



LEGISLATIVE BUDGET BOARD

Overview of Criminal and Juvenile Justice Recidivism and Uniform Cost Reports

PRESENTED AT THE CRIMINAL JUSTICE FORUM
LEGISLATIVE BUDGET BOARD STAFF

OCTOBER 2016

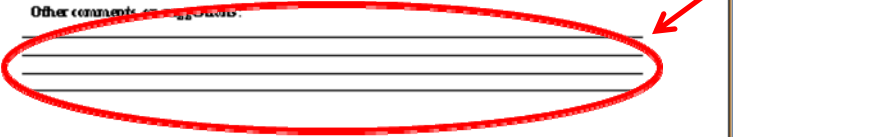
Criminal Justice Forum Parameters

- Diverse group of participants
- Learning opportunity for all
- Limited to the subject area
- Criminal Justice Forums are an opportunity for various groups to come together to learn about and discuss current issues in criminal and juvenile justice.

Feedback Form (Final Page of the Handout)

What did you like most about the forum?

What are your suggestions for improving the forum?

Other comments or suggestions:


To help us better meet your needs, please check the category that best describes you:

- Legislative staff
- State agency staff
- Local government staff
- College/University Faculty
- College/University Student
- Advocacy group members
- Media/bloggers
- General Public
- Other, please specify: _____

Agenda

- Introduction
- Recidivism
- Uniform Cost
- Question and Answer

Statewide Criminal and Juvenile Justice Recidivism and Revocation Rates

Recidivism: Overview

- For the purposes of our analysis, recidivism is defined as a return to criminal or delinquent activity after previous criminal or delinquent involvement.
- There are many different indicators of recidivism. These indicators include:
 - Rearrest/Rereferral (juvenile cohorts)
 - Reconviction
 - Reincarceration/Incarceration (certain supervision populations)
 - Revocation
- Our office currently uses rearrest/rereferral, reincarceration/incarceration, and revocation to indicate recidivism.

Recidivism: Methodology

- How long do we measure recidivism?
 - *Three consecutive years*
- When do we begin tracking recidivism?
 - *After release (institutional populations), or*
 - *Beginning of supervision (supervision populations)*
- What types of offenses do we consider for the rearrest indicator?
 - *Class B misdemeanors and above*
- How many indicators do we count per offender?
 - *The first return to criminal activity per indicator*

Recidivism: Methodology

- To which types of facilities do we track reincarceration?
 - *Prison, state jail, or Texas Juvenile Justice Department (TJJD) State Residential Facilities (for juveniles)*
- What populations do we monitor?
 - Adult populations
 - *Prison, State Jail, Substance Abuse Felony Punishment Facility (SAFP), Intermediate Sanction Facility (ISF), and In-Prison Therapeutic Community (IPTC)*
 - Juvenile populations
 - *Deferred Prosecution, Adjudicated Probation, Local Secure Residential Facility, and TJJD State Residential Facility*

Recidivism: Follow-Up Period

Reincarceration and Rearrest Follow-up Periods

2009

2010

2011

2012

2013

2014

Fiscal Year 2009 Release Population
Rearrest and Reincarceration Follow-up Period

Fiscal Year 2010 Release Population
Rearrest and Reincarceration Follow-up Period

Fiscal Year 2011 Release Population
Rearrest and Reincarceration Follow-up Period

Recidivism: Rearrest

- Rearrest occurs when an offender released from a correctional institution and/or program is rearrested for a new offense punishable by confinement.
- Rearrest is calculated using the following formula:
- Rearrest rate =
$$\frac{\text{\# of released offenders rearrested for a class B misdemeanor level offense or higher}}{\text{\# of offenders released}}$$

Example: FY 2011 Prison Cohort

$$46.5\% = \frac{19,199}{41,272}$$

Recidivism: Reincarceration

- Reincarceration occurs when an offender released from a correctional institution and/or program is reincarcerated within a prison, state jail, or TJJJ State Residential Facility (juveniles only).
- Reincarceration is calculated using the following formula:
- Reincarceration rate =
$$\frac{\text{\# of released offenders reincarcerated}}{\text{\# of offenders released}}$$

