

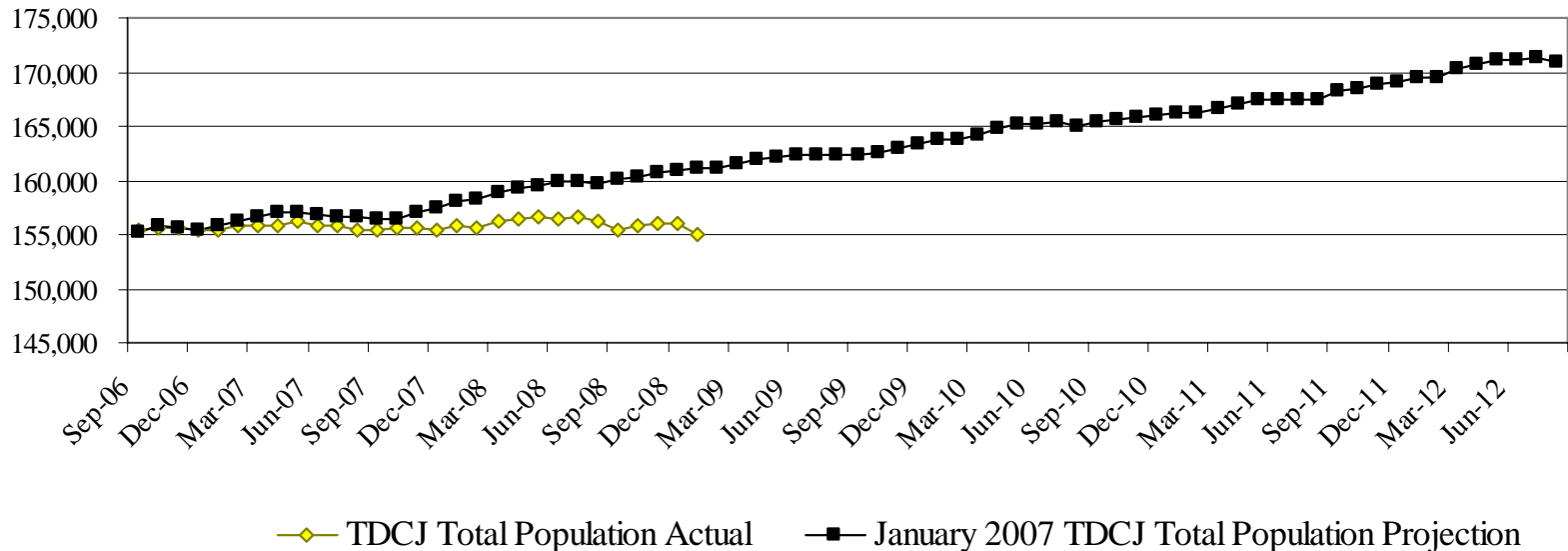
Correctional Population Update on Recent Trends

Prepared for House Appropriations Committee
81st Legislative Session
February 16, 2009

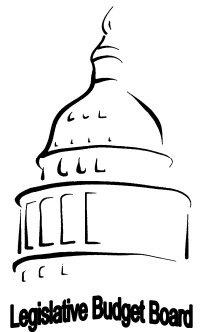
In January 2007, the Adult Incarceration Population was Projected to Grow by More Than 14,000 People Over a Five-Year Period



January 2007 Projected and Actual Inmate Populations

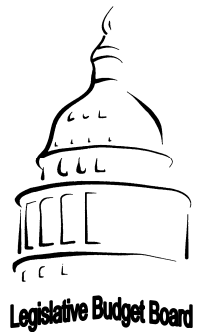


Reasons for Growth in 2007 Adult Prison Population Projection



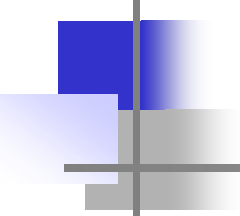
- **Increasing Prison Admissions**
 - From fiscal year 2001 to fiscal year 2006, prison admissions increased by an average of 4 percent a year.
 - New conviction admissions increased by an average of 7 percent per year from fiscal year 2001 to fiscal year 2006, while community supervision (probation) and parole revocation admissions both increased, on average, 1 percent per year for the same time period.
- **Parole Approval Rate Below Estimated Minimum Guideline Level of 31 percent.**
 - From fiscal year 2004 through fiscal year 2006, the parole approval rate declined from 30.5 percent to 26.4 percent.
 - A parole approval rate of 26.4 percent was assumed for the January 2007 projection.

Rehabilitation, Sanction, and Capacity Initiatives Adopted During 80th Legislative Session

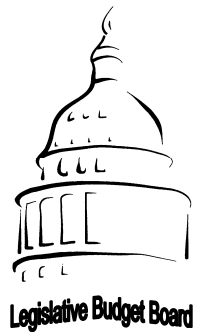


	Beds/Slots Funded	Number Operational ¹
Probation Residential Treatment Facilities	800	672
In-Prison Therapeutic Community Program	1,000	1,000
Substance Abuse Felony Punishment Facilities	1,500	704
DWI Treatment Facility	500	500
TYC Capacity Transfer	1,200	864
State Jail Substance Abuse Treatment	1,200	1,200
Intermediate Sanction Facilities	1,400	309
Halfway Houses	300	200
Total	7,900	5,449

¹With the exception of Probation Residential Treatment Facility beds, the number of beds or slots reflect those operational as of January 31, 2009 and are based on estimates provided in quarterly updates. The number of Probation Residential Treatment Facility beds operational is as of November 30, 2008.



Rehabilitation, Sanction, and Capacity Initiatives Adopted During 80th Legislative Session



Also adopted:

