act as an advocate for incarcerated youth. In September, 2009, after Will Harrell, the inaugural Ombudsman, moved to a different position within the agency, Governor Rick Perry appointed former Dallas County Judge Catherine Evans to head the office. Shortly after the appointment, Judge Evans twice attempted to smuggle prohibited contraband – including weapons, prescription drugs, a cell phone, and money – into correctional facilities, which constitutes a third degree felony. (Judge Evans alleged that she was merely testing the facilities’ security.) Following a criminal investigation by the state’s Office of the Inspector General, Judge Evans was indicted in late November and subsequently resigned.

Mr. Harrell had made significant strides on behalf of youth rights, which makes the need for an Ombudsman – or other advocates available to aid youth in Texas’ correctional facilities – more imperative. To prevent that momentum from waning, we contacted the Governor’s Office to suggest they undertake a national and statewide search for experts who could fill the role of Ombudsman; we offered four experts the Governor could call upon in his development of Ombudsman criteria or candidates. By the year’s conclusion, however, a new Ombudsman still had not been named.

In the meantime, we supported the Texas Families of Incarcerated Youth (TFIY – discussed more fully directly below) in their critical efforts to reach out to youth and parents to stress youth’s rights while incarcerated.

➤ **We continued to expand TFIY, the grassroots arm of the Juvenile Justice Initiative.**

Throughout 2009, TFIY engaged in outreach to parents of system-involved youth and to community organizations (including Houston’s SHAPE (Self Help for African People through Education) Community Center in the impoverished Third Ward neighborhood),<sup>8</sup> participated in meetings with agency leadership (including TYC administrators, the Ombudsman and staff, and juvenile probation heads), and took part in the Harris County Juvenile Detention Alternatives Initiative effort.

TCJC and TFIY staff also developed resource information for families on the TFIY section of TCJC’s website, published this project’s second newsletter, and continued collaboration with Friends and Families of Louisiana’s Incarcerated Children, a parent group in Louisiana, to share strategies and information about family organizing and organizational development.

Lastly, TFIY members learned how to file a complaint with the Texas Commission on Jail Standards, the agency charged with overseeing adult jails, to assist youth who are entering the adult system and continuing to be victimized.

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<sup>8</sup> As Texas’ most populous city and largest contributor to the state’s adult and youth prison populations, outreach to families and community organizations in Houston is a critical piece of any statewide juvenile justice reform effort. Many of inner-city Houston’s system-involved youth come from the Third, Fourth, and Fifth Wards, which are low-income, predominantly African-American and Latino neighborhoods.

## PUBLIC SAFETY PROJECT

- **We continued to provide technical assistance to law enforcement agencies and community members in regards to Texas’ racial profiling law.**

We served as a resource for law enforcement, local community members, media, researchers, and national advocates seeking advice or technical assistance about racial profiling data, analysis, and policies.

Largely, we continued to provide assistance to law enforcement agencies seeking information about the state racial profiling law’s reporting requirements, but other efforts included examining Houston-area data for staff of HBO Sports on *Real Sports with Bryant Gumble*, who featured the allegedly race-based shooting of Robbie Tolan, a black, minor league baseball player and son of famed baseball player Bobby Tolan, by law enforcement officers outside of Houston.<sup>9</sup>

- **We continued to update go-to resource webpages with research, data, and public education materials for community members and law enforcement.**

In the “Community Resources” section of our Public Safety Project webpage, we provide citizen academy information, agency racial profiling information (including policies, reports, complaint and commendation information), and other community program/service information.<sup>10</sup> In our “Publications” section, we feature reports that highlight data collection efforts and recommend best practices.<sup>11</sup> Our “Tools for Law Enforcement” page includes model policy language (including language specific to consent searches), a standardized data chart we created to assist law enforcement agencies in their data collection efforts, and more detailed information on reporting categories.<sup>12</sup>

- **We began development of a system that will make law enforcement’s annual data more accessible to the public.**

Specifically, we commissioned the creation of an online interface where we can provide all raw stop/search data we have gathered over the years in an easily usable format. This will allow community members, law enforcement, members of the media, and policy-makers to look at the data that law enforcement has been submitting since their inaugural year of data reporting, automatically calculate consent search rates for agencies, compare rates over the years for an agency, and compare rates of one agency to those of other agencies.