Example: FY 2011 TJJJ State Residential Facility

$$43.5\% = \frac{627}{1,442}$$

Recidivism: Revocation

- Revocation is defined as the termination of supervision and subsequent commitment to a secure residential facility. This could be due to:
 - The offender committing a new offense, or
 - Technical violation of supervision conditions
- Adult revocation covers the following correctional populations:
 - Direct Felony Community Supervision (Probation)
 - Parole Supervision
- Juvenile revocation covers the following correctional populations:
 - Probation Supervision
 - Parole Supervision

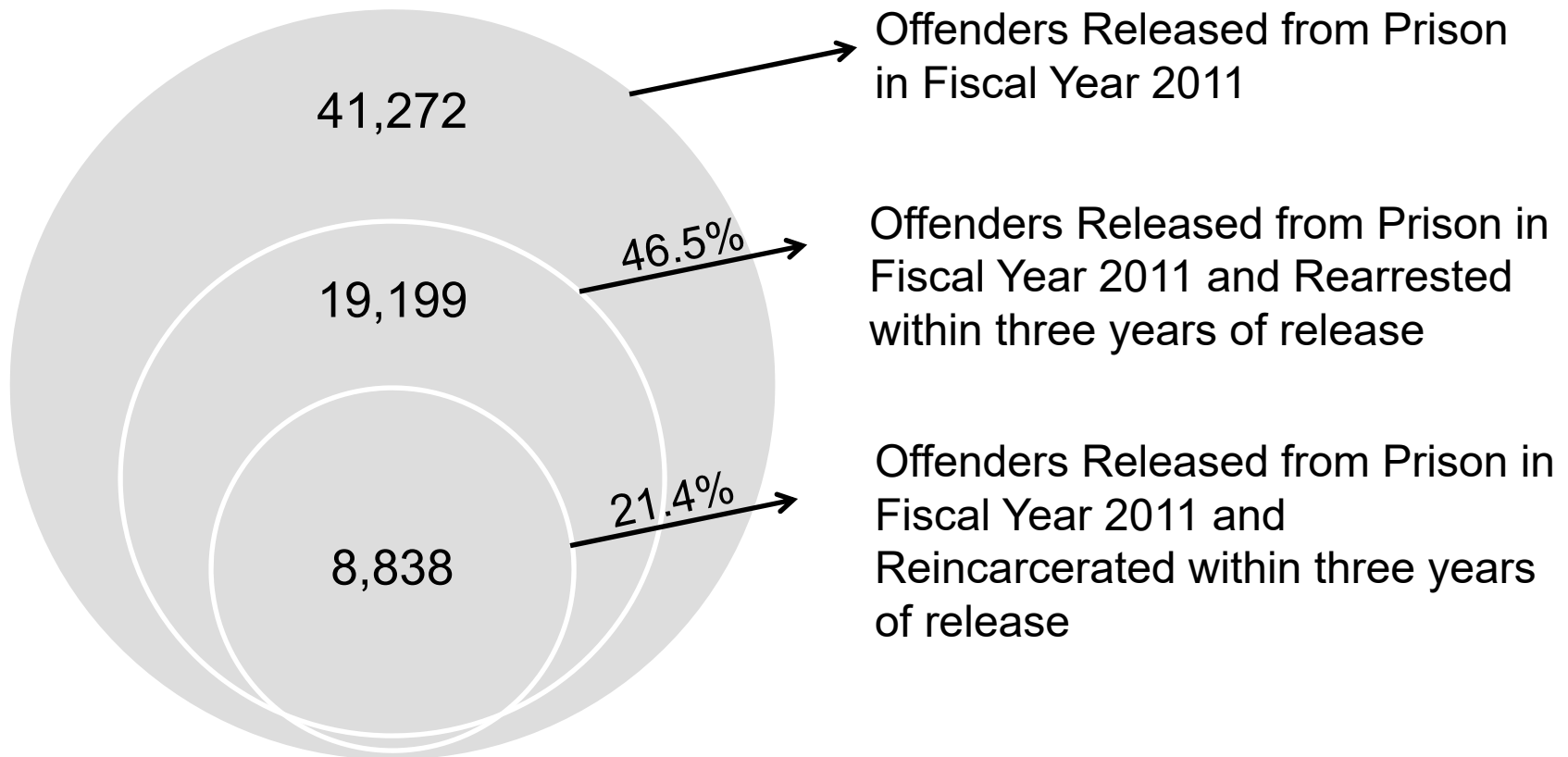
Recidivism: Revocation

- Revocation is calculated by taking the total number of revoked offenders and dividing that number by the average number of offenders placed on supervision for that same fiscal year.
- Revocation Rate =
$$\frac{\text{\# of revoked offenders}}{\text{Average \# of offenders on supervision}}$$
- We calculate revocation rates for each fiscal year.