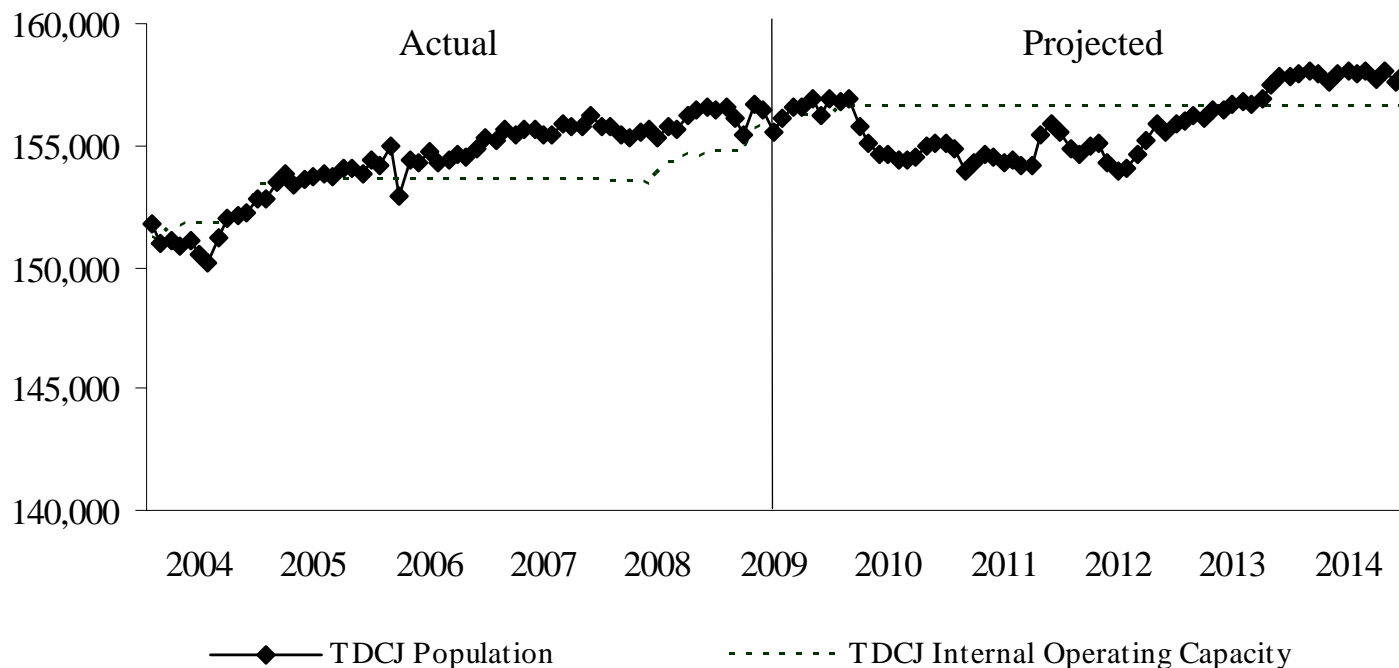
- Outpatient substance abuse treatment for people on probation supervision (3,000/year served)
- Medically targeted substance abuse treatment for people on probation supervision
- Marlin Correctional Mental Health Facility (200 beds)

January 2009

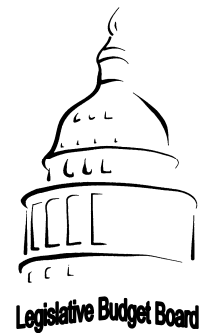
Adult Incarceration

Actual and Projected Populations

Fiscal Years 2004–2014



Adult Incarceration Projected Populations Fiscal Years 2009–2014

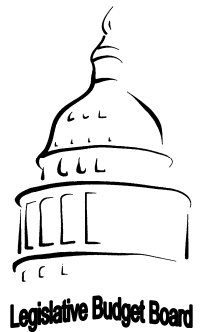


FISCAL YEAR	INCARCERATION POPULATION (END-OF-YEAR)	TDCJ STATE OPERATING CAPACITY ¹	PROJECTED POPULATION EXCEEDING STATE OPERATING CAPACITY ²	
			NUMBER	PERCENT
2009	156,928	156,192	736	0.5%
2010	155,107	156,538	-1,431	-0.9%
2011	155,589	156,538	-949	-0.6%
2012	155,891	156,538	-647	-0.4%
2013	157,831	156,538	1,293	0.8%
2014	157,997	156,538	1,459	0.9%

¹ As of December 1, 2008, the total state prison capacity was 158,730 (not including temporary contracted capacity) and the internal operating capacity was 154,762. The state internal operating capacity preferred by TDCJ prison administrators is 97.5 percent of total bed capacity. The state internal operating capacity will increase to 156,538 when the transfer of Texas Youth Commission beds and the addition of Substance Abuse Felony Punishment Facility (SAFPF) beds are complete. The capacity additions have been taking place during fiscal year 2008 and are expected to be complete in late fiscal year 2009 or early fiscal year 2010.

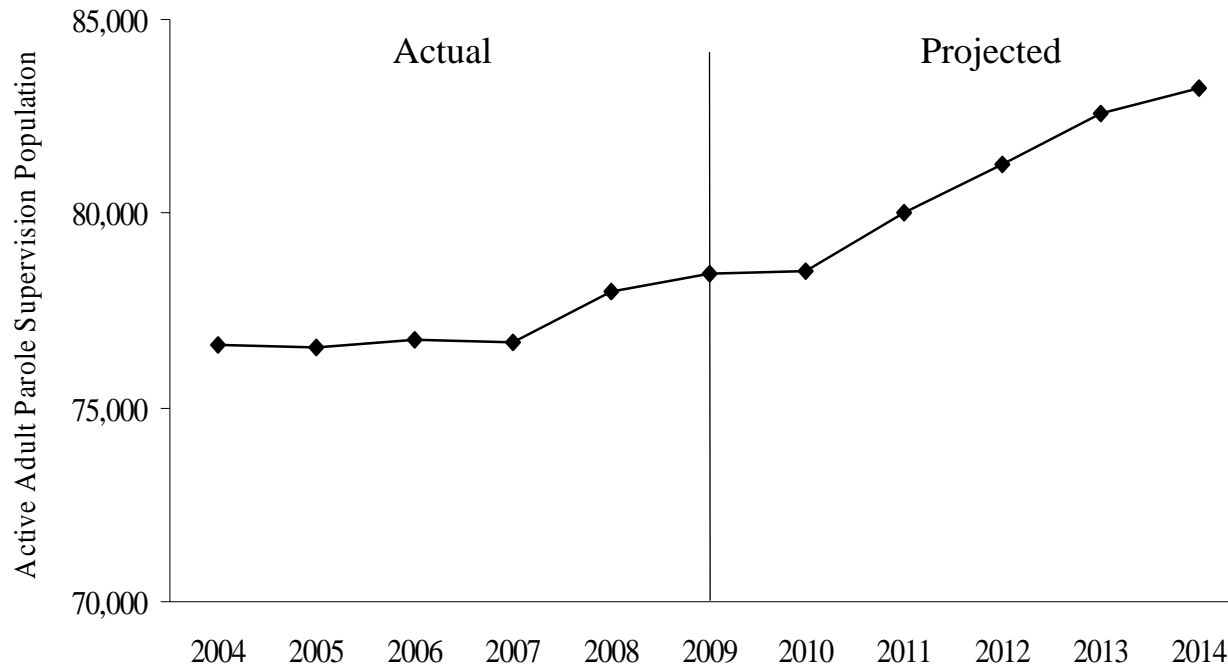
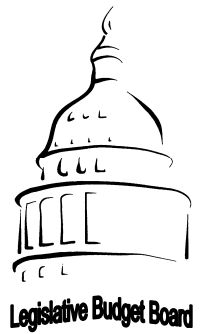
²As of December 1, 2008, the contracted capacity was 1,899 beds. TDCJ began contracting for county jail beds on July 1, 2005.