*Important update:* Due in part to our educational efforts during the interim prior to Texas’ 2009 legislative session, policy-makers actively sought and approved legislation (H.B. 3689, effective September 1, 2009) that would require law enforcement agencies to submit all future racial profiling reports to the Texas Commission on Law Enforcement Officer Standards and

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<sup>9</sup> Please see a *Houston Chronicle* article about the shooting at [www.chron.com/disp/story.mpl/metropolitan/6195571.html](http://www.chron.com/disp/story.mpl/metropolitan/6195571.html).

<sup>10</sup> Please visit [www.criminaljusticecoalition.org/public\\_safety\\_project/resources\\_tools](http://www.criminaljusticecoalition.org/public_safety_project/resources_tools).

<sup>11</sup> Please visit [www.criminaljusticecoalition.org/public\\_safety\\_project/publications](http://www.criminaljusticecoalition.org/public_safety_project/publications).

<sup>12</sup> Please visit [www.criminaljusticecoalition.org/public\\_safety\\_project/tools\\_for\\_le](http://www.criminaljusticecoalition.org/public_safety_project/tools_for_le).

Education (TCLEOSE), a state agency. TCJC will be transitioning our online interface to the University of North Texas, so that past data will be accessible to those interested. Future data will be accessible through TCLEOSE.

## **FAIR DEFENSE PROJECT**

- **We continued our ongoing public education campaign to inform elected officials and the general public about the importance of eliminating barriers for individuals with limited resources and those who have been wrongfully convicted.**

We disseminated various public education materials in regards to major defense and innocence issues, including the need for (a) a state innocence commission to prevent wrongful convictions, (b) increased compensation and other benefits for wrongfully incarcerated individuals, (c) assisting indigent defendants in capital cases, including through more qualified counsel and, and (d) requiring the corroboration of in-custody testimony to support a criminal conviction. Throughout these efforts, we counted as allies the Innocence Project of Texas, the Justice Project, the Texas Defender Service, and the Texas Fair Defense Project.

Key leadership went on to support these reforms, and we began to monitor their progress to ensure full implementation over time.

- **We continued our support of public defender offices.**

We disseminated educational materials on public defender offices – featuring the benefits of such offices in high-population counties, and the need for specialized public defender offices – which was of extreme importance in Harris County (Houston).<sup>13</sup> Plans to establish a Harris County Public Defender Office were met with resistance by some judges and defense attorneys;<sup>14</sup> however, we saw increasing support by county commissioners and likeminded advocates (including faith-based organizations, civil rights groups, and other stakeholders) who loudly recognized the necessity of a more cost-effective and just court system to handle the overwhelming influx of local (often low-level drug-related) defendants and large appellate dockets, as well as meet the needs of juveniles and those suffering from mental illness. Ultimately, Harris County’s Criminal Justice Coordinating Council, the criminal justice planning arm for the commissioners, agreed to begin the process of developing the details of the plan, which should be approved in March, 2010, to be included in the county’s 2010 budget.

*Note:* Should Harris County apply for state assistance to initiate a public defender office, it will need to submit the largest funding request for an office in Texas’ history. Approval of the request will allow other counties to push for greater financial assistance for their offices.

In addition to targeting Harris County, we also traveled with Jim Bethke, Director of the Task Force on Indigent Defense (discussed more fully directly below), to Fort Bend County (outside

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<sup>13</sup> Harris County is the largest county in state; it is also the 4<sup>th</sup> largest in the nation without a public defender office.

<sup>14</sup> Some defense attorneys have felt that only lower-level offenses will be assigned to the Public Defender Office, which makes it less appealing to defenders.

of Houston) to discuss the possibility of establishing a juvenile public defender office there, with great success.