Example: FY 2014 Adult Parole

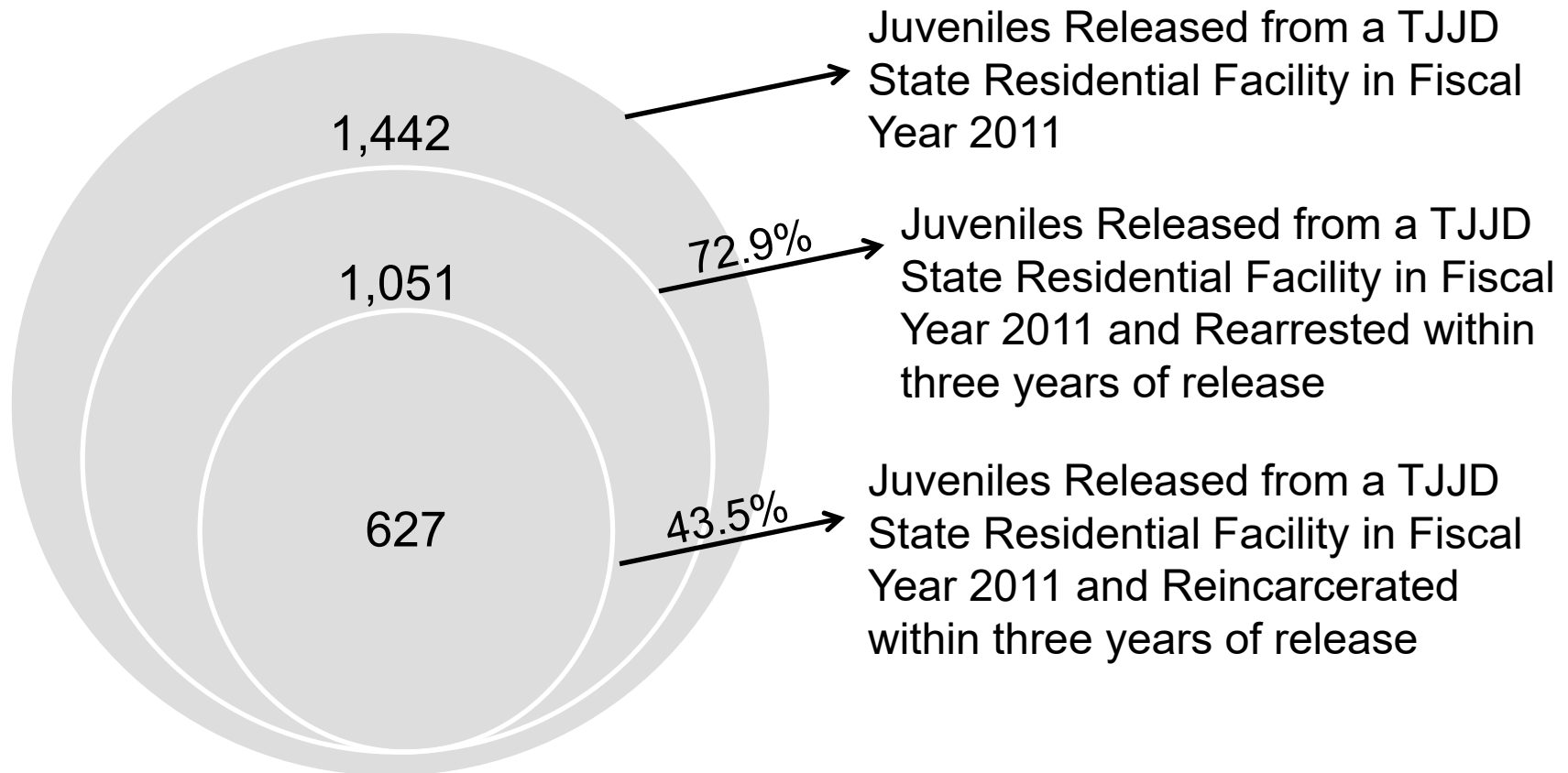
$$6.5\% = \frac{5,629}{87,029}$$

Recidivism: Fiscal Year 2011 Prison Release Cohort



Sources: Legislative Budget Board; Texas Department of Criminal Justice; Texas Department of Public Safety.