Indicators of Future Prison Populations and Incorporated in January 2009 Projections

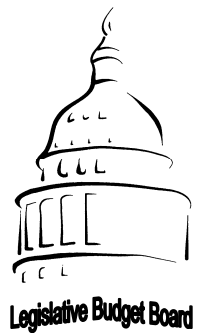


- Court Activity Related to Direct Court Convictions;
- Arrests and Reported Crime in Texas;
- Felony Community Supervision Placements and Felony Community Supervision Population Growth;
- Parole Approval Votes and Rehabilitation Tier Votes and Time Spent in Rehabilitation Tier Programs;
- Releases from TDCJ; and
- Implementation of Diversion and Treatment Initiatives.

Active Adult Parole Supervision Actual and Projected Populations Fiscal Years 2004–2014

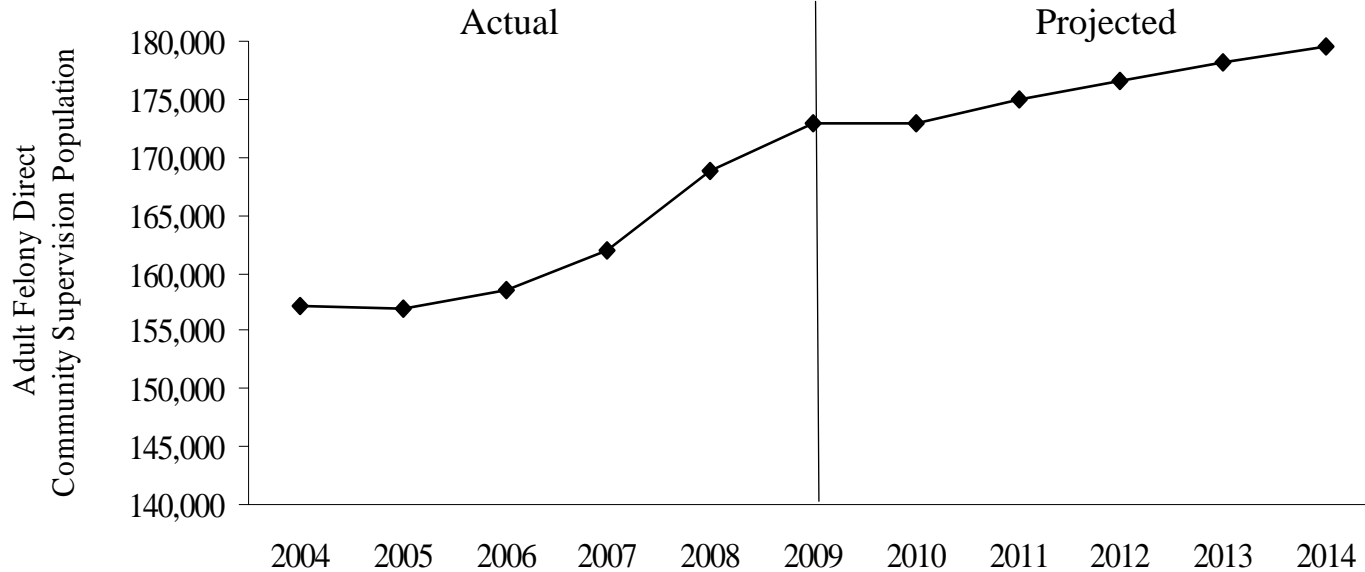
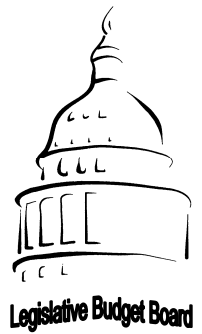


Active Adult Parole Supervision Projected Populations Fiscal Years 2009–2014

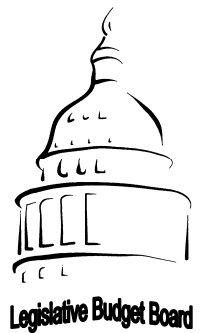


FISCAL YEAR	ACTIVE PAROLE SUPERVISION POPULATION (END-OF-MONTH YEARLY AVERAGE)
2009	78,462
2010	78,496
2011	80,052
2012	81,267
2013	82,602
2014	83,249

Adult Felony Community Supervision Actual and Projected Populations Fiscal Years 2004–2014

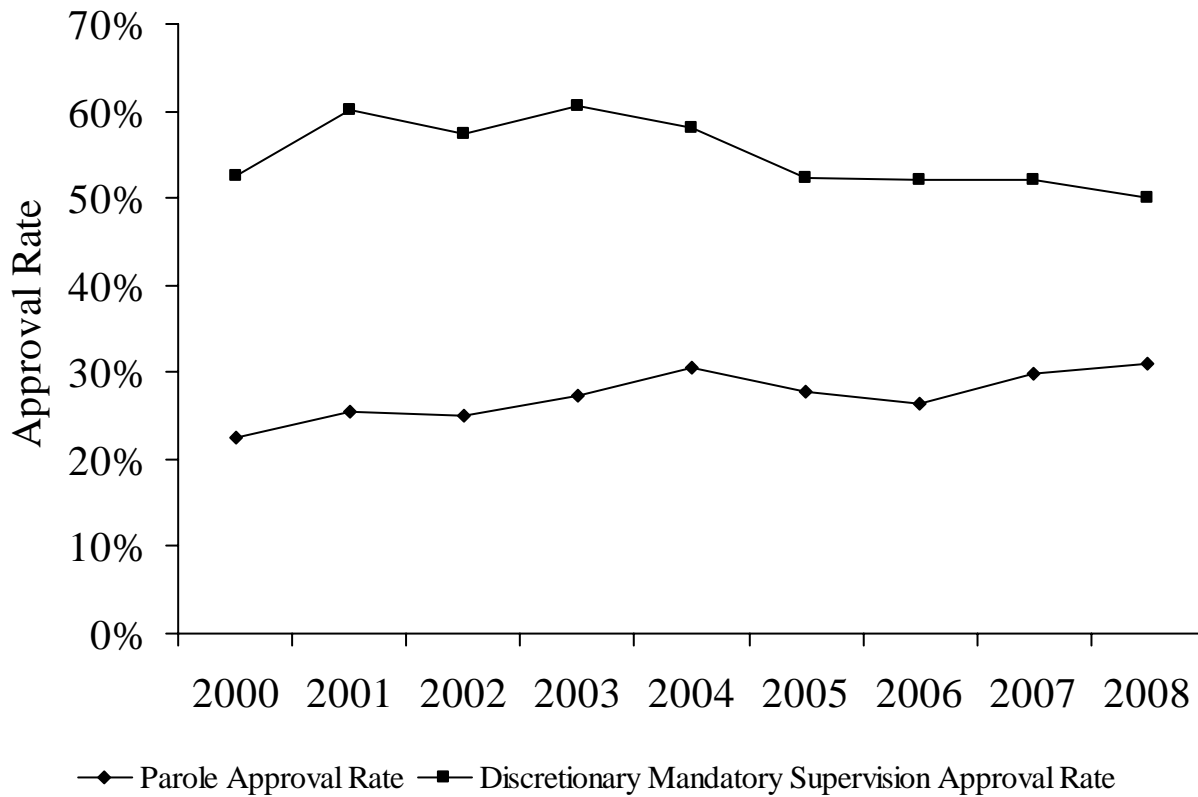
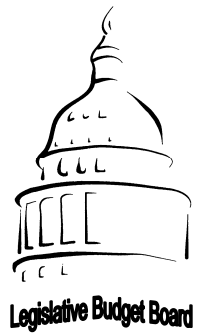


