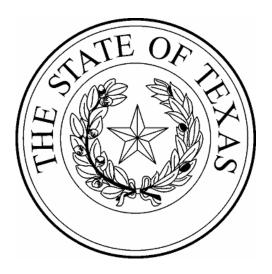
# TEXAS COMMUNITY SUPERVISION REVOCATION PROJECT: A Profile of Revoked Felons During September 2005



# LEGISLATIVE BUDGET BOARD SEPTEMBER 2006

# **Legislative Budget Board**

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# TEXAS COMMUNITY SUPERVISION REVOCATION PROJECT: A Profile of Revoked Felons During September 2005

# September 2006

During the Seventy-ninth Legislature, 2005, \$55.5 million in additional probation funds were appropriated for the 2006–07 biennium in the Texas Department of Criminal Justice Strategy **A.1.2**, Diversion Programs, for residential and treatment sanction beds and caseload reductions.

To evaluate the impact of the additional community supervision funding, it was important to establish a baseline profile of revocations prior to the implementation of new and expanded programs and initiatives through these funds. The baseline serves as a comparison for revocation profiles in the future, after the programs have been fully implemented. This report presents findings from the first phase, the status of community supervision revocations prior to the implementation of programs through the additional funds.

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### INTRODUCTION

During the Seventy-ninth Legislature, 2005, \$55.5 million in additional probation funds were appropriated for the 2006–07 biennium in the Texas Department of Criminal Justice Strategy A.1.2, Diversion Programs, for residential and treatment sanction beds and caseload reductions.

To evaluate the impact of the additional community supervision funding, it was important to establish a baseline profile of revocations prior to the implementation of new and expanded programs and initiatives through these funds. The baseline serves as a comparison for revocation profiles in the future, after the programs have been fully implemented. The Legislative Budget Board, in coordination with the Community Justice Assistance Division of the Texas Department of Criminal Justice, conducted an interim research project to capture individual information on offenders revoked from community supervision in September 2005. A revocation of community supervision withdraws the terms of community supervision and imposes the original sentence of incarceration.

This report presents findings from the first phase, the status of community supervision revocations prior to the implementation of programs through the additional funds.

## REPORT HIGHLIGHTS

- Five Community Supervision and Corrections Departments (CSCD) were selected as data collection sites: Bexar, Dallas, Harris, Tarrant, and Travis Counties. In 2005, these CSCDs account for 44 percent of all statewide felony community supervision revocations.
- Data were collected for all verified felony community supervision revocations that occurred between September 1, 2005 and September 30, 2005 in the selected CSCDs. These 867 offenders account for 1,021 felony offenses.
- Approximately 47 percent of the revoked probationers are 25 years of age or younger at intake, and the majority (77 percent) are male. Race/ethnicity is divided as follows: black (38 percent), white (33 percent), and hispanic (29 percent).
- Approximately 90 percent are identified as U.S. citizens.
- Approximately 78 percent have some level of high school education (i.e., 9<sup>th</sup> grade to high school diploma or GED).
- Over half (55 percent) were unemployed when placed on community supervision.
- The majority (77 percent) were placed on regular supervision caseloads rather than a specialized caseload (e.g., family violence, gang, mentally impaired, sex offender, etc.).

### INTRODUCTION

- The most prevalent moderate-to-high level needs reported on the standardized needs assessment at intake were: financial management (85 percent with need), associations with negative companions (75 percent), drug use (67 percent), marital/family relationships (60 percent), and employment (60 percent). These need types remained the most prevalent at revocation.
- Approximately 73 percent had a felony or misdemeanor charge prior to the offense for which they were placed on community supervision.
- Slightly more than half of current offenses were state jail felonies (52 percent).
- Approximately 40 percent of current offenses were drug-related (i.e., possession, delivery, and manufacturing), 30 percent were property offenses, 14 percent were violent offenses, and 16 percent were other offenses (e.g., repeat DWI, evading arrest, violation of a protective order, etc.).
- Approximately 46 percent of Motions to Revoke community supervision alleged a new offense (technical violations also included in some cases), 53 percent alleged only technical violations of community supervision (e.g., failure to report, failure to pay, failure to participate in court ordered treatment, etc.) and less than 1 percent had allegations that were unknown. Approximately 78 percent of Motions to Revoke community supervision based on technical violations alleged two or more technical violations.
- The average time between community supervision placement and revocation was 26.5 months.
- Among cases revoked for technical violations only, 79 percent included an allegation of failure to report, 73 percent included a general violation of the conditions of community supervision (e.g., failure to complete community service restitution hours, contact with victim, child safety zone violations, living with children, offender failed to notify officer of address change), 69 percent included failure to pay, and 52 percent included a positive urinalysis/self-reported drug use.
- Approximately 49 percent of those revoked were sentenced to state prison and had an average sentence length of 51 months, 47 percent were sentenced to state jail and had an average sentence length of 10.5 months, and 4 percent were sentenced to county jail and had an average sentence length of 7.9 months.
- Revoked offenders were assessed approximately \$2.6 million in fees and fines (Dallas County CSCD excluded), including approximately \$300,000 in restitution.

PROJECT DESCRIPTION AND METHODOLOGY

# PROJECT DESCRIPTION AND METHODOLOGY

The Legislative Budget Board (LBB), in coordination with the Texas Department of Criminal Justice – Community Justice Assistance Division (TDCJ), selected a sample of Community Supervision and Corrections Departments (CSCD) from which to capture individual information on offenders revoked from community supervision. Five CSCDs were selected as data collection sites: Harris, Dallas, Tarrant, Travis, and Bexar Counties. In 2005, these five CSCDs accounted for a considerable portion of felony offenders under community supervision (41 percent of the state total) and a significant number of felony revocations (44 percent of the state total) (see Table 1 below).

Table 1: Average Direct Felons and Felony Revocations by Selected Community Supervision and Corrections Departments, Fiscal Years 2001–05

•		Selected	Communi	ty Supervis	sion and Co	orrections D	epartments	
		Bexar	Dallas	Harris	Tarrant	Travis	Selected CSCDs Percent of Statewide Total	Statewide
SI	2001	11,197	19,791	23,257	9,659	6,762	44.0%	160,457
elor irect sion	2002	10,546	19,091	22,837	9,369	6,600	43.0%	159,352
Average Felons Under Direct Supervision	2003	10,074	18,170	22,112	8,982	6,443	41.6%	158,075
vera Und Sup	2004	10,143	17,754	21,546	8,729	6,206	40.9%	157,222
A ·	2005	10,330	17,506	21,143	8,975	6,116	40.7%	157,346
	2001	664	2.550	2.670	1.605	5.45	45.40/	22.164
	2001	664	3,558	3,679	1,625	545	45.4%	22,164
ly ions	2002	618	3,419	4,248	1,664	755	46.8%	22,876
Felony Revocations	2003	872	3,340	4,339	1,924	786	45.3%	24,838
F	2004	987	3,495	4,185	1,786	1,067	43.9%	26,239
	2005	877	3,255	3,936	2,037	1,139	43.9%	25,625

In August 2005, the selected CSCDs were notified to retain the files of all felony community supervision revocations for September 2005. Travis County CSCD was selected to pilot test the data collection instrument. It also served as the training site for all LBB and TDCJ staff that assisted with data collection.

Between October and December 2005, teams of four to five LBB and TDCJ staff visited each site and collected information on every felony revocation that occurred during September 2005.

# PROJECT DESCRIPTION AND METHODOLOGY

The primary sources of information were paper offender case files, supplemented with computer records and court documents. When present, the Pre-Sentence Investigation (PSI) provided the most in-depth information regarding demographics, criminal history, and current offense drug types and amounts. The available Computerized Criminal History (CCH) also provided criminal history and current offense information; however, it varied in scope. Some CCHs provided a complete nationwide criminal history, while others were limited to offenses in Texas and others to offenses within the local department's jurisdiction. The Conditions of Community Supervision and Modification of Conditions to Community Supervision provided information regarding community supervision sentence length and term, court-ordered programming, and fee and fine assessment. Violation Reports, Motions to Revoke, and Revocation Orders provided detail on the probationers' participation in community supervision, law and technical violations, and subsequent incarceration destination and sentence length. TDCJ case classification provided Risk and Needs Assessments information on probationers' risk and needs levels at intake and revocation.

Information was gathered on all offenders who: 1) were on community supervision for a felony offense and 2) had a verified revocation between September 1, 2005 and September 30, 2005. A total of 867 offenders with 1,031 offenses were eligible for the revocation project (see Table 2 below).

Table 2: Number of Revoked Offenders and Offenses by Community Supervision and Corrections

Departments, September 2005

	Bexar	Dallas	Harris	Tarrant	Travis	TOTAL
Number of Offenders	117	263	272	130	85	867
Number of Offenses	130	360	279	158	104	1,031

### MOVEMENT OF AN OFFENDER THROUGH THE CRIMINAL JUSTICE SYSTEM

Figure 1 below illustrates the movement of probationers through the criminal justice system. Once arrested and charged with an offense, the case can be dismissed, result in incarceration, or the offender can be sentenced to community supervision, commonly referred to as probation. Local probation departments are called Community Supervision and Corrections Departments (CSCDs). The CSCDs vary in practices. Some departments choose to file violation reports which can lead to administrative hearings and can result in sanctions and modifications of community supervision or to a formal Motion to Revoke hearing. A Motion to Revoke (MTR) felony community supervision is filed with the courts and heard by a district court judge. The judge can choose to modify a probationer's terms of community supervision and continue their case or can choose to revoke community supervision. Modifications to the terms and conditions of community supervision can include requiring the probationer to complete treatment, pay additional fees, or spend a short period of time incarcerated in the local county jail. Multiple MTRs may be filed before a probationer successfully completes community supervision or is revoked.

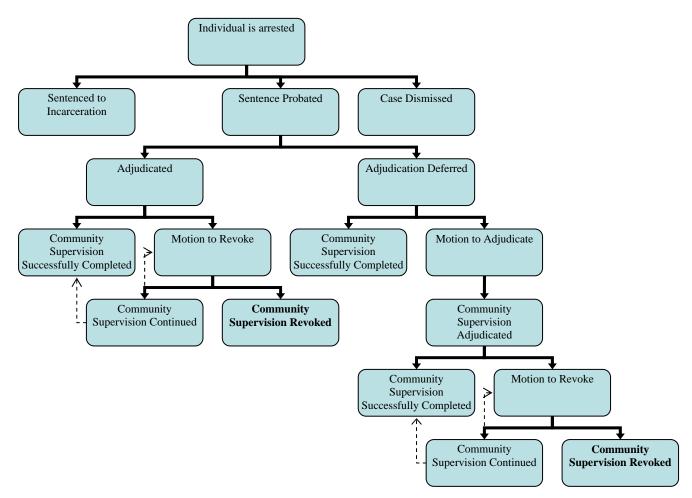


Figure 1: Movement of an Offender through the Criminal Justice System

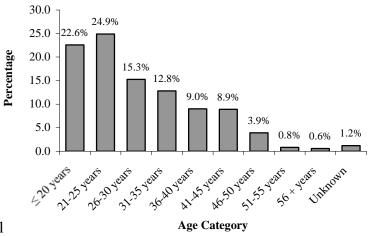
LBB and TDCJ staff collected information on all felony community supervision revocations that occurred in September 2005 in five of the largest CSCDs in Texas (Bexar, Dallas, Harris, Tarrant, and Travis Counties). During that month, there were 867 felons revoked in the selected departments. Numerous data were collected on each revoked probationer (e.g., demographics, criminal history, current offense, conditions of supervision, fees and fines, court proceedings, etc.). In some cases, offenders were placed on community supervision for multiple offenses, including misdemeanor offenses. The 867 offenders account for 1,031 offenses (1,021 felonies and 10 misdemeanors). Appendix A and B provide a detailed breakdown of demographics for each CSCD.

