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4/29/2009

The Honorable Juan Hinojosa
Texas Senate, 3E.12
P.O. Box 12068 - Capitol Station
Austin, Texas 78711

RE: Community Supervision Funding

Dear Senator Hinojosa,

Below is a revised and expanded version of the letter delivered to your office on April 28, 2009. The Judicial Advisory Council (JAC) to the Texas Department of Criminal Justice (TDCJ) requests your consideration of the following funding impacting community supervision in Texas.

Community Supervision Funding

Funded in the House and Senate

- \$11.5 million increase in Basic Supervision funding for increased population projections

Funded in the Senate

- \$25 million increase for Community Supervision Officer and Direct Care Staff salary increases (Rider 81, Article V, SB 1)

Funded in the House

- \$10 million increase for Outpatient Substance Abuse Treatment

Funding Used by Community Supervision and Corrections Departments (CSCDs)

- Additional funding to fully operationalize all the Intermediate Sanction Facility (ISF) and Substance Abuse Felony Punishment (SAFP) beds funded in the 80th Legislative Session
- \$12 million for TCOOMMI for mental health services currently in Article XI

Riders Impacting Community Supervision

1. House Rider 78 and Senate Rider 79: Medically Targeted Substance Abuse Treatment.

In a letter delivered to your office on April 28, 2009, the JAC requested your consideration in funding House Rider 79 for Targeted Substance Abuse Treatment Aftercare. This is actually Rider 78 in the House version and Rider 79, Medically Targeted Substance Abuse Treatment, in the Senate version. We recommend that the following revised wording be used for Rider 78 (H) / Rider 79 (S):

78 (House) and 79 (Senate). Medically Targeted Substance Abuse Treatment Aftercare. From funds appropriated above in Strategy A.1.2, Diversion Programs, \$1,000,000 in fiscal year 2010 and \$1,000,000 in fiscal year 2011 may be used to provide ~~physician supervised acute medical treatment for methamphetamine and/or cocaine addicted offenders within the context of an integrated approach that combines medical and psychosocial treatment approaches. The treatment should not be chronic in nature and should not utilize substitute medications that are known to be addictive.~~ **substance abuse aftercare and Treatment should be administered in an outpatient setting in conjunction with ongoing monitoring psychosocial care and medical oversight provided by the contracting entity for defendants completing contract residential or community corrections facilities' placements for substance abuse. The agency shall submit a report to the Legislative Budget Board and the Governor's Office summarizing the effectiveness of the aftercare treatment program by December 1, 20082010.**

It is the intent of the Legislature that the Department of Criminal Justice shall give preference to those counties with the greatest need in order to maximize the positive effect of reducing recidivism and providing alternatives to incarceration within the criminal justice system.



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2. Rider 81, Article V, SB 1: Community Supervision Officers and Direct Care Staff Salary Increases.

This Rider appropriates \$25 million over FY2010-2011 for salary increases for community supervision officers and direct care staff, but the funds would not be applicable to staff hired after September 1, 2009. Our goal this session has been to increase funding to recruit *and* retain quality staff, and Rider 81 would severely limit our ability to recruit staff in the new fiscal year. The revised wording for Rider 81 below is supported by the Judicial Advisory Council, the Texas Probation Association, and community supervision professionals across the state:


Community Supervision Officers and Direct Care Staff Salary Increases. From funds appropriated above in Strategy A.1.2, Diversion Programs. A.1.1 Basic Supervision the Department of Criminal Justice (TDCJ) shall provide \$12,500,000 in fiscal year 2010 and \$12,500,000 in fiscal year 2011 in General Revenue Funds to local community supervision and corrections departments for salary increase for existing Community Supervision Officers and Direct Care Staff. ~~These funds may not be used by local community supervision and corrections department to pay the salaries or costs associated with the employment of staff hired after September 1, 2009.~~ These funds shall not be used to supplant existing expenditures associated with programs and services within local community supervision and corrections departments.

3. Rider 81, Article V, CSSB 1: Jail Diversion: Pre-Adjudication Diversion Projects.

We *oppose* Rider 81 from CSSB 1, and we recommend its *removal* from the Appropriations Bill. This Rider proposes to remove approximately \$2,244,378 from the community supervision diversion funding line for each year of the FY2010-2011 biennium and require the money for pre-adjudication jail diversion programs for non-violent offenders with severe mental illness. In recent years, the Legislature has funded the community supervision diversion funding line for targeted diversion programs to reduce prison overcrowding. Withholding this funding from the community supervision diversion funding line will necessitate either laying off 44 community supervision officers who work on specialized caseloads, or closing approximately 200 community corrections facility beds.

The Judicial Advisory Council unanimously requests your consideration of the above funding affecting community supervision. We share your desire to enhance public safety and keep our communities safe by strengthening community supervision in Texas.

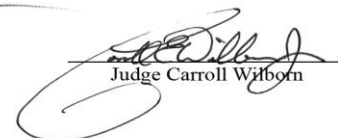
Sincerely,



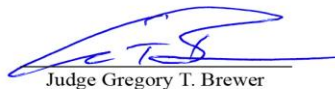
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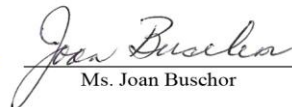
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