Adult Felony Community Supervision Projected Populations Fiscal Years 2009–2014

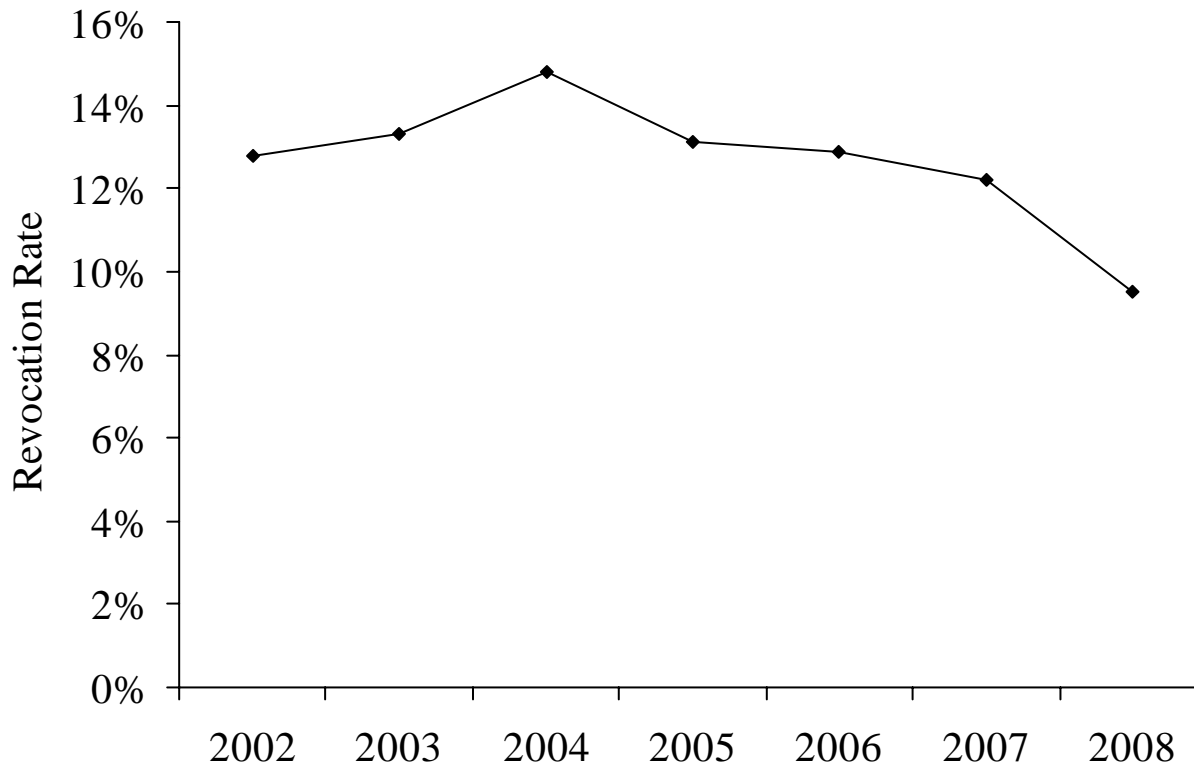
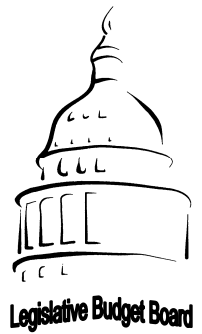


FISCAL YEAR	FELONY DIRECT COMMUNITY SUPERVISION POPULATION (END-OF-MONTH YEARLY AVERAGE)
2009	172,808
2010	172,895
2011	175,075
2012	176,523
2013	178,216
2014	179,503

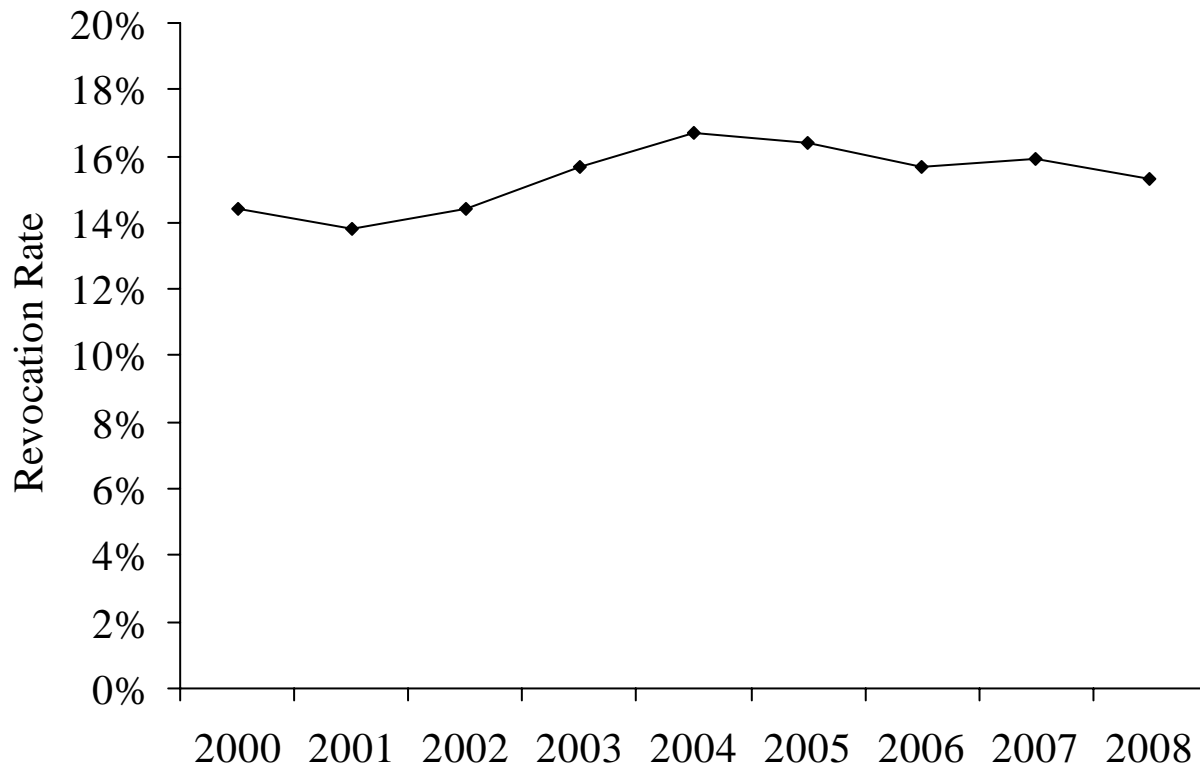
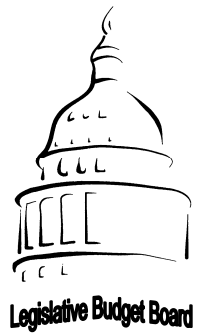
Adult Parole Approval Rates Fiscal Years 2000–2008