Demographic information of all the revoked probationers follows.

#### AGE AT INTAKE

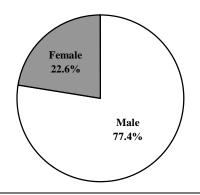
Age at intake is calculated as a probationer's age as of the community supervision start date.

- The average age at intake is 28.6 years.
- Ages range from 15 to 62 years old.
- Comparison with TDCJ 2004 offender profile data of the active felony community supervision population in the selected CSCDs indicate a much smaller population 25 years and younger (26 percent). For additional detail on TDCJ offender profile data, see the glossary.



#### SEX

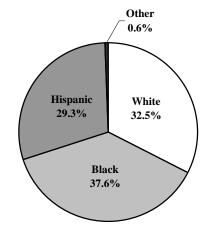
- Males account for over three-fourths of revoked probationers.
- Comparison with TDCJ 2004 offender profile data indicate a slightly larger female active felony community supervision population (26 percent) in the selected CSCDs.



### RACE/ETHNICITY

Race/ethnicity is categorized as white, black, hispanic, or other. Other includes Asian, Pacific Islander, American Indian, and Alaskan Native. Race/ethnicity was determined first by ethnicity status (i.e., hispanic or non-hispanic). Then, non-hispanics were coded white, black, or other.

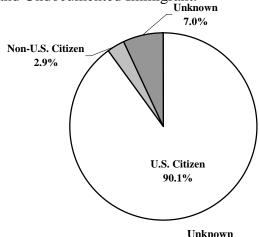
- Approximately 33 percent are classified as white, 38 percent black, and 29 percent hispanic.
- Less than one percent are identified as other.
- Comparison with TDCJ 2004 offender profile data for the active felony community supervision population in the selected CSCDs indicate a larger white segment (42 percent) and smaller black and hispanic segments (31 percent and 26 percent respectively).



### **CITIZENSHIP**

Citizenship is categorized as U.S. Citizen or Non-U.S. Citizen. Non-U.S. Citizen includes Permanent Resident, Temporary Resident/Visa Holder, and Undocumented Immigrant.

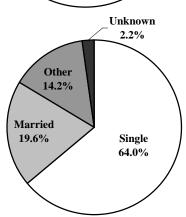
- Approximately 90 percent are identified as U.S. citizens.
- Bexar County CSCD has a slightly greater percent of Non-U.S. citizens (3.4 percent).



#### MARITAL STATUS

Marital status is categorized as single/never married, married/common law, other, or unknown. Other includes separated, divorced, and widowed.

- The majority (64 percent) are single.
- Living arrangement was collected but is not reported here due to the size of unknown data (32 percent).

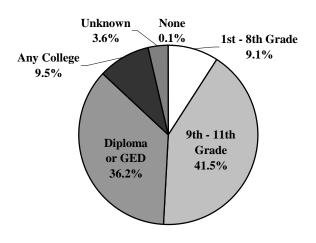


### **EDUCATION LEVEL**

Education level is identified by the highest grade level completed. It is categorized as none, 1<sup>st</sup> through 8<sup>th</sup> grade, 9<sup>th</sup> through 11<sup>th</sup> grade, high school diploma or GED, any college, or unknown. Due to the large amount of missing education data at revocation, specific statistical comparisons between education level at intake and at revocation cannot be calculated.

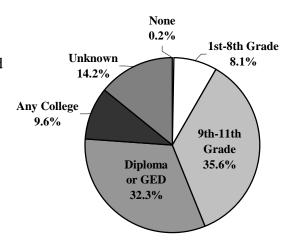
### AT INTAKE

 Approximately 78 percent of revoked probationers have some high school level education (42 percent at 9<sup>th</sup>-11<sup>th</sup> grade and 36 percent at high school diploma or GED).



### AT REVOCATION

 Educational level at time of revocation could not be determined from available data for nearly 14 percent of probationers. It could not be assumed from their level at intake since it could remain the same or increase.

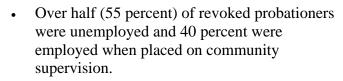


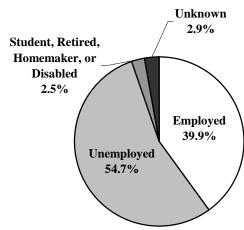
Comparison with TDCJ 2004 offender profile data of the felony community supervision population of the selected CSCDs indicate 8 percent at the 1<sup>st</sup>-8<sup>th</sup> grade level, 40 percent at the 9<sup>th</sup>-11<sup>th</sup> grade level, 38 percent with a high school diploma or GED, and 14 percent with some college or greater.

### **EMPLOYMENT STATUS**

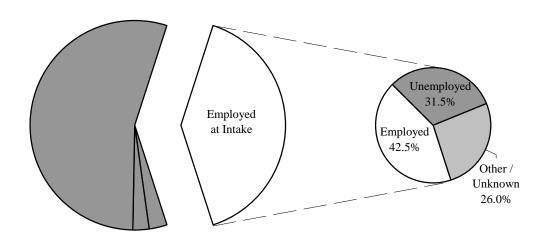
Employment is categorized employed (full-time unemployed, as or part-time), student/retired/homemaker/disabled, or unknown. Student status takes precedence over other work status. Pearson's chi-square test of independence and standard measures of association (i.e., lambda and Goodman and Kruskal's Tau) indicate employment status at intake and employment status at revocation have a very limited association. This suggests that the revoked probationers who are employed at intake are slightly more likely to be employed than unemployed at revocation. If unemployed at intake, they are slightly more likely to be unemployed than employed at revocation. (For more information on chi-square test of independence, lambda, and Goodman and Kruskal's Tau, see the glossary.)

#### AT INTAKE



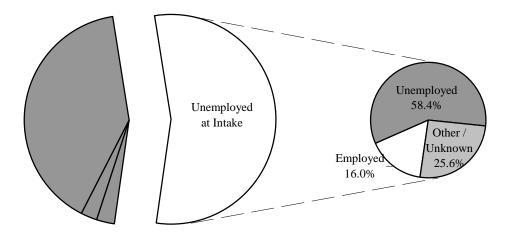


# AT REVOCATION



• Of those employed at intake, 43 percent remained employed and 32 percent were unemployed at time of revocation.

## AT REVOCATION



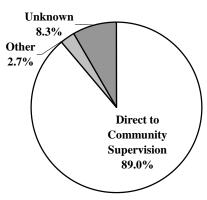
• Of those unemployed at intake, 58 percent remained unemployed and 16 percent were employed at time of revocation.

Comparison with TDCJ 2004 offender profile data of the active felony community supervision population in the selected CSCDs indicate 71 percent are employed full- or part-time, 29 percent are unemployed, and less than 1 percent have seasonal employment.

# COMMUNITY SUPERVISION INTAKE TYPE

Community supervision intake type is the manner in which an offender enters community supervision and is categorized as direct to community supervision, other, or unknown. Other includes return from state boot camp, return from shock incarceration, return from Substance Abuse Felony Punishment Facility (SAFPF), transfer from juvenile probation, and interstate compact.

• The majority of probationers (89 percent) were placed on community supervision by a direct court sentence.

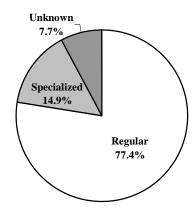


### CASELOAD TYPE

Caseload type is categorized as regular or specialized. Specialized caseloads address specific needs of probationers. These caseloads include but are not limited to: culturally specific, employment, family violence, financial problem, gang, high risk, mentally impaired, mentally retarded, non-English speaking, substance abuse, sex offender, and youthful offender. Pearson's chi-square test of independence and standard measures of association (i.e., lambda and Goodman and Kruskal's Tau) indicate caseload type at intake and caseload type at revocation have a minimal association. This suggests that the revoked probationers on a regular caseload at intake are somewhat more likely to be on a regular caseload than a specialized caseload at revocation. If on a specialized caseload at intake, they are somewhat more likely to be on a specialized caseload than a regular caseload at revocation.

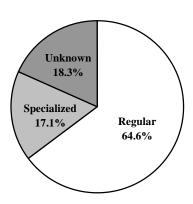
## AT INTAKE

- Approximately 77 percent were placed on a regular supervision caseload at intake.
- Travis CSCD and Bexar CSCD placed a greater percent on specialized caseloads (33 percent and 21 percent respectively) than other selected CSCDs.



# AT REVOCATION

- Approximately 65 percent were on a regular caseload at the time of revocation.
- Tarrant CSCD, Travis CSCD, and Harris CSCD had a greater percent on specialized caseloads (26 percent, 22 percent, and 21 percent respectively) at the time of revocation than other selected CSCDs.



### SUPERVISION LEVEL

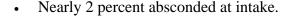
The supervision level refers to the amount of supervision by, or number of times an offender is to report to, a community supervision officer. Exact reporting times for each supervision level vary among CSCDs and by officer judgment (unless specifically ordered by a judge). Offenders also can be supervised indirectly, by the maintenance of an offender's file, for the following reasons: the offender lives and works outside the CSCD's jurisdiction and receives supervision in another jurisdiction, the offender lives and works outside the CSCD's jurisdiction but is ineligible for supervision in another jurisdiction, the offender fails to contact the community supervision officer in person within three months (absconds), or the offender is ineligible for direct supervision. If an offender fails to report to community supervision and cannot be located, they may be classified as an absconder under indirect supervision.

Supervision level is closely associated with a standardized risk assessment score. In general, offenders with minimum risk scores (0–7) are placed on minimum supervision levels. Offenders with medium risk scores (8–14) are placed on medium supervision levels. High risk scores (15 or greater) are maximum risk. Offenders scoring in this range are placed on maximum or intensive supervision levels. Appendix C provides greater detail of risk score by CSCD.

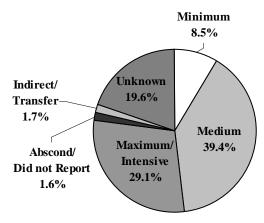
Due to the large amount of missing supervision level data, statistical comparisons between supervision level at intake and at revocation would be weak and potentially invalid.

## AT INTAKE

In general, supervision levels corresponded to risk scores. Approximately 55 percent on minimum supervision had a minimum risk score; 66 percent on medium supervision had a medium risk score; and 90 percent and 83 percent on maximum and intensive supervision, respectively, had a maximum risk score.