Recidivism: Fiscal Year 2011 TJJJ State Residential Facility Release Cohort



Sources: Legislative Budget Board; Texas Juvenile Justice Department; Texas Department of Public Safety.

Recidivism: Adult Highlights

FISCAL YEAR 2011		
ADULT POPULATIONS	REARREST %	REINCARCERATION %
Prison	46.5	21.4
State Jail	62.0	30.7
Substance Abuse Felony Punishment Facility	44.7	44.1
In-Prison Therapeutic Community	48.1	23.1
Intermediate Sanction Facility	57.5	36.5
FISCAL YEAR 2014 REVOCATION RATES		
Felony Direct Community Supervision		15.6 %
Parole Supervision		6.5 %

Sources: Legislative Budget Board; Texas Department of Criminal Justice; Texas Department of Public Safety.

Recidivism: Juvenile Highlights

FISCAL YEAR 2011

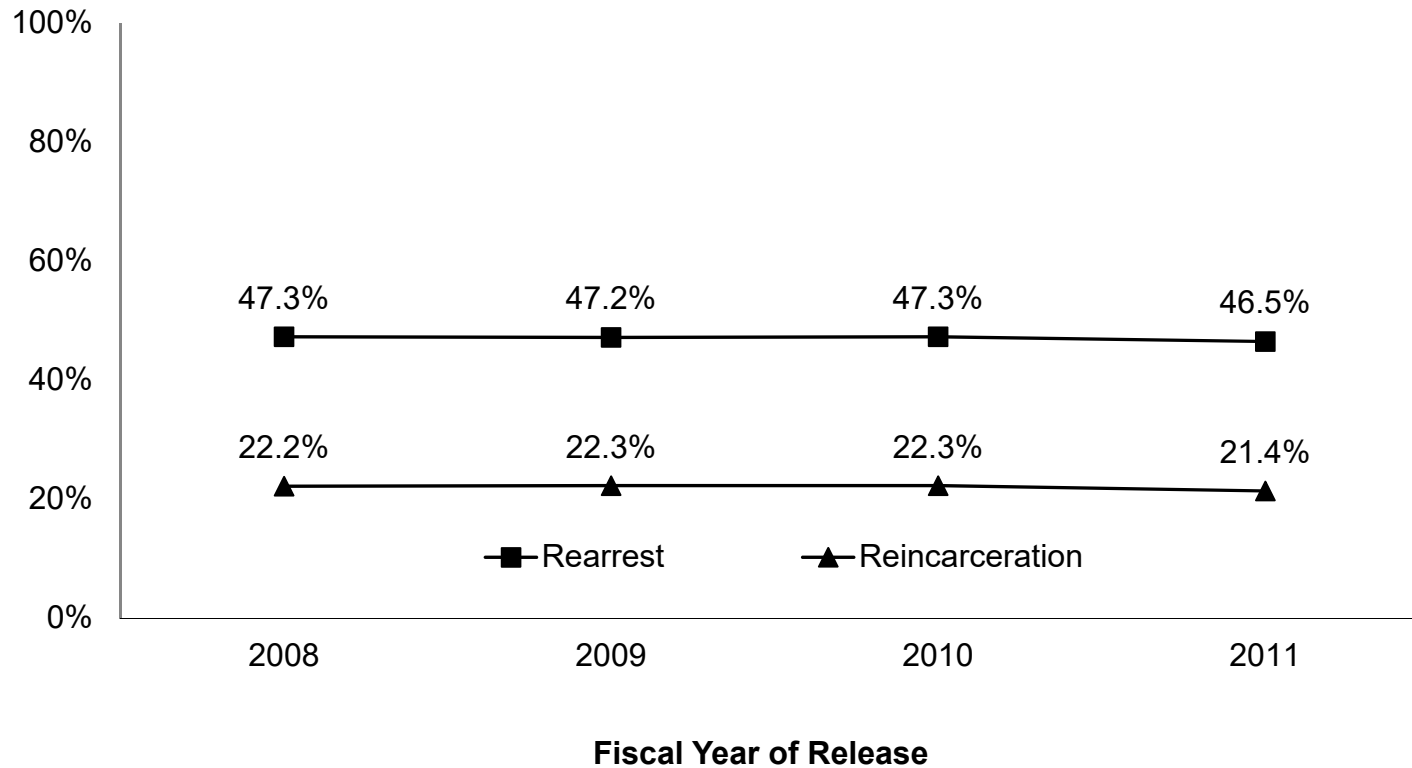
JUVENILE POPULATIONS	REARREST %	INCARCERATION/REINCARCERATION %
Deferred Prosecution Supervision	41.3	1.1
Adjudicated Probation Supervision	62.2	10.6
Local Secure Residential Facility	71.1	25.5
State Residential Facility	72.9	43.5