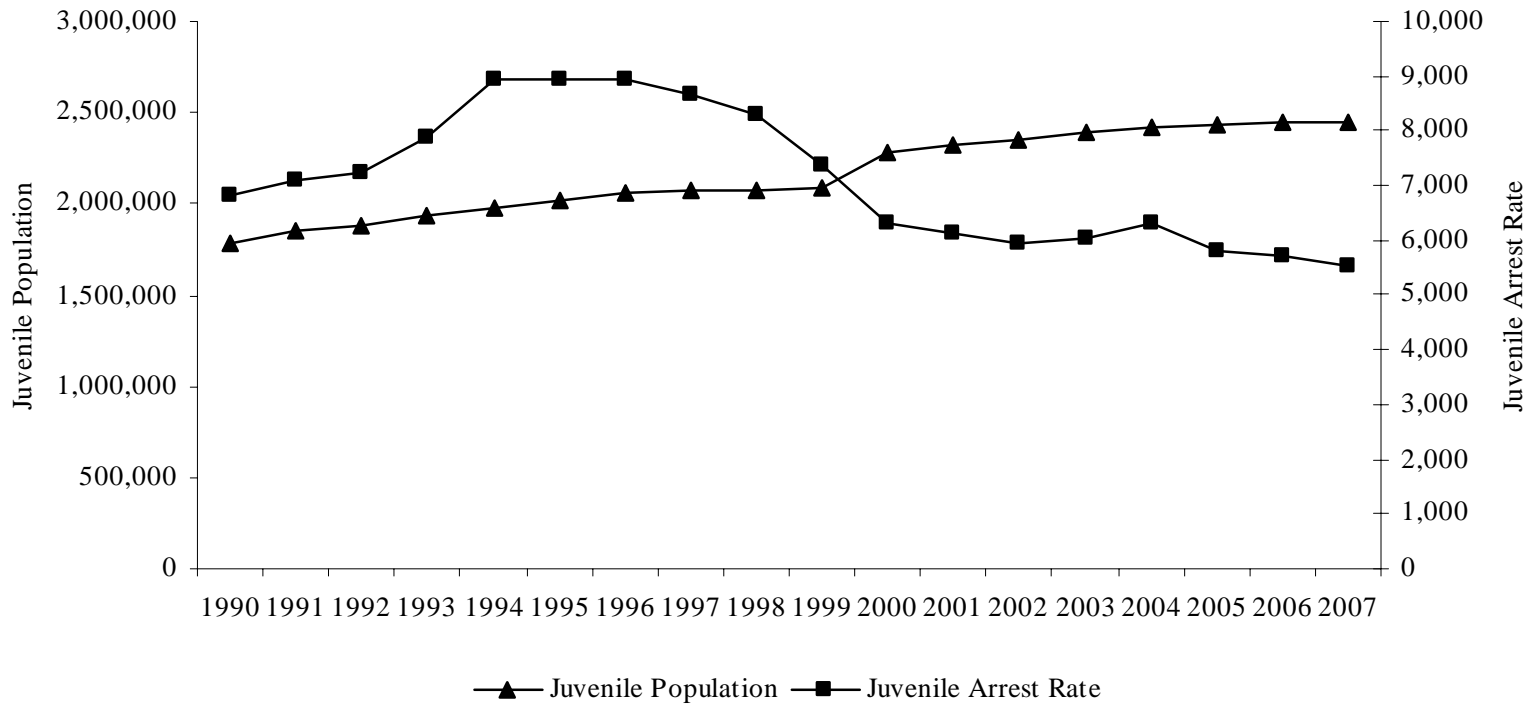
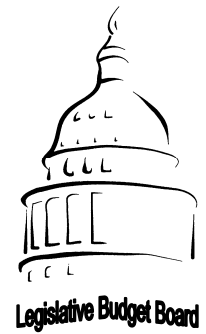
Adult Parole Supervision Revocation Rates Fiscal Years 2002–2008



Adult Felony Community Supervision Revocation Rates Fiscal Years 2000–2008



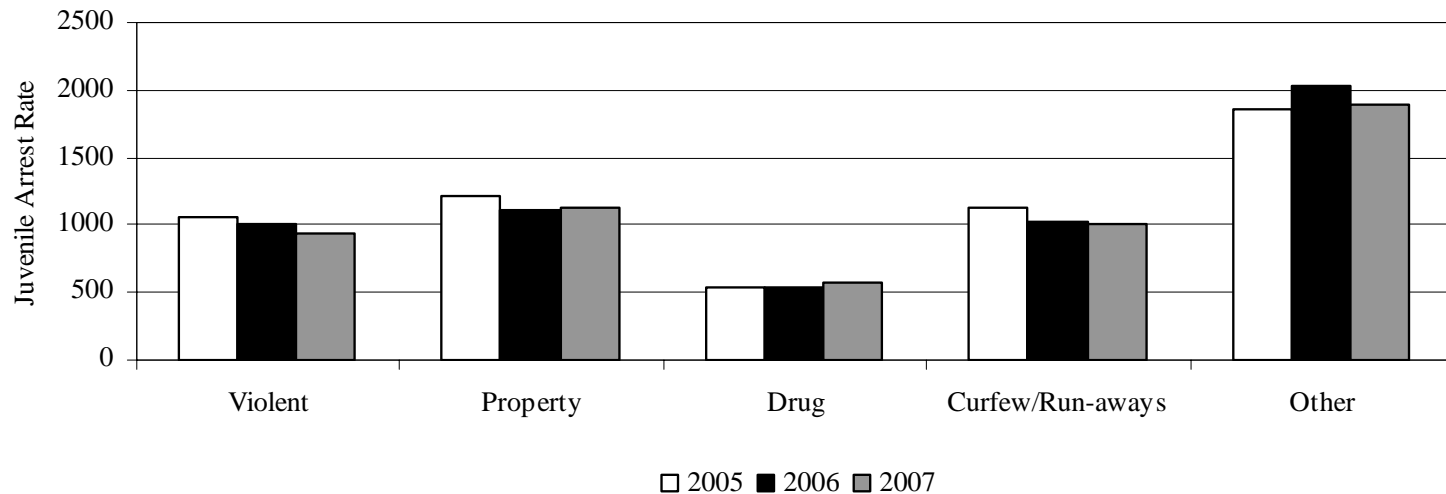
Texas Juvenile Population and Arrest Rates 1990–2007



Juvenile Arrest Rates by Offense Type 2005–2007



Juvenile Arrest Rates by Offense Type



Source: Texas Department of Public Safety, *Crime in Texas 2006 and 2007*.

¹ Violent offenses include murder, non-negligent manslaughter, forcible rape, robbery, aggravated assault, other assaults, and sex offenses (except prostitution).