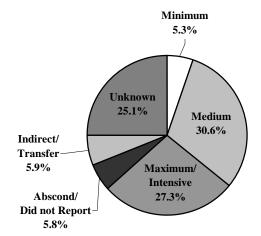


• Approximately 20 percent of probationers' supervision level at intake could not be determined in the researched offender information.



## AT REVOCATION

- In general, supervision levels at revocation corresponded to risk levels at revocation.
   Approximately 85 percent on minimum supervision had a minimum risk score; 75 percent on medium supervision had a medium risk score; and 87 percent on maximum supervision had a maximum risk score.
- Nearly 6 percent have absconded by the time of their revocation.
- Approximately 25 percent of probationers' supervision level at revocation could not be determined in the researched offender information.

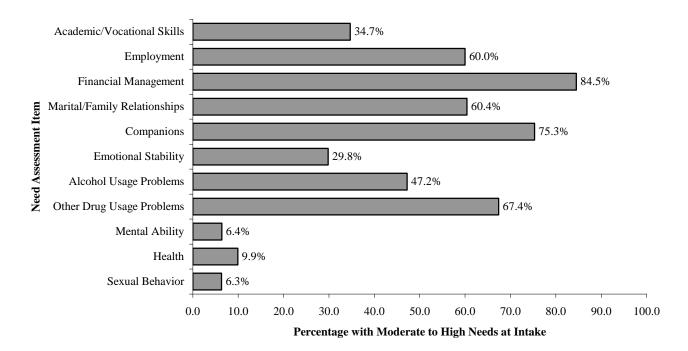


#### NEEDS ASSESSMENT

Probationers' needs levels are assessed at intake and every year thereafter while on community supervision. The most recent needs assessment, taken within one year of the date of revocation, is considered the need level at revocation. Figure 2 demonstrates the percentage of revoked probationers with moderate to high needs at intake, and Figure 3 demonstrates the same at revocation. Appendix D provides a complete table of needs levels at intake and revocation by CSCD.

### AT INTAKE

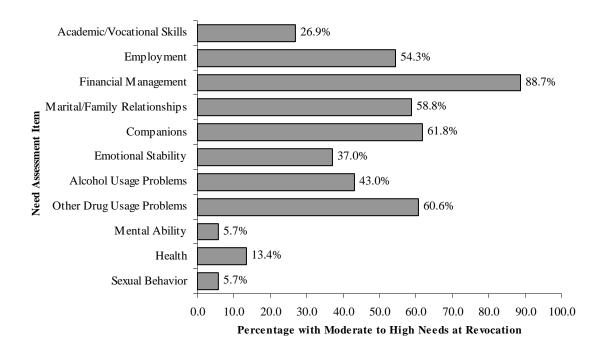




- Nearly 30 percent of revoked probationers did not have a needs assessment in accordance with *TDCJ Standards for CSCDs* within two months of intake available in their files (see glossary for more information on *TDCJ Standards for CSCDs*). Therefore, the sample size is 608.
- The most prevalent moderate-to-high level need is financial management (85 percent), followed by negative companions (75 percent) and drug usage problems (67 percent).

## AT REVOCATION

Figure 3: Percentage of Revoked Probationers with Moderate to High Needs at Revocation



- Approximately 61 percent of revoked probationers did not have a needs assessment in accordance with *TDCJ Standards for CSCDs* within one year of their revocation available in their files. Therefore, the sample size is 335.
- Over half of probationers indicate a moderate to high level need related to financial management (89 percent), negative companions (62 percent), drug usage (61 percent), marital/family relationships (59 percent), and employment (54 percent).

### **CRIMINAL HISTORY**

Criminal history events occur prior to the current offense for which the offender is placed on community supervision. These events include prior arrests, prior felony charges, prior felony convictions, prior misdemeanor charges, and prior misdemeanor convictions. Information on the number of these events and type of charge (i.e., offense against a person, drug-related, and alcohol-related) was collected. Figure 4 demonstrates the percentage of revoked probationers who had a criminal history event. Appendix E provides criminal history by CSCD.

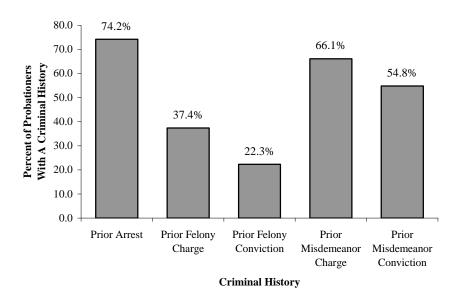


Figure 4: Percentage of Revoked Probationers that Ever Had a Criminal History Event

- Nearly three-fourths of revoked probationers had an arrest prior to the offense for which the offender was placed on community supervision.
- Approximately 73 percent had at least one prior charge (felony or misdemeanor).
- Of probationers who had any prior felony or misdemeanor charge, 29 percent were charged with an offense against a person, 44 percent with a drug-related offense, and 24 percent with an alcohol-related offense.

### COMMUNITY SUPERVISION TYPE AND OFFENSE DEGREE

At disposition, a judge can choose to place an offender on community supervision. There are two forms of community supervision: deferred adjudication and adjudicated. Deferred adjudication occurs when a judgment of guilt has not been entered. Upon successful completion of deferred adjudication the offender can have the record of conviction expunged from their criminal history; however, the records of the arrest, prosecution and community supervision are not expunged. If an offender is found guilty, the offender will be placed on adjudicated community supervision. The offenders reviewed were placed on community supervision for felony level offenses. In Texas, criminal offenses are classified as either felonies or misdemeanors. Felonies, the more serious criminal offenses, are classified into five categories (capital, 1st degree, 2<sup>nd</sup> degree, 3<sup>rd</sup> Degree, and State Jail). Examples of felony offenses are murder, rape, burglary, and possession of controlled substances. Figure 5 demonstrates the percentage of cases by community supervision type and offense degree. Appendix F provides current offense information by CSCD.

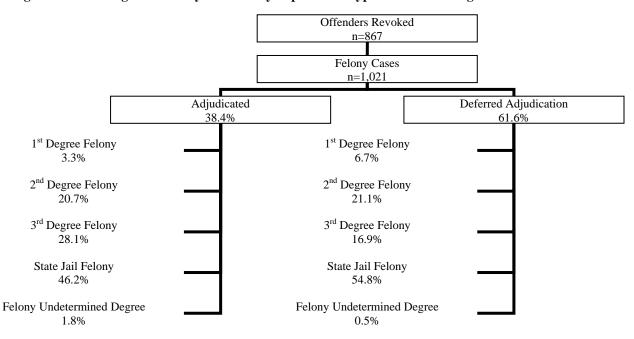


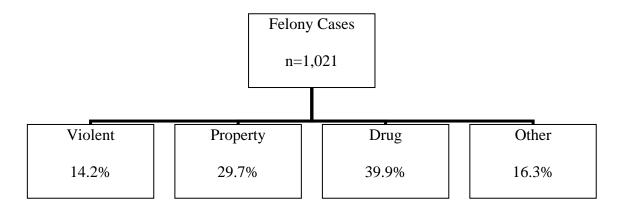
Figure 5: Percentage of Cases by Community Supervision Type and Offense Degree

- Slightly more than half (52 percent) of all the cases revoked were State Jail felonies.
- More than half (62 percent) of all cases revoked were initially placed on deferred adjudication.
- The average probation length of all the cases revoked was 5 years.
- Incarceration lengths for felony offenses range from 5–99 years for a 1<sup>st</sup> degree felony, 2–20 years for a 2<sup>nd</sup> degree felony, 2–10 years for a 3<sup>rd</sup> degree felony, and 180 days 2 years for a State Jail felony. A capital felony is eligible for death or life imprisonment.

## OFFENSE TYPES

Offenses were divided into four mutually exclusive types (violent, property, drug, or other). Violent offenses include homicide, kidnapping, sexual assault, robbery, and assault. Property offenses include: arson, burglary, larceny-theft, stolen vehicle, stolen/damaged property, forgery, and fraud. Drug offenses include: possession, delivery, and manufacturing of illegal substances. All remaining offenses were placed in the other category. Figure 6 demonstrates the percentage of cases by offense type.

Figure 6: Percentage of Cases by Offense Type



- The largest segment of offense types was drug-related offense (40 percent).
- The majority of drug-related offenses involved crack/cocaine (65 percent), followed by methamphetamine (16 percent).
- A majority of cases (92 percent) did not include weapon involvement.

WHY ARE THEY BEING REVOKED?

### COMMUNITY SUPERVISION REVOCATIONS

CSCDs have a variety of policies in place for dealing with offenders who do not comply with their terms of supervision. This study focused on formal actions, Motions to Revoke community supervision, requiring review and action by a district court judge. Upon reviewing a Motion to Revoke community supervision, the judge 1) can choose to continue the supervision unchanged, 2) can modify the conditions and require additional treatment and/or jail time, or 3) can decide to revoke community supervision and reinstate the sentence requiring a term of confinement.

This study divided Motions to Revoke into two categories: those which included a new offense arrest or conviction (may also include technical violations) and those exclusively technical in nature. Technical violations of community supervision can include failure to report, failure to pay, positive urinalysis, absconding, treatment non-participation, failure to complete community service restitution hours, and in some cases repeated contact with the victim. Figure 7 reflects items alleged in the Motion to Revoke which led to the community supervision revocation. Certain CSCDs were unable to provide the official order in which an offender's community supervision was ultimately revoked. Appendix G provides Motion to Revoke detail by CSCD.

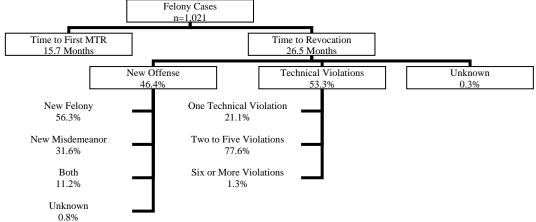


Figure 7: Percentage of Motions to Revoke/Revocations by Violation Type

- Of those whose final Motion to Revoke included a new felony offense, 41 percent were arrested for a drug-related offense, 23 percent for a property offense, 15 percent for a violent offense, and 20 percent for other offenses.
- Of those whose final Motion to Revoke consisted of exclusively one technical violation, their allegations were as follows: 26 percent failing to report/absconding, 22 percent general violations of conditions of community supervision (e.g., contact with victim, failure to complete community service restitution hours, and other technical violations), 20 percent failure to participate in court-ordered programs, 17 percent self-reported drug use or a positive UA, and 15 percent failure to pay.
- Of those with more than one violation, 91 percent had allegations of failing to report/absconding, 81 percent had allegations of failure to pay, 57 percent had allegations of failure to participate in court ordered treatment, and 44 percent had allegations of failure to complete community service restitution hours.

### MOTIONS TO REVOKE PRIOR TO REVOCATION

CSCDs vary in their policies and practices with regard to the discretion used in deciding whether to file a Motion to Revoke community supervision. In general, a community supervision officer will file a violation report which can lead to an administrative hearing. Pending the outcome of the administrative hearing, the CSCD may contact the district attorney, who will then consult with the judge and decide if a formal Motion to Revoke should be filed. Offenders can receive multiple Motions to Revoke community supervision prior to community supervision revocation hearing and/or successful completion. Figure 8 demonstrates the percentages of numbers of Motions to Revoke prior to revocation. Since revocation orders for all cases were not available in certain CSCDs, data have been calculated based on the Motion to Revoke which led to the revocation of community supervision.