- **We continued to engage in administrative advocacy through the Texas Task Force on Indigent Defense (Task Force) in efforts to impact statewide performance standards, as well as encourage the use of best practices by counties to generate improvements to statewide indigent defense systems.**<sup>15</sup>

Specifically, we maintained our participation in the Policy Workgroup of the Policies and Standards Committee of the Task Force, which makes decisions about which county- and/or state-level indigent defense programs require an additional financial investment by the state. Likewise, we continued our membership on the Task Force's Discretionary Grant Review Team, which reviews proposals submitted by counties wishing to access state grant money to improve indigent defense practices in their areas. Ultimately, our participation in both groups helped to ensure that state funding sources for indigent defense solutions will continue to grow and that those funds are used to create effective delivery models for indigent defense services.

#### **SOLUTIONS FOR SENTENCING & INCARCERATION**

- **We continued our anti-prison/jail expansion, pro-diversion efforts by serving as a resource of technical information and data-driven research for key stakeholders, members of the media, and community members.**

For prison and jail construction to be stopped, individuals must be offered alternatives to incarceration that will meet public safety demands. We expanded the debate on ways to reduce over-incarceration by creating and disseminating a variety of research-based policy fact sheets and other public education materials on topics such as the need for (a) an expansion of much-needed treatment and mental health programs, (b) earlier mental health assessments, which will improve the chances of individuals receiving treatment rather than merely a prison or jail sentence, and (c) good conduct time for inmates. We also answered technical questions posed to us by stakeholders seeking information about these policies and practices. Throughout these efforts, we were fortunate to have had the support of treatment providers, probation heads, judges, members of law enforcement, and corrections personnel.

In large part, Texas policy-makers supported these recommendations during Texas' 2009 legislative session, continuing an agenda initiated in 2007 to reverse decades of costly, irresponsible policies and spiraling prison growth. In fact, not only did past diversion funding remain intact, but leadership also called for an increase of millions of dollars in funding for drug treatment and progressive sanctions programs, which will save the state millions of dollars that may otherwise have been spent on prison construction and maintenance. Already, Texas has seen the result of diversion investments: between 2006 and 2009, 14,019 people were re-routed from prison onto felony probation, and during that period, large urban probation departments

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<sup>15</sup> Because the Task Force is an administrative agency created by the Legislature to oversee the state's provision of indigent defense services (and not a legislative body itself), TCJC can dedicate a considerable amount of energy to Task Force activities that yield significant improvements to statewide indigent defense practices without engaging in lobbying.

decreased revocations rates. Likewise, parole revocation rates dropped significantly during that time.

In the latter part of 2009, we conducted a public education campaign around the implementation of alternative-to-incarceration policies to help stakeholders continue to accomplish their goal of diverting individuals from prison and jail in order to forestall construction of facilities.

We also engaged in ongoing monitoring of TDCJ to ensure that agency was properly implementing diversion policies. For instance, we continued to meet with Brad Livingston (Executive Director of TDCJ), Brian Collier (Deputy Executive Director), Stuart Jenkins (Director of TDCJ's Parole Division), Madeline Ortiz (Director of TDCJ's Rehabilitation and Reentry Programs), and the Budget staff to discuss the full implementation of treatment diversions.

- **We were instrumental in advocating that TDCJ follow through with funding for a treatment center in Travis County (Austin).**

This center, which will implement the SMART program – involving residential treatment services and intensive community-based continuing care – is due to open in February, 2011. It will serve approximately 148 probationers who suffer from drug addiction and who otherwise would have gone to prison.

- **We educated the public and key stakeholders about cost-effective measures that will increase the efficiency of – and better provide more just and humane – criminal justice practices for the tens of thousands of Texans entering and exiting criminal justice facilities every year.**

Specifically, we researched and disseminated information on how to improve inmates' access to books and other educational materials, how to better manage and care for pregnant inmates, and how to better arrange for release from confinement into one's community. Again, policy-makers widely supported these recommendations, and we began monitoring their implementation for full realization.

We also began monitoring TDCJ's Safe Prisons Program to determine how they handle rape issues. We (along with legislative staffers and other advocates) attended a meeting with the Ombudsman's Office to assist them in implementing strategies that will identify and address patterns of sexual assault and abuse. Later, TCJC sent a list of "Top 12 suggestions for implementation" to the Ombudsman for review.

