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## House Appropriations

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**Location: E1.026**

**Time: 8:00 AM**

**Date: February 24, 2009**

**House Appropriations Committee, Subcommittee on Criminal Justice**

**RE: SB 1, Article V: Juvenile and Criminal Justice**

Chairwoman: Debbie Riddle

(8:06) Call to order by Chair Debbie Riddle Article V - Juvenile and Criminal Justice

(8:07) Michelle Connolly, LBB, Manager of Criminal Justice Data Analysis Team and Garron Guszak, LBB, Senior Analyst. Connolly gave a presentation on the adult and juvenile correction population projections. It was pointed out that by the year 2013 they will be exceeding their internal bed capacity. Guszak added that the probation population will increase as well. Connolly pointed out that possible statutory changes could change the populations in juvenile probation. She stated that intervention and prevention is the key to help the youth in Texas and also that mental health issues need to be addressed more fully.

(8:29) Karl Spock and Leah Campbell - Summary of Sunset Advisory Commission Recommendations for Texas Youth Commission and Texas Juvenile Probation Commission. They recommend merging the TYC and the TJPC. The new agency would phase in on Sept. 1, 2010. The savings involved are about \$600,000. Also, recommendation of a pilot program to keep youths home and out of state care. In regard to having funding follow the youth through the system, Rep. Riddle pointed out that it could be problematic .

Juvenile Probation Commission

(8:45) Angela Isaack, LBB, Budget Analyst. The budget is \$311.1 in all funds for this agency and that is a \$8.6 million increase. There is an increase in federal funds and state approved salary increases. The agency is under Sunset review. She reviewed the specifics of the LBB Budget Analysis in detail.

(9:00) Vicki Spriggs, Executive Director. The goal of the TJPC is to keep kids in the community and they provide services to help them. Spriggs continued by stating the JPC budget restructuring is to have the money follow the needs of the child. The residential facility rider language should tier the funding depending on the type of care needed. She praised the hiring of Cherie Townsend to the TYC as it has opened communication between the TYC and TJPC.

Texas Youth Commission

(9:32) Angela Isaack, LBB, Budget Analyst. The recommended budget is \$ 406.4 million and that is an increase of \$98.6 million. There is a \$2.2 million decrease in federal funds due to decreased population at TYC. The budget structure strategy is imposed for easier tracking of costs. The agency is under Sunset review. She reviewed the specifics of the recommended budget in detail.

(9:48) Recess was called by Chair Debbie Riddle until one hour after the House is adjourned. \_\_\_\_\_

(12:56) Call to order by Chair Debbie Riddle

(12:58) Cherie, Townsend, Executive Director of the Texas Youth Commission. TYC deals with very violent offenders. The TYC is changing for the better very rapidly. 65% of the youth upon commitment have an identified special need. TYC is working hard to meet the needs of education and mental health. TYC would like to use the allocated \$25 million for 3 smaller facilities rather than one large one.

Department of Criminal Justice, Board of Pardons and Paroles, and Correctional Managed Health Care Committee

(1:14) Susan Dow, LBB, Budget Analyst. The drivers for the budget recommendations are population projections and agency short falls. The budget is \$5.6 billion in GR and \$5.8 billion in All Funds. A 1.8% increase and .7% decrease respectively. She gave a detailed summary of the LBB budget analysis. In 2009 there is a \$234.5 million dollar shortfall. Of the exceptional items, contraband screening for 20 prisons and video surveillance equipment are wanted.

(1:22) Yolanda Davila, LBB Agency Performance Review Team Analyst. "Reduce the Prison Population by Reducing Parole Process Delays" (311). In overview, there are inefficiencies in the case summary process for people going up for parole and they could be uniformed and streamlined. Some offenders complete their rehabilitation program 30 to 60 days before parole and the gap should be much lessened.

(1:30) Anita D'Souza, SOA Audit Manager and Jennifer Wiederhold, SAO Project Manager. "An Audit Report on the Department of Criminal Justice's Complaint Resolution and Investigation Functions." Report No. 09-004. Investigation functions are in compliance with department regulations. The findings and recommendations are as follows. In regard to offender grievance program, it does not insure staff is trained and offenders are not aware of such a program. Medical staff should improve supporting documentation for complaint files. There should be improvement in their written guidelines. In regard to the Safe Prison program, improvement is needed in controls of documentation.