Felony Cases n=1,021New Offense Technical Violations Unknown 46.4% 53.3% 0.3% No Prior MTR No Prior MTR 77.2% 73.9% One Prior MTR One Prior MTR 16.7% 16.4% Two or More Prior MTRs Two or More Prior MTRs 6.1% 9.7%

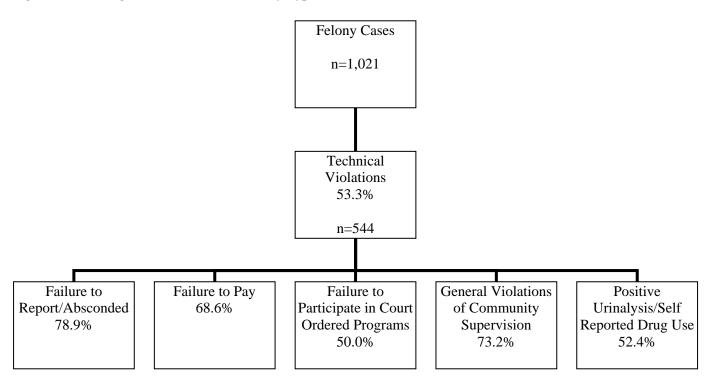
Figure 8: Percentage of Numbers of Motions to Revoke Prior to Revocation

- Approximately 45 percent of technical revocations included a positive urinalysis.
- Approximately 42 percent of those whose Motion to Revoke included a new offense but had no prior Motions to Revoke were arrested and charged with a drug-related offense and 23 percent with a property offense.
- Of those cases whose final Motion to Revoke was exclusively due to technical violations and had no prior Motions to Revoke, 81 percent included an allegation of failing to report/absconding, 68 percent included an allegation of failing to pay, and 50 percent included an allegation of failure to participate in court ordered treatment.

### TECHNICAL VIOLATIONS

Motions to Revoke community supervision can include allegations of a new arrest/conviction or technical violations of the terms and conditions of supervision. Technical violations of community supervision can include failure to report, failure to pay, positive urinalysis, failure to complete community service restitution, contact with the victim, and failure to participate in court ordered treatment. In this report, technical violations were divided into five categories: failure to report/absconded, failure to pay, failure to participate in court ordered programs (e.g., offender did not participate in treatment, offender did not attend counseling), general violations of community supervision (e.g., failure to complete community service restitution hours, contact with victim, child safety zone violations, living with children, offender failed to notify officer of address change), and positive urinalysis/self reported drug use. Figure 9 demonstrates the percentages of technical violations by type of violation.

Figure 9: Percentage of Technical Violations by Type of Violation

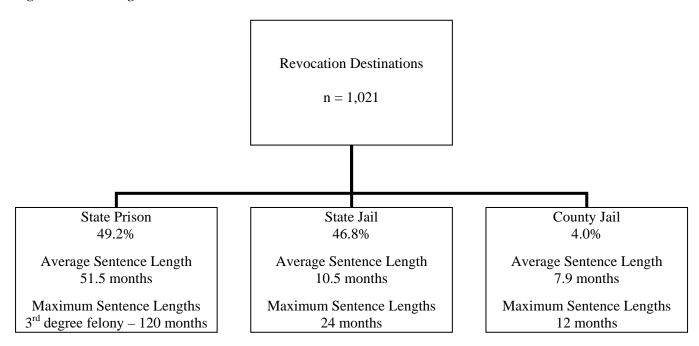


• Almost 79 percent of those cases revoked for a technical violation of community supervision had between two and five violations alleged in the Motion to Revoke leading to the revocation of community supervision.

### REVOCATION DESTINATION AND SENTENCE LENGTH

An individual placed on felony community supervision can be revoked to state prison, state jail, or county jail. Probationers convicted of a 1<sup>st</sup> degree felony, 2<sup>nd</sup> degree felony, or 3<sup>rd</sup> degree felony are sentenced to the state prison upon revocation of community supervision. An individual convicted of a 1<sup>st</sup> degree felony will receive a sentence of incarceration between 5 and 99 years, 2<sup>nd</sup> degree felony between 2 and 20 years, and a 3<sup>rd</sup> degree felony between 2 and 10 years (Texas Penal Code, Chapter 12). There is an exception for offenders on felony adjudicated community supervision. Their maximum sentence of incarceration is 10 years regardless of felony degree. Individuals convicted of a state jail felony will receive a term of confinement in a state jail facility between 180 days and two years (Texas Penal Code, Chapter 12). In some cases a judge may choose to reduce the punishment for an individual convicted of a state jail felony to that of a Class A Misdemeanor (Texas Penal Code, Chapter 12). Probationers whose punishment has been reduced under this section of the penal code will be sentenced to one year Figure 10 demonstrates the in county jail upon revocation of community supervision. percentages of revocation destination. Appendix H provides a breakdown of revocation destination and sentence length by CSCD.

**Figure 10: Percentage of Revocation Destination** 



- Offenders sentenced to incarceration in a state jail facility are not eligible for good time and must serve all of the time for which they are sentenced.
- Offenders released from state jail are discharged and do not receive supervision once their sentence is complete, unlike offenders released from the state prison who can be released to parole supervision.

HOW MUCH AR	E THEY BEING ASS	ESSED IN FEES A	ND FINES?

Offenders placed on community supervision are assessed a variety of fees that are required to be paid as conditions of community supervision. These fees are a source of funding for CSCDs, courts, victims, attorneys, and state government. These fees include community supervision fees, restitution, court costs, and any other fines assessed by the sentencing judge. Judges yield a range of discretion in their assessments, including the ability to waive fees. Due to the exclusion of Dallas County CSCD's fee data because of discrepancies between data sources and 19 missing cases, the sample size of revoked probationers is 585. The restitution data sample size is 227, including only revoked probationers who were assessed restitution and also excluding Dallas County CSCD. Appendix I provides fee data by CSCD.

## GRAND TOTAL

The grand total includes all community supervision fees, restitution, court costs, and any other fines assessed. These other fines can include punishment for crimes committed or payment for treatment and monitoring costs while on community supervision. Figure 11 demonstrates the total amount of all fees and fines assessed, paid, and owed.

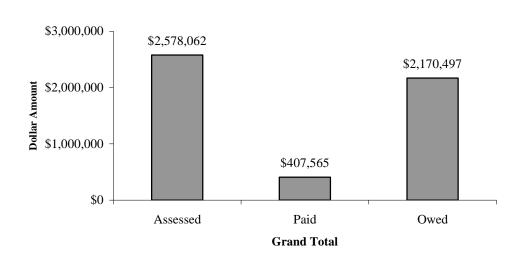
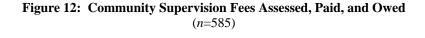


Figure 11: Grand Total Assessed, Paid, and Owed (n=585)

- Average amount assessed is approximately \$4,400 per revoked probationer.
- Average amount paid prior to revocation is approximately \$700 per revoked probationer.
- Average amount owed is approximately \$3,700 per revoked probationer.

## COMMUNITY SUPERVISION FEES

The Community Supervision fee is a general fee that offenders must pay in order to participate in community supervision. Community supervision fees must be no less than \$25 per month and no more than \$60 per month. Figure 12 demonstrates all community supervision fees assessed, paid, and owed.





- Average amount assessed is approximately \$2,700 per revoked probationer.
- Average amount paid prior to revocation is approximately \$400 per revoked probationer.
- Average amount owed is approximately \$2,300 per revoked probationer.

## RESTITUTION

Restitution fees require probationers to repay their victims while the probationer is on community supervision. Figure 13 demonstrates all restitution assessed, paid, and owed.

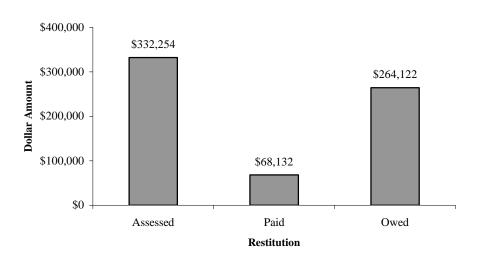
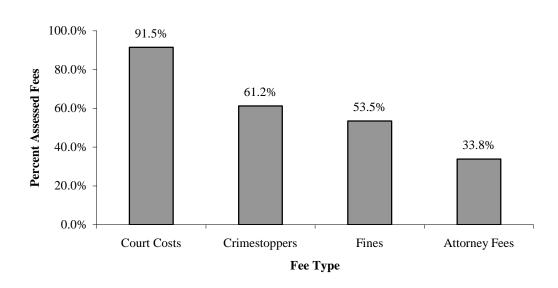


Figure 13: Restitution Assessed, Paid, and Owed (*n*=227)

- Average amount assessed is approximately \$1,500 per revoked probationer.
- Average amount paid prior to revocation is approximately \$300 per revoked probationer.
- Average amount owed is approximately \$1,200 per revoked probationer.
- Approximately 40% of revoked probationers were assessed restitution.

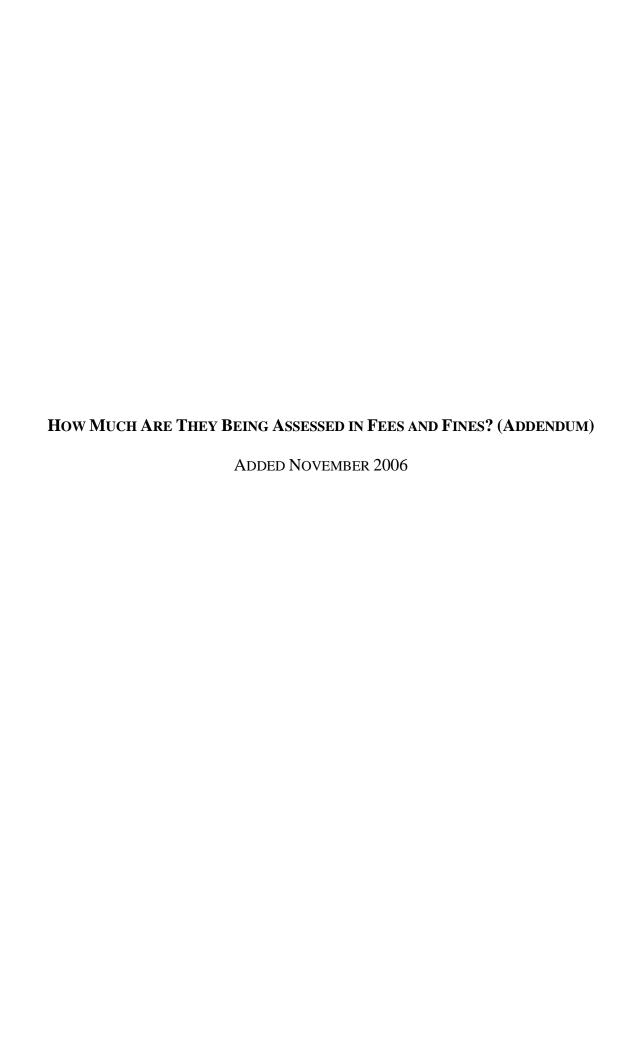
## **ADDITIONAL FEES**

Additional fees are commonly required to be paid by offenders placed on community supervision. Court costs are used to assist with the costs of operating the court system. Crimestopper fees financially assist various local Crimestopper organizations. Fines are issued by judges in accordance with crimes committed. Attorney fees are issued to reimburse counties for costs associated with court appointed legal defense. Figure 14 demonstrates the percent of revoked probationers assessed additional fees.