- **We collaborated with probation departments in their efforts to slow prison and jail overcrowding and increase their efficiency with regards to staff and programs.**

One of TCJC's longtime overarching goals has been to reduce the number of individuals being revoked from probation – especially for technical violations – and sent to jail or prison. Many among probation's leadership began plans to reduce revocations by advocating for better assessment instruments, streamlined supervision techniques and practices, and increased treatment options and improved program/service delivery; they also encouraged judges to give

leniency to low-level, non-violent offenders. In addition, probation directors sought to increase the overall number of placements on community supervision, including by supporting a greater array of options for dealing with probationers, which in turn improve judges' confidence that individuals can be safely supervised in the community.

As noted above, probation revocation rates are on the decline in Texas (with the exception of a few departments). But to call attention to the need for continued investments in community supervision, we began interviewing probation leaders to determine which evidence-based practices and other key strategies their departments implemented to run more efficiently. We published our first feature on the Travis County Community Supervision & Corrections Department in November, 2009, intended as a guide for other departments interested in investing their resources in best practices that benefit taxpayers and communities.<sup>16</sup>

## **TOOLS FOR RE-ENTRY**

- **We continued our support of policies and practices that minimize critical re-entry barriers and assist men and women in their re-integration efforts.**

Specifically, we wrote and disseminated educational materials on the need for (a) creating a comprehensive reintegration program and statewide Reentry Task Force for returning individuals, which improves the state's likelihood of obtaining federal Second Chance funding, (b) providing personal identification certificates to individuals exiting confinement, (c) easing restrictions on occupational licenses for individuals convicted of nonviolent offenses, and (d) establishing a housing voucher program for those exiting confinement on parole.

Many of our recommendations were informed by insightful responses from current inmates that we surveyed to get a sense of the barriers they felt they would face upon re-entry. In fact, our inmate correspondence system as a whole allowed us to identify patterns of systemic practices that must be addressed, and we continued to use that information to shape our research and suggestions for reform.<sup>17</sup> Throughout our efforts, we were also fortunate to have had the support and feedback of the Re-entry Roundtables across Texas (Austin, Bexar [San Antonio], and Tarrant [Fort Worth] Counties), as well as the assistance of other county advocates from Bexar and Tarrant Counties and the Texas Conference of Urban Counties.

Ultimately, policy-makers made an historic, bipartisan showing of support for the above recommendations, which will provide those who are returning to our communities with resources for personal responsibility that will more successfully avert them from the criminal justice system in the future. Leadership also approved funding for 64 re-entry specialists to link outgoing inmates with community services. We actively monitored initial implementation efforts to best ensure that formerly incarcerated individuals will have the tools to effectively and

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<sup>16</sup> For a link to the feature, please visit [www.criminaljusticecoalition.org/tools\\_for\\_practitioners/probation](http://www.criminaljusticecoalition.org/tools_for_practitioners/probation) (under "For Community Supervision").

<sup>17</sup> In the latter part of the year, we responded to over 750 letters, as well as to daily calls, filling a gap left by other organizations that are no longer providing information to inmates and family members. This correspondence has revealed patterns of problems and in various regions.

healthily manage their lives, to the benefit of public safety, family cohesion, local economies, and public health.

*Note:* As part of our monitoring efforts, we were asked to participate in the new statewide Reentry Task Force. In anticipation of the Task Force's first meeting in January, 2010, we provided comprehensive feedback on the individualized charters for each of the potential working groups; overwhelmingly, our input on areas to be examined by each working group was accepted.

- **We continued to update our free website resource that offers a “one stop shop” of current, comprehensive services in housing, employment, education, and treatment.**

So that the formerly incarcerated population and those serving them can know about and access regional re-entry services, we conducted extensive research and have compiled contact information and service descriptions for (a) agencies that provide assistance to individuals who are currently or formerly incarcerated and their families, and (b) organizations that provide system-level assistance to other re-entry agencies – and we made these resources available on the Tools for Re-Entry page on our website.<sup>18</sup> We also comprehensively researched guides and models for best practices for professionals working in the criminal justice rehabilitation and re-entry system and featured them on our website.<sup>19</sup>

*Note:* We began to duplicate these resources with a juvenile focus, which we also featured on our Tools for Re-Entry page.