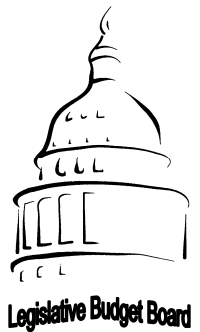
² Property offenses include burglary, larceny/theft, motor vehicle theft, forgery and counterfeiting, fraud, embezzlement, stolen property, and vandalism.

³ Drug/alcohol offenses include drug use, drug possession, driving while intoxicated (DWI), liquor law violations, and drunkenness.

⁴ Other offenses include weapons carrying and possession, prostitution and commercial vice, gambling, offenses against children, disorderly conduct, vagrancy, curfew and loitering law violations, runaways, and all other offenses not mentioned above (except traffic).

Senate Bill 103

Statutory Changes Affecting TYC Populations

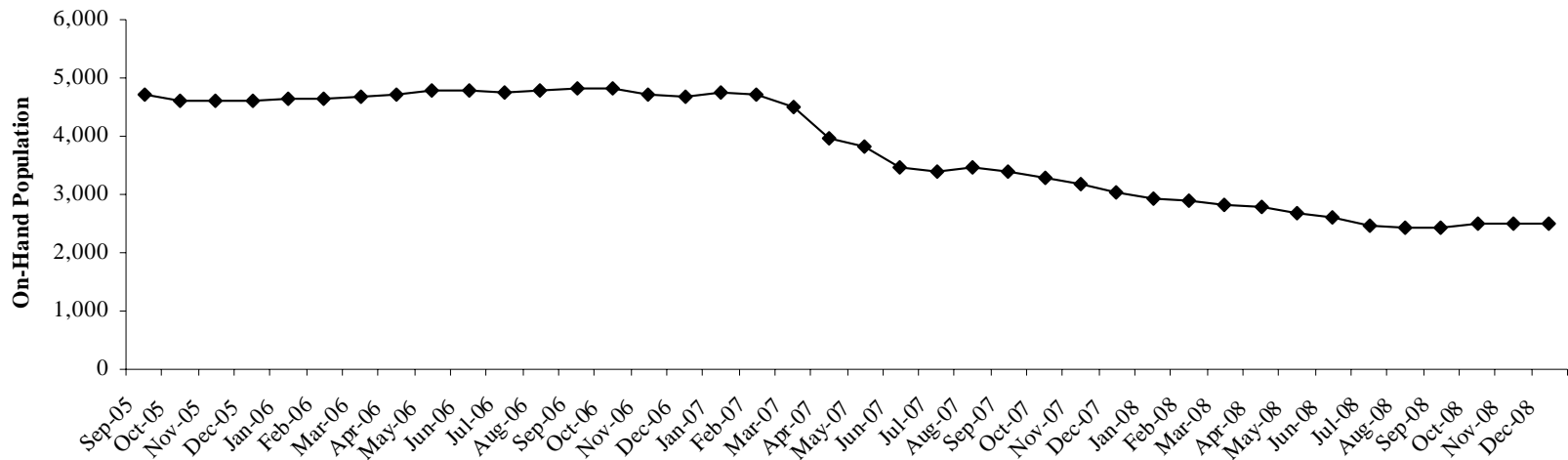


- Amended Sections 54.04 and 54.05 of the Family Code to restrict juvenile courts from committing youth to TYC for a misdemeanor crime.
- Chapter 61, Human Resources Code, amended to lower the age a youth must be either released or transferred for confinement in the Department of Criminal Justice (TDCJ) to 19 years of age.
- Chapter 61, Human Resources Code, amended to require TYC to assign a minimum length of stay to all youth without a determinate sentence.

TYC On-Hand Population Fiscal Years 2006–2009*

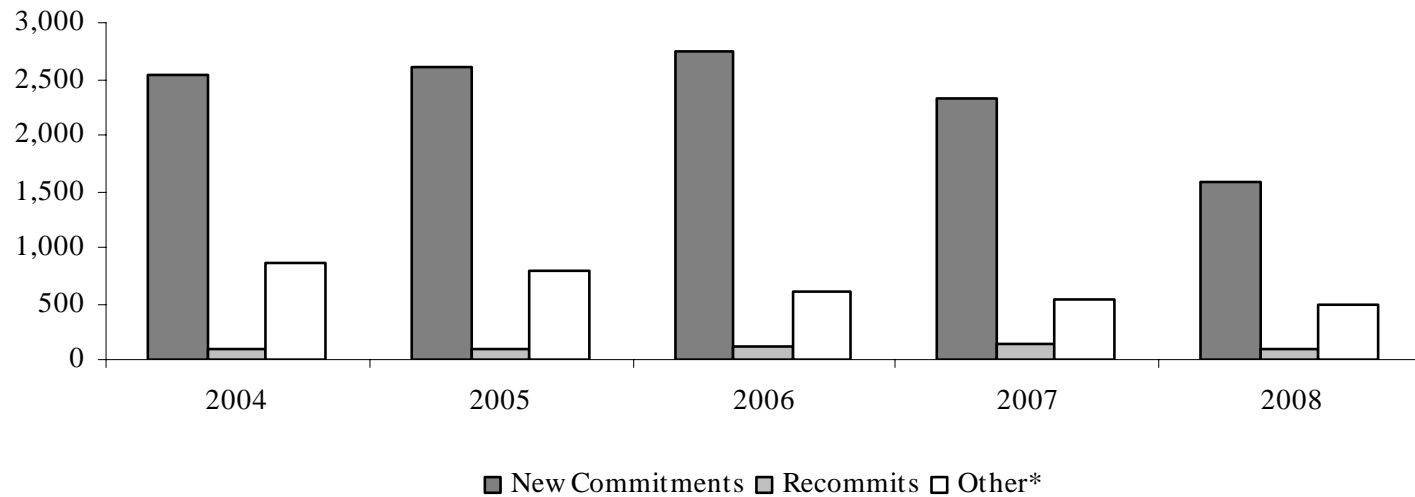


TYC On-Hand Population Fiscal Years 2006-2009*



*Fiscal year 2009 data includes the period from September 2008 to December 2008.