**Figure 14: Percent of Revoked Probationers Assessed Additional Fees** (*n*=585)

- Over 90 percent of revoked probationers were assessed court costs.
- Over 50 percent of revoked probationers were assessed Crimestopper fees and fines.



Offenders placed on community supervision are assessed a variety of fees that are required to be paid as conditions of community supervision. These fees are a source of funding for CSCDs, courts, victims, attorneys, and state government. These fees include community supervision fees, restitution, court costs, and any other fines assessed by the sentencing judge. Judges yield a range of discretion in their assessments, including the ability to waive fees. Due to 19 missing cases, the sample size of revoked probationers is 848. The restitution data sample size is 292, including only revoked probationers who were assessed restitution. This addendum includes Dallas County CSCD fee data that was provided subsequent to publication. Appendix I (Addendum) provides fee data by CSCD.

### **GRAND TOTAL**

The grand total includes all community supervision fees, restitution, court costs, and any other fines assessed. These other fines can include punishment for crimes committed or payment for treatment and monitoring costs while on community supervision. Figure 11 demonstrates the total amount of all fees and fines assessed, paid, and owed.

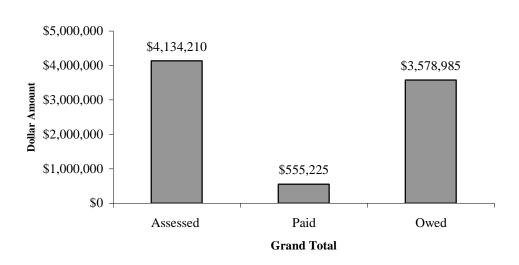


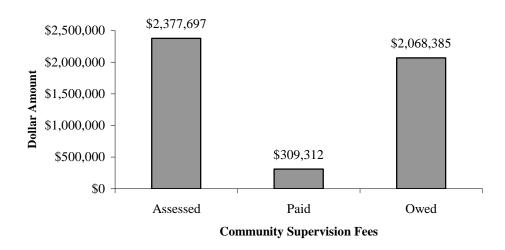
Figure 11: Grand Total Assessed, Paid, and Owed (n=848)

- Average amount assessed is approximately \$4,900 per revoked probationer.
- Average amount paid prior to revocation is approximately \$650 per revoked probationer.
- Average amount owed is approximately \$4,200 per revoked probationer.

#### COMMUNITY SUPERVISION FEES

The Community Supervision fee is a general fee that offenders must pay in order to participate in community supervision. Community supervision fees must be no less than \$25 per month and no more than \$60 per month. Figure 12 demonstrates all community supervision fees assessed, paid, and owed.

Figure 12: Community Supervision Fees Assessed, Paid, and Owed (n=848)

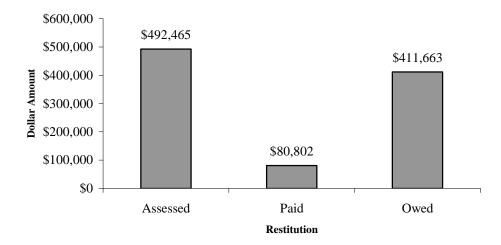


- Average amount assessed is approximately \$2,800 per revoked probationer.
- Average amount paid prior to revocation is approximately \$350 per revoked probationer.
- Average amount owed is approximately \$2,400 per revoked probationer.

#### RESTITUTION

Restitution fees require probationers to repay their victims while the probationer is on community supervision. Figure 13 demonstrates all restitution assessed, paid, and owed.

Figure 13: Restitution Assessed, Paid, and Owed (n=292)

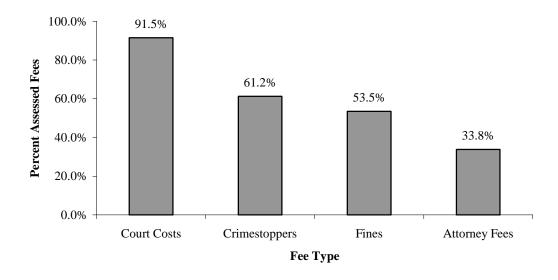


- Average amount assessed is approximately \$1,700 per revoked probationer.
- Average amount paid prior to revocation is approximately \$275 per revoked probationer.
- Average amount owed is approximately \$1,400 per revoked probationer.
- Approximately 35% of revoked probationers were assessed restitution.

#### ADDITIONAL FEES

Additional fees are commonly required to be paid by offenders placed on community supervision. Court costs are used to assist with the costs of operating the court system. Crimestopper fees financially assist various local Crimestopper organizations. Fines are issued by judges in accordance with crimes committed. Attorney fees are issued to reimburse counties for costs associated with court appointed legal defense. The sample size for additional fees remains 585 because Dallas County CSCD Additional Fee data was not available. Figure 14 demonstrates the percent of revoked probationers assessed additional fees.

Figure 14: Percent of Revoked Probationers Assessed Additional Fees (n=585)



- Over 90 percent of revoked probationers were assessed court costs.
- Over 50 percent of revoked probationers were assessed Crimestopper fees and fines.

**POLICY CONSIDERATIONS** 

#### **POLICY CONSIDERATIONS**

While the data and information generated for this research are useful for policy considerations, certain limitations do apply. Research such as this relies upon accurate and complete community supervision records to thoroughly understand a probationer's supervision. While recordkeeping varies among CSCDs, generally there was an ability to locate necessary information using paper files, computer records, or both; however, exceptions and obstacles to accurate data collection do exist.

The most useful source for gathering offender background information (e.g., demographics, criminal history, current offense description, etc.) is the Pre-Sentence Investigation (PSI); however, PSIs are not completed for every probationer and when they are filed, some have entire sections blank (e.g., education, mental history, etc.). Currently, PSIs are required for all offenders placed on adjudicated community supervision but not for those with deferred adjudication.

Computerized Criminal Histories (CCH) provide an alternate means of gathering current offense and criminal history information (e.g., prior arrests, charges, and convictions). Some CCHs provide nationwide criminal history, while others are limited to state or local offenses. The more inclusive the CCH, the more known about an offender's history.

The judgment placing an offender on community supervision and the revocation order was not present in many files. In those instances, court clerk records were consulted or computer printouts were obtained with a revocation date, sentence length, and destination but without allegations.

Analysis of needs levels at intake and revocation indicate the five most prevalent needs are: financial management, associations with negative companions, drug usage, marital/family relationships, and employment. These may be areas for consideration when determining treatment programming. Unfortunately, we are unable to provide program referral and completion information in this study. Incomplete documentation or lack of documentation often made it unclear if programs had been ordered and/or if they were successfully completed.

**GLOSSARY** 

**ABSCONDER:** An absconder is an offender who fails to report to community supervision and cannot be located by the community supervision officer.

**ADJUDICATED COMMUNITY SUPERVISION:** Adjudicated Community Supervision occurs when an offender is found guilty of an offense and placed on community supervision.

**CHI-SQUARE TEST OF INDEPENDENCE:** The chi-square test of independence is a statistical test to determine if the distributions of two variables are independent. It measures the extent to which observed frequencies are significantly different from the frequencies we would expect if there was no association between the two variables.

COMMUNITY SUPERVISION: The TDCJ publication Standards for Community Supervision and Corrections Departments details the two primary types of community supervision: direct and indirect supervision. Direct supervision applies to offenders who are on community supervision and who work or reside in the jurisdiction in which they are being supervised. Offenders under direct supervision receive a minimum of one face-to-face contact with a community supervision officer every three months. Indirect supervision requires the maintenance of a file and/or record of an offender under supervision who meets one of the following criteria: an offender who neither resides nor works within the jurisdiction of the CSCD and receives supervision in another jurisdiction; an offender who neither resides nor works within the jurisdiction but continues to submit written reports on a monthly basis because he is ineligible or unacceptable for supervision in another jurisdiction; an offender who has absconded or who has not contacted his/her Community Supervision Officer (CSO) in person within three months; or an offender who resides or works in the jurisdiction but who, while in compliance with the orders of the court, does not meet the criteria for direct supervision.

**COMMUNITY SUPERVISION REVOCATION:** An offender under community supervision may be revoked and sentenced to incarceration for violating their conditions of community supervision (probation). A technical violation is any violation of their conditions other than committing a subsequent offense (e.g., positive urinalysis, failure to pay fees).

**COMPUTERIZED CRIMINAL HISTORY:** The Computerized Criminal History system is a database of all criminal activity in Texas (Class B misdemeanor or higher) managed by the Texas Department of Public Safety. All criminal justice agencies in Texas are required to report any arrests to the CCH within seven days.

**COUNTY JAIL:** A county jail is a facility managed by or for a county that houses individuals accused or convicted of an offense.

**DEFERRED ADJUDICATION:** Deferred Adjudication is a type of community supervision that allows offenders to meet conditions of community supervision for a period of time in order to have the conviction removed from their record (records of the arrest, prosecution and community supervision are not removed).

GOODMAN AND KRUSKAL'S TAU: Goodman and Kurskal's Tau is a measure of association for nominal variables (i.e., categorical variables) and has a proportionate reduction in error interpretation. Values can range from 0 to 1, with larger values indicating a stronger association.

**LAMBDA:** Lambda is a measure of association for nominal variables (i.e., categorical variables) and has a proportionate reduction in error interpretation. Values of lambda can range from 0 to 1, with larger values indicating a stronger association.

**OFFENSE OF INITIAL SENTENCE:** The offense of initial sentence is the current offense for which the offender is placed on community supervision. There are four mutually exclusive offense types: violent, property, drug, and other.

- *Violent Offenses* Examples include murder, non-negligent manslaughter, sexual assault, robbery, aggravated assault, and injury to a child.
- *Property Offenses* Examples include arson, burglary, larceny/theft, motor vehicle theft, forgery and counterfeiting, fraud, embezzlement, stolen property, and vandalism.
- Drug Offenses Examples include drug manufacture, possession and delivery.
- Other Offenses Examples include weapons carrying and possession, prostitution and commercial vice, driving while intoxicated (DWI), liquor law violations, gambling, disorderly conduct, and all other offenses not previously mentioned (except traffic).

**PRE-SENTENCE INVESTIGATION (PSI):** The pre-sentence investigation report provides the sentencing court with succinct and precise information about an offender upon which to base a rational sentencing decision.

**STATE BOOT CAMP:** State boot camps are highly structured residential punishment programs modeled after military basic training. They target young, first-time offenders and emphasize physical exercise, strict supervision, and discipline. State boot camps are operated by TDCJ. Some CSCDs run local boot camps for felony probationers under their jurisdiction.