FISCAL YEAR 2014 REVOCATION RATES

Deferred Prosecution Supervision	0.0 %
Adjudicated Probation Supervision	3.0 %
Parole Supervision	11.5 %

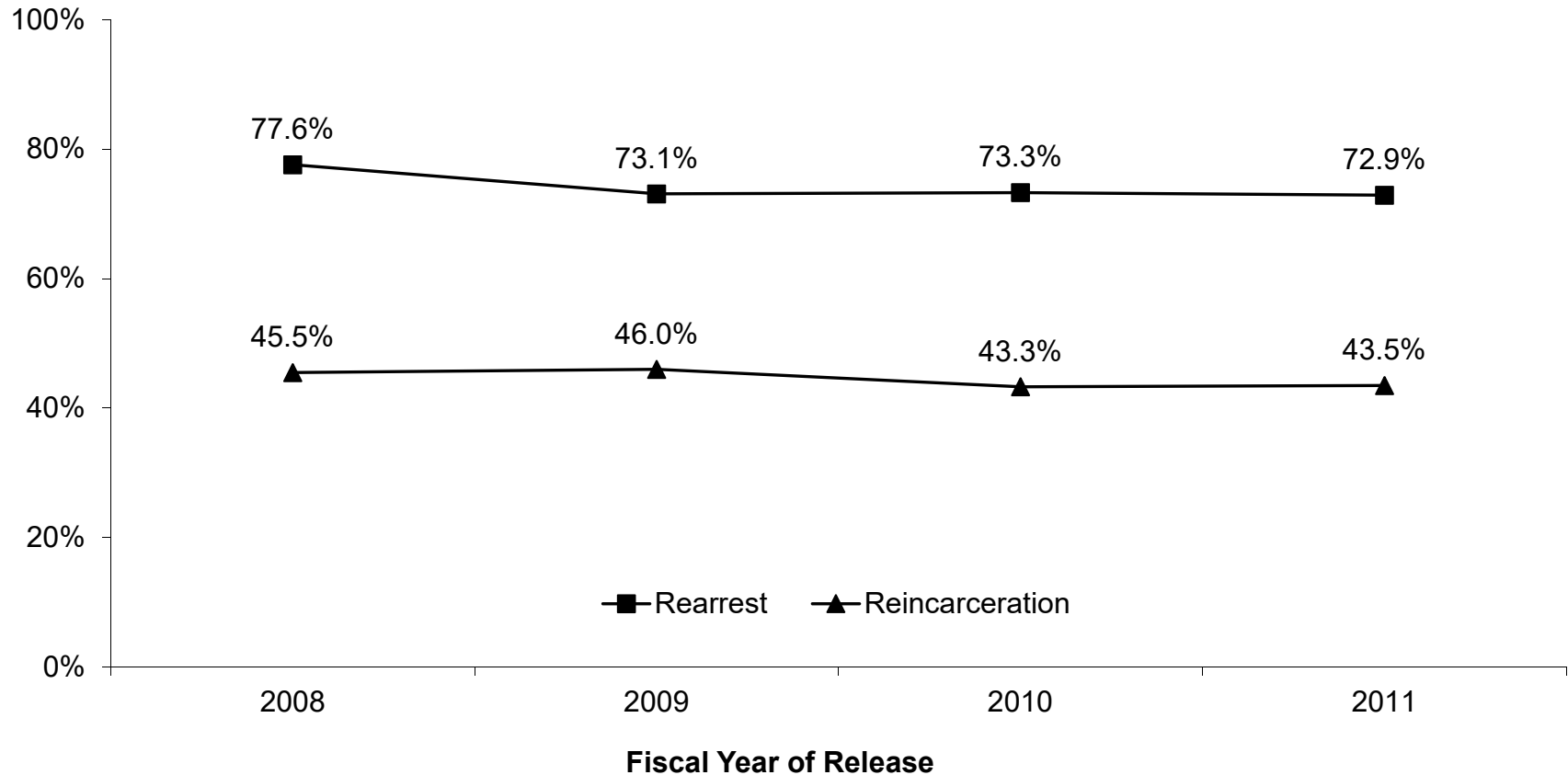
Sources: Legislative Budget Board; Texas Juvenile Justice Department; Texas Department of Public Safety.