- **We created a print resource for incarcerated individuals and their family members, as well as others seeking to offer information about available in-prison and re-entry programs.**

We developed a Re-Entry Resource Directory that includes sections titled Legal Services, Information, and Help; Innocence Projects; Support and Family Resources; Grievances/Complaints; and Additional Resources. In addition to distributing the Directory to inmates and their families, we provided copies to legislative staffers and others who, like TCJC, respond to prison mail.

- **We served as a resource for others seeking advice or assistance with re-entry policies and practices.**

Specifically, we provided technical assistance to the Colorado Criminal Justice Coalition in regards to the collaborative effort that went into supporting the occupational licensure and housing voucher policies.

Additionally, we assisted Michael Laughlin, Senior U.S. Probation/Pretrial Officer at U.S. Courts/Probation, who was formulating arguments to provide to the Texas Department of Public Safety to have that agency begin thinking about how to ensure that federal inmates get

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<sup>18</sup> Please visit [www.criminaljusticecoalition.org/tools\\_for\\_re\\_entry/adult\\_services](http://www.criminaljusticecoalition.org/tools_for_re_entry/adult_services).

<sup>19</sup> Please visit [www.criminaljusticecoalition.org/tools\\_for\\_practitioners](http://www.criminaljusticecoalition.org/tools_for_practitioners).

identification upon exiting confinement. We also linked Michael with Bryan Collier, Executive Director of TDCJ, who could share the obstacles he faced at the state level.

## **TCJC RESOURCES AND ORGANIZATIONAL OUTCOMES**

- **We continually updated our Tools for Practitioners and Public Policy Center webpages to feature resource materials, broad policy recommendations, and best practices across our project areas.**

TCJC continued to provide research, analysis, and technical support to those who sought out our advice and assistance on broad reforms. But in addition to the materials we compiled and contributed to various pages on our website, practitioners and other stakeholders forwarded us items that they wanted us to feature, which has resulted in a truly collaborative effort with those in the field who believe in best practices.

*Note:* We recently developed a section on our Tools for Re-Entry webpage called “Tools for Texas Inmates and Their Families”<sup>20</sup> This page explains our goal to assist incarcerated individuals, and it features the Re-Entry Resource Directory discussed above.

- **We kept our support base informed of key policies and reports.**

We created our second, comprehensive policy guide (*Texas’ Criminal and Juvenile Justice Solutions: A Policy Guide, 2009*), which included several broad-based recommendations for each of our major project areas.<sup>21</sup> Each solution we offered was accompanied by key data-driven facts and the majority were vetted by experts in the field. We disseminated this guide, as well as fact sheets on best practices, to policy-makers, practitioners, service providers, formerly incarcerated individuals and their families, allied advocacy groups, and the media to educate them and garner their support for our policy recommendations.

We also created frequent, informative e-alerts to educate our base about our work and new public education materials (as well as our new organizational brochure), policy analysis, findings of relevant juvenile or criminal justice-related reports, op-eds and other articles, and upcoming events. *Note:* We currently have nearly 8,000 active members in our support base, composed of juvenile and adult probation directors and parole heads, treatment/service providers, correctional staff, judges and attorneys, religious and other advocacy group members, family members of incarcerated individuals, policy-makers and their staff members, researchers and analysts, members of the media, and others.

- **We served as a resource at events and for organizations seeking advice or assistance with criminal justice policies and practices.**

For instance, we presented on coalition building at a workshop during NAACP’s Sentinel Anniversary Conference in Austin, as well as during Texas Impact’s Advocacy Camp in

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<sup>20</sup> Please visit [www.criminaljusticecoalition.org/tools\\_for\\_re\\_entry/resources\\_inmates](http://www.criminaljusticecoalition.org/tools_for_re_entry/resources_inmates).

<sup>21</sup> For a link to our 2009 Policy Primer, please visit [www.criminaljusticecoalition.org/public\\_policy\\_center](http://www.criminaljusticecoalition.org/public_policy_center) (top of the page).

Houston. We also provided technical assistance to the Carolina Justice Policy Center, whose director wanted to determine the best way for advocates to work with the Council of State Governments, and who wanted additional information on our collaborative efforts in support of broad reforms.