**STATE JAIL:** A state jail is a facility that houses offenders who receive state jail sentences. They also temporarily house transfer offenders. State jail sentences cannot exceed two years for one offense, but a repeat offender may receive overlapping state jail sentences not to exceed three years. The offenders are usually convicted of property and low-level controlled substance offenses.

**SUBSTANCE ABUSE FELONY PUNISHMENT FACILITY:** A Substance Abuse Felony Punishment Facility (SAFPF) is a facility that provides an intensive six-month therapeutic community program for offenders who are sentenced by a judge as a condition of community supervision or as a modification of parole/community supervision.

**TEXAS DEPARTMENT OF CRIMINAL JUSTICE – COMMUNITY JUSTICE ASSISTANCE DIVISION (TDCJ):** TDCJ provides funding and oversight of community supervision, or adult probation, in Texas. Offenders on community supervision serve their sentence in the community, rather than in prison. The statutory basis for community supervision is contained in Article 42.12 of the Texas Code of Criminal Procedure. TDCJ does not work directly with offenders on community supervision; rather, it works with the community supervision and corrections departments (CSCDs), which supervise the offenders. There are 121 CSCDs in Texas, organized within judicial districts, serving 254 counties. CSCDs supervise and rehabilitate offenders who are sentenced to community supervision by local courts.

While CSCDs receive funding from TDCJ, they are not a part of TDCJ. They are organized within local judicial districts, from which they receive office space, equipment, and other forms of support, and work for the judicial district of which they are a part. TDCJ distributes state funds to CSCDs based on appropriations by the Texas Legislature and provides almost 60 percent of their operating budgets. CSCDs receive additional funds by collecting court-ordered fees from offenders.

A CSCD applies for state funding by submitting a community justice plan (CJP) to TDCJ. The CJP outlines a CSCD's existing programs and services and may request funding for new programs and services. As a mandate of the Texas Legislature, the CJP is subject to approval by district judges and a community justice council. To decide which programs to fund, TDCJ considers how well the program will meet offenders' needs and what other funding the departments already receive. TDCJ allocates Basic Supervision and Community Corrections Program funds over a two-year period according to specific formulas and categories. Diversion Program and Treatment Alternatives to Incarceration Program funds are awarded to select CSCDs through a competitive process. Four types of state funding available are listed below:

- Basic Supervision Funds partially cover the basic operating costs of the CSCD in providing services to offenders, such as employees' salaries, training, supplies, and other essentials. The amount of funding a CSCD receives is determined by the number of direct and pretrial felons and misdemeanant placements.
- *Community Corrections Program Funds* are based on the average number of felons under direct community supervision and the population of the counties in the jurisdiction.
- *Diversion Program Grants* are awarded to select CSCDs for drug courts, substance abuse, and other programs that are alternatives to incarcerating offenders.
- Treatment Alternatives to Incarceration Program Grants (TAIP grants) are awarded to select CSCDs to offer substance abuse screening, assessment, referral and treatment to offenders who do not qualify for, or cannot afford, any other treatment.

Offenders under community supervision receive basic supervision services. In addition to the basic conditions of community supervision (e.g., commit no new offense, avoid injurious habits, report regularly, pay fines, etc.), offenders may be placed into a variety of residential and non-residential programs.

TEXAS DEPARTMENT OF CRIMINAL JUSTICE, STANDARDS FOR CSCDS, APRIL 18, 2005, ASSESSMENTS AND REASSESSMENTS: Within two months of the date of community supervision placement, acceptance of a transfer case, or discharge from any residential facility, jail, or institution, the CSO shall complete an approved TDCJ-CJAD case classification instrument to assist in the evaluation of the degree of supervision needed by each individual based on the offender's risk and/or needs. CSOs shall reevaluate risk and need factors and supervision plans at least every 12 months for all direct cases. An approved TDCJ-CJAD reassessment shall be completed any time a significant change occurs in the status of the offender.

**TEXAS DEPARTMENT OF CRIMINAL JUSTICE, 2004 OFFENDER PROFILE DATA:** TDCJ 2004 Offender profile data is a collection of demographic data on offenders under active community supervision at the end of the last fiscal year of each biennium. These demographics include age, gender, ethnicity, employment, educational level, and offense type.

**APPENDICES** 

# APPENDIX A: DEMOGRAPHICS BY CSCD

Percentage of Selected Demographics by CSCD

Percentage of Selected I	Demographics by CSCD				<b>.</b>	I	TD . 1
Demographic		Bexar	Dallas	Harris	Tarrant	Travis	Total
		n=117	n=263	n=272	n=130	n=85	n=867
Mean Age		28.3	29.3	28.0	29.1	27.8	28.6
	20 years or younger	23.9	22.4	24.6	17.7	22.4	22.6
	21-25 years	26.5	23.2	23.9	26.2	29.4	24.9
	26-30 years	13.7	14.8	16.5	17.7	11.8	15.3
	31-35 years	14.5	12.5	11.0	13.1	16.5	12.8
Age at Placement	36-40 years	6.0	10.6	7.4	12.3	8.2	9.0
(in categories)	41-45 years	9.4	8.0	9.2	10.0	8.2	8.9
	46-50 years	5.1	6.1	1.8	3.1	3.5	3.9
	51-56 years	0.9	0.8	1.5	0.0	0.0	0.8
	56 years or older	0.0	0.8	1.1	0.0	0.0	0.6
	Unknown	0.0	0.8	2.9	0.0	0.0	1.2
Sex	Male	82.1	80.6	74.6	71.5	78.8	77.4
SCA	Female	17.9	19.4	25.4	28.5	21.2	22.6
	White	9.4	31.6	39.7	46.9	22.4	32.5
Daga/Ethmigity	Black	18.8	48.3	40.1	29.2	35.3	37.6
Race/Ethnicity	Hispanic	71.8	20.2	19.1	22.3	42.4	29.3
	Other	0.0	0.0	1.1	1.5	0.0	0.6
	US Citizen	92.3	92.8	83.8	90.8	97.6	90.1
Citizenship	Non US Citizen	3.4	3.0	2.9	2.3	2.4	2.9
_	Unknown	4.3	4.2	13.2	6.9	0.0	7.0
	None	0.0	0.4	0.0	0.0	0.0	0.1
	1st - 8th Grade	11.1	8.0	8.5	10.8	9.4	9.1
E4	9th - 11th Grade	47.9	41.1	42.3	33.1	44.7	41.5
Educational Level	Diploma or GED	34.2	35.0	36.8	42.3	31.8	36.2
	Any College	5.1	11.8	9.2	6.2	14.1	9.5
	Unknown	1.7	3.8	3.3	7.7	0.0	3.6
	Employed	33.3	41.1	47.4	35.4	28.2	39.9
F1	Unemployed	65.0	51.7	47.8	56.9	68.2	54.7
Employment Status	Stu/Ret/HM/Dis	0.9	4.6	2.2	2.3	0.0	2.5
	Unknown	0.9	2.7	2.6	5.4	3.5	2.9
	Single	60.7	68.4	61.4	63.8	63.5	64.0
M. 1. 1. C	Married	19.7	18.3	19.1	23.1	20.0	19.6
Marital Status	Sep/Div/Wid	18.8	9.1	17.6	12.3	15.3	14.2
	Unknown	0.9	4.2	1.8	0.8	1.2	2.2
	Alone	5.1	4.2	6.6	1.5	5.9	4.8
	w/Spouse/Children	12.8	13.7	19.1	13.8	14.1	15.3
Living Arrangement	w/Mother/Father	22.2	24.7	40.4	29.2	27.1	30.2
	Other	17.9	17.5	22.1	9.2	20.0	18.0
	Unknown	41.9	39.9	11.8	46.2	32.9	31.6
	Direct to Probation	95.7	77.9	94.1	94.6	89.4	89.0
Probation Intake Type	Other	2.6	4.6	1.1	1.5	3.5	2.7
	Unknown	1.7	17.5	4.8	3.8	7.1	8.3

# APPENDIX A: DEMOGRAPHICS BY CSCD, CONT.

Percentage of Selected Demographics by CSCD, cont.

Damagraphia	, , , , , , , , , , , , , , , , , , , ,	Bexar	Dallas	Harris	Tarrant	Travis	Total
Demographic	Demographic		n=263	n = 272	n = 130	n=85	n=867
Caseload Type	Regular	74.4	87.1	78.3	72.3	56.5	77.4
at Intake	Specialized	20.5	10.6	12.9	10.8	32.9	14.9
at ilitake	Unknown	5.1	2.3	8.8	16.9	10.6	7.7
	Minimum	20.5	3.4	4.4	8.5	21.2	8.5
	Medium	41.0	27.8	63.6	28.5	12.9	39.4
Supervision Level	Maximum/Intensive	23.9	25.8	20.3	44.6	50.6	29.1
at Intake	Absconder	0.9	0.0	1.8	4.6	2.4	1.6
	Indirect/Transfer	0.9	0.0	2.9	0.0	7.1	1.7
	Unknown	12.8	43.0	7.0	13.8	5.9	19.6

# APPENDIX B: STATUS AT REVOCATION BY CSCD

Percentage of Status at Revocation by CSCD

Status	•	Bexar	Dallas	Harris	Tarrant	Travis	Total
Status		n=117	n=263	n=272	n=130	n=85	n=867
	None	0.0	0.8	0.0	0.0	0.0	0.2
	1st - 8th Grade	8.5	6.5	8.1	10.0	9.4	8.1
Education At Revocation	9th - 11th Grade	42.7	37.6	33.8	26.2	40.0	35.6
Education At Revocation	Diploma or GED	29.1	30.8	32.7	40.8	27.1	32.3
	Any College	6.0	11.4	9.6	6.2	14.1	9.6
	Unknown	13.7	12.9	15.8	16.9	9.4	14.2
Envilorment At Description	Employed	12.8	35.4	27.2	23.8	23.5	26.9
	Unemployed	57.3	47.1	44.1	37.7	44.7	45.9
Employment At Revocation	Stu/Ret/HM/Dis	0.9	4.9	1.5	0.8	0.0	2.2
	Unknown	29.0	12.5	27.2	37.7	31.8	25.0
	Regular	59.0	77.9	59.6	63.1	49.4	64.6
Caseload Type At Revocation	Specialized	23.1	11.4	19.5	10.8	28.2	17.1
	Unknown	17.9	10.6	21.0	26.2	22.4	18.3
	Minimum	14.5	6.1	2.2	4.6	1.2	5.3
	Medium	34.2	19.8	50.7	18.5	12.9	30.6
Supervision Level at Daycostion	Maximum/Intensive	25.7	17.8	21.3	43.1	54.1	27.3
Supervision Level at Revocation	Absconder	1.7	0.8	9.9	10.0	7.1	5.8
	Indirect/Transfer	3.4	3.4	7.0	3.8	16.5	5.9
	Unknown	20.5	52.0	8.8	20.0	8.2	25.1