Recidivism: Adult Prison Rearrest and Reincarceration Rates



Sources: Legislative Budget Board; Texas Department of Criminal Justice; Texas Department of Public Safety.

Recidivism: Juvenile TJJJ State Residential Facility Rearrest and Reincarceration Rates



Sources: Legislative Budget Board; Texas Juvenile Justice Department; Texas Department of Public Safety.

Recidivism: Findings

Adult

- Prison cohort reincarceration rates have remained steady – for every ten people released from Prison only two are returned to incarceration over a three year period while eight remain in the community.
- Of those within the fiscal year 2011 prison release cohort who were rearrested, the most prevalent offense at rearrest was a violent offense. By contrast the most prevalent offense for both the fiscal year 2009 and 2010 prison release cohorts for those who were rearrested was a drug offense.
- Of those within the fiscal year 2011 prison release cohort who were reincarcerated, the most prevalent offense at reincarceration was a property offense. By contrast the most prevalent offense for both the fiscal year 2009 and 2010 prison release cohorts for those who were reincarcerated was a drug offense.

Juvenile

- While State Residential Facility rearrest rates remained flat, reincarceration rates decreased slightly – for every ten juveniles released 4.5 were reincarcerated over a three year period while 5.5 remained in the community.
- The Deferred Prosecution Supervision cohort has a significantly larger percentage of offenders rearrested for misdemeanor level offenses when compared to all other cohorts.
- All juvenile cohorts experienced a slight increase in the proportion of youth with violent offenses at disposition.

NOTE: This information refers to the fiscal year 2009 through fiscal year 2011 cohorts.

Criminal and Juvenile Justice **Uniform Cost Report** **Fiscal Years 2013 and 2014**

Uniform Cost: Overview

- Data collection effort in which state criminal and juvenile justice agencies report expenditure and population data
 - Correctional institutions
 - Programs within correctional institutions
 - Community-based facilities
 - Community-based programs
- Central source of criminal and juvenile justice costs

Uniform Cost: Overview

- Differences between Cost Per Day figures published in the General Appropriations Act and the Uniform Cost Report

Publication	Fiscal Years Included	Appropriation vs. Expenditure	Funding Types Included
2016-17 General Appropriations Act	2016-2017 (future years)	Appropriation	Direct appropriations only
2015 Uniform Cost Report	2013–14 (past years)	Expenditure	Direct expenditures, indirect administration, benefits

Uniform Cost: Participants

- **Texas Department of Criminal Justice (TDCJ)** – state agency responsible for monitoring and distributing state funds to 122 local adult community supervision and corrections departments; operating adult correctional facilities; and supervising adults released to parole supervision

- **Texas Juvenile Justice Department (TJJD)** – state agency responsible for monitoring and distributing state funds to the 166 local juvenile probation departments; for the confinement and rehabilitation of juveniles who are adjudicated of felony-level offenses; and supervising juveniles admitted to parole supervision

Uniform Cost: Data Elements

- Expenditure and population data are collected annually and reported every other year to coincide with the beginning of the legislative session
 - Expenditures
 - Direct
 - Indirect
 - Population
 - Average Number of Participants
 - Total Number of Participants

Uniform Cost: Methodology

- TDCJ and TJJD are partners in the project – agencies provide direct expenditure and population data used to determine Cost Per Day figures
 - Direct expenditures – expenditures associated with a specific institution, facility, or program
 - Salaries and wages
 - Food (correctional institutions and community-based residential facilities)
 - Medical, psychiatric, and specialized treatment
 - Population data – average number of people who participate in a program or are located in a facility during a fiscal year

Uniform Cost: Methodology

Examples of Direct Costs:

Texas Department of Criminal Justice	
DIVISION	DIRECT COSTS
Correctional Institutions	Correctional officer salaries, offender food, offender medical treatment
Parole	Parole officer salaries, travel costs, offender treatment resources
Community Justice Assistance	Grants to local Community Supervision and Corrections Departments

Texas Juvenile Justice Department	
DIVISION	DIRECT COSTS
State Services and Facilities	Juvenile correctional officer salaries, food for juveniles, medical treatment for juveniles
Community Juvenile Justice	Grants to local juvenile probation departments

Sources: Legislative Budget Board; Texas Department of Criminal Justice; Texas Juvenile Justice Department.