Juvenile Residential Admissions by Intake Type Fiscal Years 2004–2008



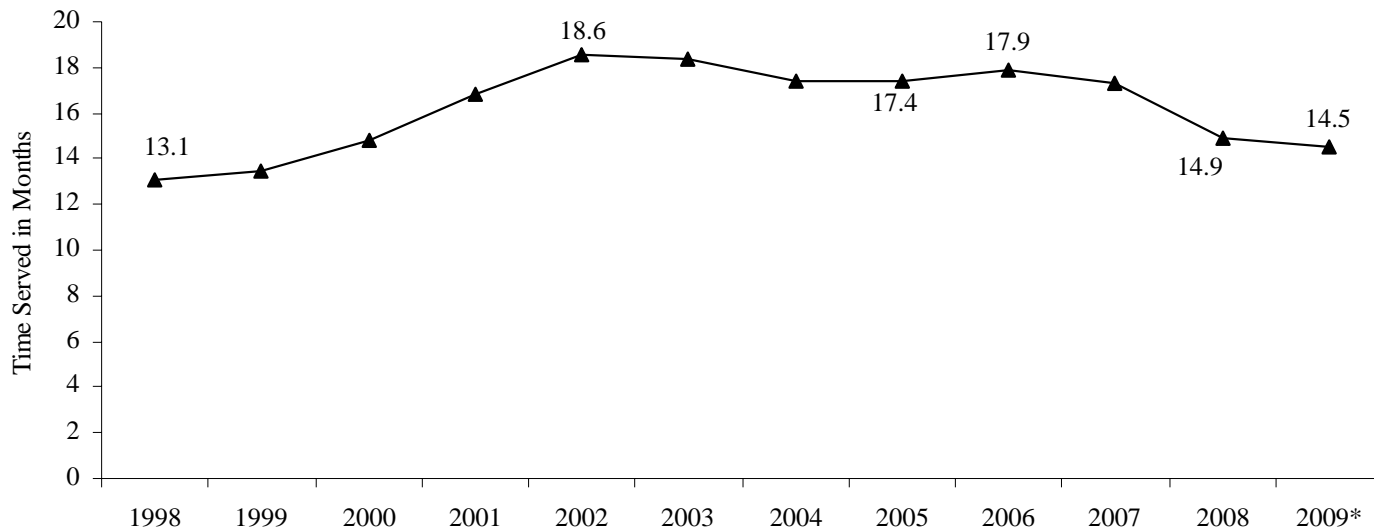
**Other* includes new felony offense parole violators, misdemeanor and technical parole violators, and negative movements. Negative movements are juveniles moved back into residential care from parole (not revoked or recommitted).

Juvenile Residential New Commitments by Largest Counties and Statewide



County	FY 2006	FY 2007	FY 2008	2006-2008
				% Change
Harris	630	593	300	-52.4%
Dallas	317	289	190	-40.1%
Bexar	248	193	125	-49.6%
Tarrant	152	115	95	-37.5%
Hidalgo	29	27	36	24.1%
Jefferson	28	26	36	28.6%
Lubbock	72	42	31	-56.9%
Denton	32	28	30	-6.3%
Cameron	23	19	29	26.1%
Smith	29	34	27	-6.9%
Statewide	2,738	2,327	1,582	-42.2%

Juvenile Residential Average Time Served at Time of Release Fiscal Years 1998–2009*



*Fiscal year 2009 data includes the period from September 2008 to December 2008.

Juvenile Residential Population by Facility Type Fiscal Years 2006–2009*

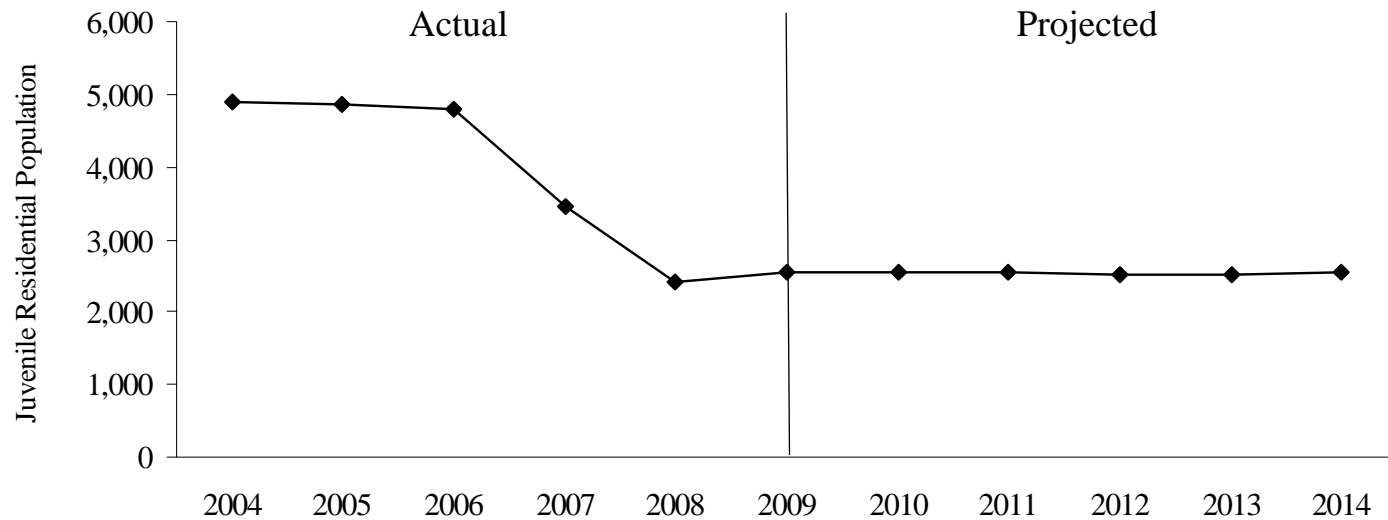
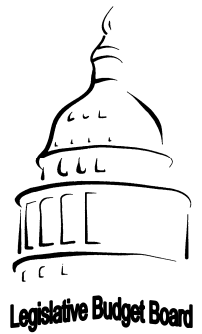


TYC FACILITY	2006	2007	2008	2009*
Institutions	4,043	3,602	2,426	2,069
Halfway Houses	218	217	200	199
Contract Care	431	440	249	207
TOTAL RESIDENTIAL	4,692	4,259	2,875	2,475

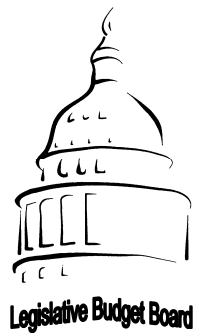
Source: TYC Monthly Aggregate Report. The numbers reflect end of month averages.

*Fiscal year 2009 data includes the period from September 2008 to December 2008.

Juvenile Residential Actual and Projected Populations Fiscal Years 2004–2014



Juvenile Residential Projected Populations Fiscal Years 2009–2014



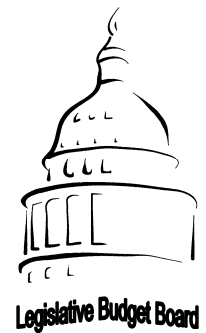
FISCAL YEAR	TYC POPULATION (END-OF-YEAR)	TYC STATE-OPERATED FACILITY CAPACITY ¹	PROJECTED POPULATION EXCEEDING STATE- OPERATED CAPACITY	
			NUMBER	PERCENT
2009	2,563	2,510	53	2.1%
2010	2,560	2,510	50	2.0%
2011	2,544	2,510	34	1.4%
2012	2,527	2,510	17	0.7%
2013	2,523	2,510	13	0.5%
2014	2,559	2,510	49	2.0%

¹ Appropriations for the Texas Youth Commission for fiscal years 2008–09 were based on a state-operated facility capacity of 2,510. TYC also received funding to contract for, on average, 641 beds in fiscal year 2008 and 641 beds in fiscal year 2009 in addition to their state-operated facility capacity. As of October 1, 2008, TYC was continuing to operate 3,145 state beds.