Percentage Employed at Revocation by Percentage Employed at Intake by CSCD

Employment Status	Bexar	Dallas	Harris	Tarrant	Travis	Total
Employment Status	n=117	n=263	n = 272	n=130	n = 85	n=867
Employed at Intake	33.3	41.1	47.4	35.4	28.2	39.9
Employed at Revocation	20.5	57.4	41.1	37.0	29.2	42.5
Unemployed at Revocation	38.5	30.6	31.8	26.1	33.3	31.5
Other/Unknown at Revocation	41.0	12.0	27.1	36.9	37.5	26.0
Unemployed at Intake	65.0	51.7	47.8	56.9	68.2	54.7
Employed at Revocation	9.2	19.1	14.6	14.9	22.4	16.0
Unemployed at Revocation	68.4	63.2	56.9	47.3	51.7	58.4
Other/Unknown at Revocation	22.4	17.7	28.5	37.8	25.9	25.6
Other/Unknown at Intake	1.8	7.3	4.8	7.7	3.5	5.4

### APPENDIX C: RISK ASSESSMENT LEVEL BY CSCD

Percentage of Probationers with Risk Level at Intake by CSCD

Risk Assessment Level	Bexar	Dallas	Harris	Tarrant	Travis	Total
	n=90	n=142	n=199	n=101	n=68	n=600
Minimum	25.6	4.9	23.6	18.8	2.9	16.3
Medium	35.6	42.3	46.7	31.7	19.1	38.3
Maximum	38.9	52.8	29.6	49.5	77.9	45.3

Percentage of Probationers with Risk Level at Revocation by CSCD

Risk Assessment Level	Bexar	Dallas	Harris	Tarrant	Travis	Total
	n=41	n=80	n=86	n=66	n = 52	n=325
Minimum	43.9	16.3	23.3	7.6	0.0	17.2
Medium	41.5	46.3	58.1	21.2	15.4	38.8
Maximum	14.6	37.5	18.6	71.2	84.6	44.0

# APPENDIX D: NEEDS ASSESSMENTS BY CSCD

Percentage of Probationers with Moderate to High Need Levels at Intake

Need Assessment Item	Bexar	Dallas	Harris	Tarrant	Travis	Total
Need Assessment Item	n=91	n=144	n=198	n=104	n=71	n=608
Academic/Vocational Skills	26.4	38.9	30.8	32.7	50.7	34.7
Employment	49.5	68.8	53.5	61.5	71.8	60.0
Financial Management	80.2	95.8	77.3	82.7	90.1	84.5
Marital/Family Relationships	41.8	69.4	51.0	65.4	84.5	60.4
Companions	68.1	81.3	71.7	73.1	85.9	75.3
Emotional Stability	8.8	34.7	16.2	33.7	78.9	29.8
Alcohol Usage Problems	44.0	48.6	40.9	42.3	73.2	47.2
Other Drug Use Problems	62.6	68.8	63.1	67.3	83.1	67.4
Mental Ability	7.7	6.9	3.5	8.7	8.5	6.4
Health	7.7	12.5	10.1	8.7	8.5	9.9
Sexual Behavior	7.7	6.9	7.1	4.8	2.8	6.3

Percentage of Probationers with Moderate to High Need Levels at Revocation

Need Re-assessment Item	Bexar	Dallas	Harris	Tarrant	Travis	Total
Need Re-assessment Item	n=45	n=83	n=90	n=65	n=52	n=335
Academic/Vocational Skills	22.2	22.9	18.9	32.3	44.2	26.9
Employment	42.2	49.4	45.6	64.6	75.0	54.3
Financial Management	100.0	89.2	75.6	90.8	98.1	88.7
Marital/Family Relationships	42.2	54.2	44.4	69.2	92.3	58.8
Companions	40.0	60.2	48.9	78.5	84.6	61.8
Emotional Stability	11.1	41.0	18.9	41.5	78.8	37.0
Alcohol Usage Problems	31.1	48.2	24.4	46.2	73.1	43.0
Other Drug Use Problems	53.3	67.5	44.4	66.2	76.9	60.6
Mental Ability	4.4	1.2	3.3	12.3	9.6	5.7
Health	13.3	22.9	10.0	13.8	3.8	13.4
Sexual Behavior	4.4	2.4	8.9	7.7	3.8	5.7

# APPENDIX E: CRIMINAL HISTORY BY CSCD

Percentage of Probationers with Adult Criminal History by Criminal History Event and CSCD

Criminal History Event	Bexar	Dallas	Harris	Tarrant	Travis	Total
Cilliniai History Event	n=117	n=263	n=272	n=130	n=85	n=867
Prior Arrest	78.6	74.9	65.1	83.8	80.0	74.2
Prior Felony Charge	39.3	45.6	27.9	36.9	40.0	37.4
Prior Felony Conviction	17.1	27.0	18.8	19.2	30.6	22.3
Prior Misdemeanor Charge	70.9	64.6	54.4	80.0	80.0	66.1
Prior Misdemeanor Conviction	58.1	56.7	46.3	56.9	68.2	54.8

Percentage of Offense Type if Prior Charge by CSCD

Offense Type	Bexar	Dallas	Harris	Tarrant	Travis	Total
Offense Type	n = 90	n=196	n=172	n=108	n=68	n=634
Against Person	31.1	24.5	30.2	25.0	39.7	28.7
Drug-Related	47.8	40.8	41.9	36.1	66.2	44.0
Alcohol-Related	21.1	21.9	26.2	25.0	26.5	24.0

## APPENDIX F: CURRENT FELONY OFFENSE DATA BY CSCD

Average Probation Length by CSCD

Dualantian I amath	Bexar	Dallas	Harris	Tarrant	Travis	Total
Probation Length	n=130	n=352	n=279	n=158	n=102	n=1021
Years	4.7	5.2	4.3	5.2	5.7	5.0

Percentage of Probation Type by CSCD

Duelestian Tama	Bexar	Dallas	Harris	Tarrant	Travis	Total
Probation Type	n = 130	n=352	n=279	n=158	n=102	n=1021
Adjudicated	43.8	48.3	22.2	17.1	74.5	38.4
Deferred	56.2	51.7	77.8	82.9	25.5	61.6

Percentage of Offense Degree by CSCD (Adjudicated Only)

Office Decision	Bexar	Dallas	Harris	Tarrant	Travis	Total
Offense Degree	n=57	n=170	n=62	n=27	n=76	n=392
1st Degree	1.8	4.7	0.0	7.4	2.6	3.3
2nd Degree	29.8	19.4	14.5	14.8	23.7	20.7
3rd Degree	29.8	19.4	37.1	48.1	31.6	28.1
State Jail	38.6	52.4	48.4	29.6	42.1	46.2
Undetermined	0.0	4.1	0.0	0.0	0.0	1.8

Percentage of Offense Degree by CSCD (Deferred Only)

Terromage of offense Degree of escal (Dereffed om))										
Offense Degree	Bexar	Dallas	Harris	Tarrant	Travis	Total				
Offense Degree	n=73	n=182	n=217	n=131	n=26	n=629				
1st Degree	6.8	11.5	4.6	3.8	3.8	6.7				
2nd Degree	16.4	18.1	24.9	24.4	7.7	21.1				
3rd Degree	11.0	17.6	13.8	18.3	46.2	16.9				
State Jail	65.8	51.6	56.2	53.4	42.3	54.8				
Undetermined	0.0	1.1	0.5	0.0	0.0	0.5				

Percentage of Offense Type by CSCD

Offense Type	Bexar	Dallas	Harris	Tarrant	Travis	Total
Offense Type	n=130	n=352	n=279	n=158	n=102	n=1021
Violent	6.9	14.5	13.6	19.0	16.7	14.2
Property	23.8	33.5	27.2	31.0	28.4	29.7
Drug	53.8	34.4	45.2	32.9	37.3	39.9
Other	15.4	17.6	14.0	17.1	17.6	16.3

Percentage of Drug Type by CSCD

ъ т	Bexar	Dallas	Harris	Tarrant	Travis	Total
Drug Type	n = 70	n=121	n=126	n=52	n=38	n=407
Cocaine/Crack	65.7	69.4	70.6	36.5	73.7	65.4
Methamphetamine	8.6	15.7	6.3	51.9	7.9	15.5
Heroin/Opiates	10.0	3.3	3.2	0.0	7.9	4.4
Marijuana	2.9	5.8	7.1	3.8	5.3	5.4
Other	1.4	4.1	9.5	5.8	5.3	5.7
Unknown/Missing	11.4	1.7	3.2	1.9	0.0	3.7

## APPENDIX F: CURRENT FELONY OFFENSE DATA BY CSCD, CONT.

Percentage of Drug Amount by CSCD

D*	Bexar	Dallas	Harris	Tarrant	Travis	Total
Possession Amount*	n=26	n=87	n=101	n=40	n=33	n=287
Under 1 gram	53.8	34.5	49.0	52.5	18.2	42.2
1 to 4 grams	11.5	41.4	27.7	25.0	54.5	33.1
4 to 200 grams	34.6	18.4	15.8	20.0	24.2	19.9
More than 200 grams	0.0	5.7	6.9	2.5	3.0	4.9

<sup>\*</sup>Only represents drug cases where possession amount data was available (30.1% missing)

Percentage of Weapon Involvement by CSCD

Waanan Invalvament	Bexar	Dallas	Harris	Tarrant	Travis	Total
Weapon Involvement	n=130	n=352	n=279	n=158	n = 102	n=1021
No Known Involvement	92.3	90.6	91.4	93.7	93.1	91.8
Yes	5.4	9.1	7.9	6.3	6.9	7.6
Unknown/Missing	2.3	0.3	0.7	0.0	0.0	0.6

Percentage of Weapon Type by CSCD

Waanan Tuna	Bexar	Dallas	Harris	Tarrant	Travis	Total
Weapon Type	n=7	n = 32	n=22	n = 10	n=7	n=78
Firearm	57.1	53.1	36.4	20.0	42.9	43.6
Knife	0.0	12.5	31.8	40.0	42.9	23.1
Other/Unknown	42.9	34.4	31.8	40.0	14.3	33.3

### APPENDIX G: MOTIONS TO REVOKE BY CSCD

Percentage of Allegation Type by CSCD

Allocation Towns	Bexar	Dallas	Harris	Tarrant	Travis	Total
Allegation Type	n=130	n=352	n=279	n=158	n=102	n=1021
New Offense	60.0	39.2	44.4	46.8	58.8	46.4
New Offense Only	12.8	19.6	10.5	17.6	5.0	13.9
New Offense/Positive UA	2.6	0.7	1.6	1.4	0.0	1.3
New Offense/Other Technical Violation	61.5	54.3	56.5	54.1	<i>78.3</i>	59.1
New Offense/Other Technical/	23.1	25.4	31.5	27.0	16.7	25.7
Violation/Positive UA	23.1	23.4	31.3	27.0	10.7	23.7
Technical Violation	40.0	60.2	55.2	53.2	41.2	53.3
Positive UA Only	3.8	3.3	1.9	2.4	0.0	2.6
Positive UA/Other Technical Violation	36.5	39.2	50.0	38.1	42.9	42.1
Other Technical Violation Only	59.6	57.5	48.1	59.5	57.1	55.3
Unknown	0.0	0.6	0.4	0.0	0.0	0.3