Uniform Cost: Methodology

- LBB staff allocate indirect expenditures
 - Indirect expenditures – expenditures not associated with a specific institution, facility, or program; but fundamental to daily operations
 - Division administration
 - Agency administration
 - Other expenditures
- LBB staff calculate and apply benefits
 - Benefit expenditures for the criminal and juvenile justice agencies are extracted from the Uniform Statewide Accounting System; a benefits percent is calculated and applied to agency salary expenditures

Uniform Cost: Methodology

Examples of Indirect Costs:

Texas Department of Criminal Justice	
DIVISION	INDIRECT COSTS
Administration	Executive staff, legal expenses, data services
Correctional Institutions	Division administrative staff, professional fees and services

Texas Juvenile Justice Department	
DIVISION	INDIRECT COSTS
Administration	Executive staff, legal expenses
State Services and Facilities	Division administrative staff, professional fees and services

Sources: Legislative Budget Board; Texas Department of Criminal Justice; Texas Juvenile Justice Department.

Uniform Cost: Programs with State Costs Only

- The Cost Per Day Per Person (Cost Per Day) is calculated first by dividing the total program expenditures by the average daily population of a given program and then by dividing the quotient by the number of days in a fiscal year.
- Cost Per Day = $\frac{\text{program expenditures/average daily population}}{\text{number of days in a fiscal year}}$
- Program expenditures = direct expenditures + indirect expenditures
- Average daily population = average number of people who participated during the course of the fiscal year
- Days in the fiscal year = 365 or 366 (leap year)

Uniform Cost: Cost Per Day Example

- The Cost Per Day is calculated using the following formula:
- Cost Per Day = $\frac{\text{program expenditures/average daily population}}{\text{number of days in a fiscal year}}$

- Example – Fiscal Year 2014

Adult - Parole Supervision

$$\begin{aligned}\text{State cost} &= [(\$118,093,261 + \$4,714,144) / 83,345] / 365 \\ &= \$4.04\end{aligned}$$

Uniform Cost: Programs with State and Local Costs

- Cost figure components:
 - State cost = dollar amount of direct and indirect state expenditures per program or facility
 - State expenditures – Salary and Wages, Professional fees and services, and Client services
 - Federal expenditures - Grant and/or matching funds
 - Local cost = dollar amount of non-state governmental expenditures per program or facility
 - Participant fees
 - County funds
 - Total cost = total dollar amount of state and local expenditures per program or facility

Uniform Cost: Cost Per Day Example

- Cost Per Day = $\frac{\text{program expenditures/average daily population}}{\text{number of days in a fiscal year}}$
- Example – Fiscal Year 2014

Adult - Court Residential Treatment Centers

- State cost = $[(\$19,196,765 + \$363,671) / 609] / 365$
= \$88.00
- Local cost = $(\$1,935,062 / 609) / 365$
= \$ 8.71
- Total cost = $(\$21,495,498 / 609) / 365$
= \$96.71

NOTE: The cost per day figure is rounded to the nearest cent.

Uniform Cost: TDCJ Cost Per Day Highlights

Correctional Population/Program	FY 2014 Uniform Cost Per Day
Systemwide	\$54.89
Prototype Facilities - 1,000 Beds	\$46.04
State Jails	\$47.30
Parole Active Supervision	\$4.04
Community Supervision*	\$3.20

*Total cost per day includes state and local expenditures

Sources: Legislative Budget Board; Texas Department of Criminal Justice.

Uniform Cost: TJJD Cost Per Day Highlights

Correctional Population/Program	FY 2014 Uniform Cost Per Day
State Residential Facilities	\$437.11
Parole Supervision	\$31.93
Basic Community Supervision*	\$14.52
Detention/Pre-Adjudication*	\$262.52
Post-Adjudication Facilities*	\$207.61

*Total cost per day includes state and local expenditures.

Sources: Legislative Budget Board; Texas Juvenile Justice Department.

Questions?

Upcoming Criminal Justice Forums

The next Criminal Justice Forum will be held
Friday, November 4, 2016, at 1:30 PM.



LEGISLATIVE BUDGET BOARD

Contact the LBB

Legislative Budget Board

www.lbb.state.tx.us

512.463.1200