Juvenile Probation

End-of-Month Average Yearly Population

Fiscal Years 1998–2008



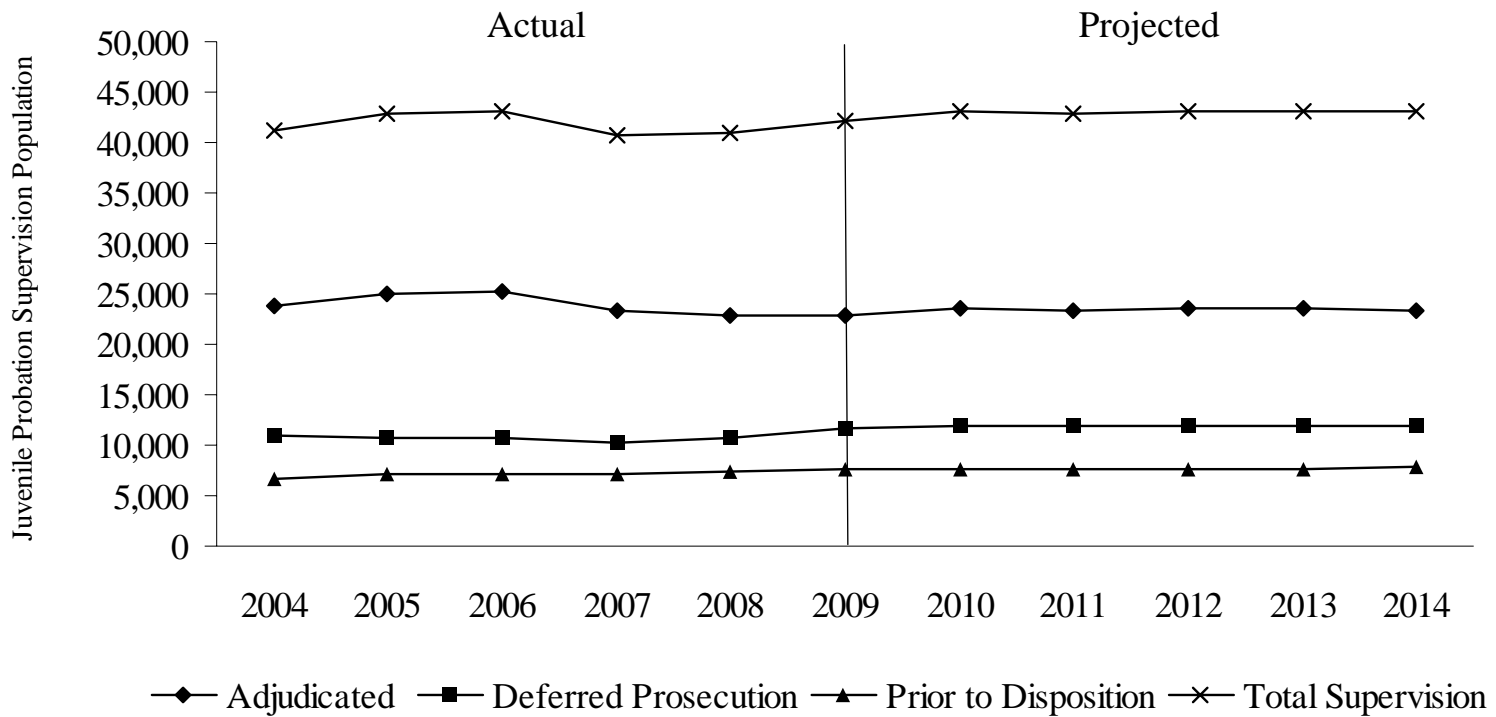
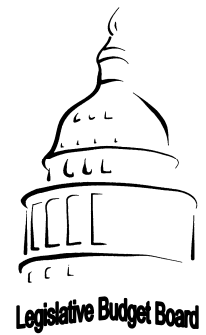
Fiscal Year	Adjudicated Probation	Deferred Prosecution	Prior to Court Disposition	Total Supervision	Percent Change in Supervision
1998	22,439	9,282	7,997	39,718	---
1999	23,488	9,245	6,516	39,249	-1.18%
2000	23,044	9,618	6,483	39,145	-0.26%
2001	22,699	10,014	6,777	39,490	0.88%
2002	22,680	9,350	6,528	38,558	-2.36%
2003	23,397	9,833	6,485	39,715	3.00%
2004	23,812	10,862	6,560	41,235	3.83%
2005	25,077	10,777	7,047	42,901	4.04%
2006	25,238	10,765	7,164	43,167	0.62%
2007	23,320	10,222	7,241	40,783	-5.52%
2008	22,864	10,722	7,389	40,975	0.47%

Source: Juvenile Probation Commission Aggregate Monthly Report. The numbers reflect end of month averages.

Juvenile Probation

Actual and Projected Populations

Fiscal Years 2004–2014



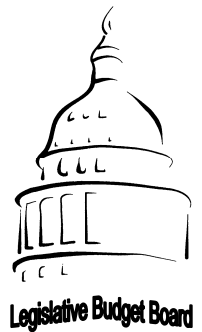
Juvenile Probation Projected Populations Fiscal Years 2009–2014



FISCAL YEAR	ADJUDICATED PROBATION	DEFERRED PROSECUTION	SUPERVISION PRIOR TO DISPOSITION	TOTAL SUPERVISION (END-OF-MONTH YEARLY AVERAGE)
2009	22,880	11,757	7,601	42,238
2010	23,619	11,823	7,654	43,096
2011	23,406	11,801	7,721	42,928
2012	23,481	11,896	7,635	43,012
2013	23,541	11,813	7,713	43,067
2014	23,431	11,852	7,763	43,046



Qualitative Review



Site Visits: Eight counties (Bexar, Collin, Dallas, El Paso, Harris, Nueces, Travis, and Williamson)

Focus Groups: 46 focus groups involving 226 participants

- Juvenile Board
- Juvenile Probation Department
- Juvenile Prosecutors
- Defense Attorneys
- Law Enforcement
- Education Professionals

Qualitative Review



Major Review Findings

- **Juvenile Probation**
 - Limited resource capacity contains population growth
 - Departments employ strategies to address issues caused by limited resource capacity
- **Texas Youth Commission**
 - Secure long-term confinement option is necessary
 - Regionalized facilities preferred to current facility locations
 - Improve communication and collaboration with local juvenile justice entities especially when youth are returning from TYC
 - Recruit more highly skilled staff and provide better compensation
- **Legislative Recommendations**
 - Need for early intervention and prevention resources
 - Resources and treatment are needed for youth with mental health issues
 - Increased funding for juvenile probation departments with greater discretion and flexibility in how state funds are utilized