Percentage of Offense Type if Last Motion to Revoke for New Offense by CSCD

Offense Type	Bexar	Dallas	Harris	Tarrant	Travis	Total
Offense Type	n=78	n=138	n=124	n=74	n=60	n=474
New Offense						
Felony Only	42.3	62.3	66.9	51.4	45.0	56.3
Misdemeanor Only	41.0	26.8	29.8	43.2	20.0	31.6
Felony and Misdemeanor	16.7	8.0	3.2	5.4	35.0	11.2
Unknown	0.0	2.9	0.0	0.0	0.0	0.8

Percentage of Number of Technical Violations if Last Motion to Revoke was for Technical Violation by CSCD

Number of Violations	Bexar	Dallas	Harris	Tarrant	Travis	Total
Number of Violations	n = 51	n=212	n=154	n=84	n=42	n=544
Technical Violations						
One Violation	57.7	17.5	14.9	23.8	11.9	21.1
Two to Five Violations	42.3	81.6	82.5	76.2	85.7	77.6
Six or More Violations	0.0	0.9	2.6	0.0	2.4	1.3

Average Number of Months between Probation Start Date and First Motion to Revoke by CSCD

Months Before First Motion to Revoke	Bexar	Dallas	Harris	Tarrant	Travis	Total
Wioning Before Prist Wionon to Revoke	n=126	n=344	n=270	n=156	n=100	n=996
Average	16.4	18.0	12.4	16.2	15.4	15.7

Average Number of Months between Probation Start Date and Revocation by CSCD

Months Before Revocation	Bexar	Dallas	Harris	Tarrant	Travis	Total
World S Defore Revocation	n=129	n=351	n=278	n=158	n=102	n=1018
Average	29.8	27.4	24.2	24.9	28.0	26.5

Average Number of Motions to Revoke by CSCD

Number of Motions to Revoke	Bexar	Dallas	Harris	Tarrant	Travis	Total
Number of Wouldn's to Revoke	n=211	n=417	n=393	n = 205	n=162	n=1388
Average	1.8	1.6	1.4	1.6	1.9	1.6

# APPENDIX H: REVOCATION DESTINATION AND SENTENCE LENGTH BY CSCD

Percentage of Revocation Destination by CSCD

Destination	Bexar	Dallas	Harris	Tarrant	Travis	Total
Destination	n=117	n=263	n=272	n = 130	n=85	n=867
Prison	46.9	48.3	47.7	50.6	56.9	49.2
State Jail	51.5	49.4	47.0	39.9	42.2	46.8
County Jail	1.5	2.3	5.4	9.5	1.0	4.0

Average Sentence Length in Months by Revocation Destination and CSCD

Destination	Bexar	Dallas	Harris	Tarrant	Travis	Total
Destination	n=117	n=263	n=272	n = 130	n = 85	n=867
Prison	54.0	56.0	48.7	50.8	43.0	51.5
State Jail	13.6	10.7	8.1	9.8	13.0	10.5
County Jail	4.5	5.5	13.1	4.6	5.0	7.9

Grand	Total	Assessed.	Paid	and	Owed	hv	CSCD
Orana	1 Otai	rissesseu,	i aiu,	anu	Owcu	υy	CSCD

Grand Total	Bexar	Dallas	Harris	Tarrant	Travis	Total
Grand Total	n=111	n=263	n=261	n=129	n=84	n = 585
Assessed	\$616,305	unk	\$879,473	\$583,114	\$499,170	\$2,578,062
Paid	\$79,939	unk	\$158,226	\$107,905	\$61,495	\$407,565
Owed	\$536,366	unk	\$721,247	\$475,209	\$437,675	\$2,170,497

Community Supervision Fees Assessed, Paid, and Owed by CSCD

Community Supervision	Bexar	Dallas	Harris	Tarrant	Travis	Total
Community Supervision	n = 1111	n=263	n=261	n=129	n=84	n=585
Assessed	\$331,930	unk	\$523,279	\$402,575	\$313,608	\$1,571,391
Paid	\$32,461	unk	\$72,270	\$66,784	\$63,896	\$235,411
Owed	\$299,469	unk	\$451,009	\$335,791	\$249,712	\$1,335,980

### Restitution Assessed, Paid, and Owed by CSCD

Restitution	Bexar	Dallas	Harris	Tarrant	Travis	Total
Restitution	n=98	n=67	n=58	n=18	n=53	n=227
Assessed	\$99,751	unk	\$95,371	\$59,509	\$77,623	\$332,254
Paid	\$25,055	unk	\$27,633	\$7,801	\$7,643	\$68,132
Owed	\$74,696	unk	\$67,738	\$51,708	\$69,980	\$264,122

#### Percent of Probationers Assessed Additional Fees by CSCD

	Bexar	Dallas	Harris	Tarrant	Travis	Total
Additional Fees	Dexai	Danas	панія	Tarrani	Havis	1 Otal
7 Idditional 1 ees	n = 1111	n=263	n=261	n=129	n=84	n = 585
Court Costs	91.0%	unk	94.3%	82.9%	96.4%	91.5%
Crimestoppers	3.6%	unk	67.8%	75.2%	95.2%	61.2%
Fines	11.7%	unk	77.4%	41.9%	52.4%	53.5%
Attorney Fees	44.1%	unk	23.8%	35.7%	48.8%	33.8%

Average Grand Total Assessed, Paid, and Owed per Probationer by CSCD

Grand Total	Bexar	Dallas	Harris	Tarrant	Travis	Total
Grand Total	n=111	n=263	n=261	n=129	n=84	n=585
Assessed	\$5,552.30	unk	\$3,369.63	\$4,520.26	\$5,942.49	\$4,406.94
Paid	\$720.17	unk	\$606.23	\$836.47	\$732.09	\$696.69
Owed	\$4,832.13	unk	\$2,763.40	\$3,684.41	\$4,825.55	\$3,655.12

Average Community Supervision Fees Assessed, Paid, and Owed per Probationer by CSCD

Community Supervision	Bexar	Dallas	Harris	Tarrant	Travis	Total
Community Supervision	n = 1111	n=263	n=261	n=129	n=84	n=585
Assessed	\$2,990.36	unk	\$2,004.90	\$3,120.73	\$3,733.43	\$2,686.14
Paid	\$292.44	unk	\$276.90	\$517.71	\$760.67	\$402.41
Owed	\$2,697.92	unk	\$1,728.00	\$2,603.34	\$2,972.76	\$2,283.79

Average Restitution Assessed, Paid, and Owed per Probationer by CSCD

Restitution	Bexar	Dallas	Harris	Tarrant	Travis	Total
Restitution	n=98	n=67	n=58	n=18	n=53	n = 227
Assessed	\$1,017.86	unk	\$1,644.33	\$3,306.03	\$1,464.59	\$1,463.67
Paid	\$255.66	unk	\$476.42	\$433.37	\$144.21	\$300.14
Owed	\$762.20	unk	\$1,167.90	\$2,872.66	\$1,320.35	\$1,163.53

# APPENDIX I: FEE AND FINE DATA BY CSCD (ADDENDUM)\*

Grand Total	Bexar	Dallas	Harris	Tarrant	Travis	Total
	n = 1111	n=263	n=261	n=129	n=84	n=848
Assessed	\$616,305	\$1,556,148	\$879,473	\$583,114	\$499,170	\$4,134,210
Paid	\$79,939	\$147,660	\$158,226	\$107,905	\$61,495	\$555,225
Owed	\$536,366	\$1,408,488	\$721,247	\$475,209	\$437,675	\$3,578,985

### Community Supervision Fees Assessed, Paid, and Owed by CSCD

Community Supervision	Bexar	Dallas	Harris	Tarrant	Travis	Total
	n = 1111	n=263	n=261	n=129	n=84	n=848
Assessed	\$331,930	\$806,305	\$523,279	\$402,575	\$313,608	\$2,377,697
Paid	\$32,461	\$73,901	\$72,270	\$66,784	\$63,896	\$309,312
Owed	\$299,469	\$732,404	\$451,009	\$335,791	\$249,712	\$2,068,385

### Restitution Assessed, Paid, and Owed by CSCD

Restitution	Bexar	Dallas	Harris	Tarrant	Travis	Total
	n=98	n=65	n=58	n=18	n = 53	n=292
Assessed	\$99,751	\$160,211	\$95,371	\$59,509	\$77,623	\$492,465
Paid	\$25,055	\$12,670	\$27,633	\$7,801	\$7,643	\$80,802
Owed	\$74,696	\$147,541	\$67,738	\$51,708	\$69,980	\$411,663

#### Percent of Probationers Assessed Additional Fees by CSCD

Additional Fees	Bexar	Dallas	Harris	Tarrant	Travis	Total
	n = 1111	n=263	n=261	n=129	n=84	n=585
Court Costs	91.0%	unk	94.3%	82.9%	96.4%	91.5%
Crimestoppers	3.6%	unk	67.8%	75.2%	95.2%	61.2%
Fines	11.7%	unk	77.4%	41.9%	52.4%	53.5%
Attorney Fees	44.1%	unk	23.8%	35.7%	48.8%	33.8%

### Average Grand Total Assessed, Paid, and Owed per Probationer by CSCD

Grand Total	Bexar	Dallas	Harris	Tarrant	Travis	Total
	n = 1111	n=263	n=261	n=129	n=84	n=848
Assessed	\$5,552.30	\$5,916.91	\$3,369.63	\$4,520.26	\$5,942.49	\$4,875.25
Paid	\$720.17	\$561.44	\$606.23	\$836.47	\$732.09	\$654.75
Owed	\$4,832.13	\$5,355.47	\$2,763.40	\$3,684.41	\$4,825.55	\$4,220.50

#### Average Community Supervision Fees Assessed, Paid, and Owed per Probationer by CSCD

Community Supervision	Bexar	Dallas	Harris	Tarrant	Travis	Total
	n = 1111	n=263	n=261	n=129	n=84	n=848
Assessed	\$2,990.36	\$3,065.80	\$2,004.90	\$3,120.73	\$3,733.43	\$2,803.89
Paid	\$292.44	\$280.99	\$276.90	\$517.71	\$760.67	\$364.75
Owed	\$2,697.92	\$2,784.81	\$1,728.00	\$2,603.34	\$2,972.76	\$2,439.14

### Average Restitution Assessed, Paid, and Owed per Probationer by CSCD

Restitution	Bexar	Dallas	Harris	Tarrant	Travis	Total
	n=98	n=65	n=58	n=18	n=53	n=292
Assessed	\$1,017.86	\$2,464.78	\$1,644.33	\$3,306.03	\$1,464.59	\$1,686.52
Paid	\$255.66	\$194.92	\$476.42	\$433.37	\$144.21	\$276.72
Owed	\$762.20	\$2,269.86	\$1,167.90	\$2,872.66	\$1,320.35	\$1,409.80

<sup>\*</sup>Dallas County CSCD fee data was provided subsequent to publication and is present in the addenda. (Added November 2006)