(1:43) Mike Apperley, SAO Audit Manager and Bruce Dempsy, SAO Project Manager. "An audit Report on Selected Parole Functions at the Department of Criminal Justice and the Board of Pardons and Paroles. SAO Report No. 08-036. They find that an improved system should be used to identify parole violations. The department did not always do drug testing on offenders. They need better IT systems. The OMS system could use better and more clear documentation.

(1:54) Brad Livingston, Executive Director, Texas Department of Criminal Justice. The dept. budget requests are \$38 million for electricity funding, \$100 million for repair and rehabilitation of facilities. \$28.6 million for biennium SAF/ISF (Treatment) Diversion Programs, and \$7 million in data center consolidation. The list of new items of budget requests include correctional and probation officer pay raises and retention bonuses, correctional security equipment, IPTC program, reentry transitional coordinators, dorm construction for correctional employee housing, Marlin Hospital renovation, community supervision, outpatient substance abuse treatment, mental health issues, Office of Inspector General and fleet vehicle replacement.

(2:30) Rissie Owens, Chair- Board of Pardons and Paroles. There is \$10. 27 million in their budget exceptional items. They require new computers and IT, furniture and 7 vehicles.

(2:29) Allen Hightower, Executive Director, Correctional Managed Health Care Committee and Dr. James Griffen. In overview, they are in charge of all the care and medical service to all inmates. Major challenges include shortages of qualified health care providers. It was brought up that legislators could have a program to give tuition to medical staff in exchange for years of service as the military does. Rep. Debbie Riddle really liked that idea. Challenges are to also recruit and retain physicians, they are seeing a large population of people over 55 years old and they use over 30% of the appropriation, and pharmaceutical pricing. They spend

\$1.3 million a month on mental health patients and \$1.4 million a month on HIV patients in pharmaceuticals. It may be possible that a few very terminally and immobile patients could be released to their family to save costs on the criminal health care system.

#### Special Provisions - Article V

(3:24) Val Shepperd, LBB, Manager of the Public Safety and Criminal Justice Team. Special provisions highlighted include federally funded FTE's.

#### Public Testimony

(3:25) Matt Shelton, Harris County Juvenile Probation Dept. He is in support of the \$6.6 million dollar appropriation for mental health. Many youth are coming into the system with mental health problems that have never been treated. Community mental health is needed to avoid criminal justice mental health treatment.

(3:31) Monica Tyson, on behalf of Advocacy, Inc. She is in support of the JPC and TYC LARS.

(3:34) Jodie Smith, on behalf of Texas Care for Children. The legislative priorities include diversion programs and the TYC pilot project. They support the 3 facilities being built instead of 1 large one, and adequate funding of mental health and substance abuse treatment.

(3:40) Clifford Gay, Recovery Specialist on behalf of himself. He recommends that the TYC pay 1% penalty per month until they have a successful reentry program for youth.

(3:46) A representative of Burks Community Mental Health Center. They are in support of LAR item #8 regarding mental health treatment of youth.

(3:49) Anna Corea, Executive Director of Texas Criminal Justice Collation. She supports items 3,7,8,11,12,13. She would also like funding for Specialty Courts and more money for community based substance abuse treatment.

(3:53) Rodney Thompson, Angelena County Probation Department. We have done good work in probation in the last legislature. Probation revocation is down. Probation officer retention needs funded.

(3:58) A representative of the Texas Criminal Justice Coalition. In support of items 1,2,5,6,13 in TYC and 1,3,6, in TJPC.

(4:03) George Hernandez, Director CSCD Caldwell and Hays County and represents the Texas Probation Assn. Retention and recruitment of probation officers is needed.

(4:05) John Cruzo, Judge Dallas County. He supports pay and retention of probation officers across the state.

(4:10) Joella Brooks, Deputy Executive Director of Southwest Key Programs. She is in support of pilot programs to keep young people out of the system and Southwest Key would like to serve in the Texas pilot program.

(4:14) Andy Homer, Director Government Relations. He is in support of TDCJ exceptional item #1 regarding pay raises for correctional and parole officers.

(4:18) The hearing was adjourned by Chair Debbie Riddle.