

# 83<sup>RD</sup> LEGISLATIVE SESSION REVIEW

Legislative Budget Board

Criminal Justice Forum

September 6, 2013



# Outline of Today's Criminal Justice Forum

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- Introduction and brief overview of the Legislative Budget Board (LBB)
- Criminal Justice Forum parameters
- Overview of 2014-15 Appropriations: Texas Department of Criminal Justice (TDCJ) and Board of Pardons and Paroles (BPP)
- Overview of 2014-15 Appropriations: Texas Juvenile Justice Department (TJJD)
- Criminal Justice Data Analysis Team reports and the 83<sup>rd</sup> Legislative Session
- New legislation with potential to affect criminal and/or juvenile justice policies
- Upcoming Criminal Justice Forums

# LBB Overview

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- Created in 1949
- Chapter 322, Government Code
- Comprised of 10 Legislators

<i>Lieutenant Governor</i> <b>David Dewhurst</b>	<i>Speaker of the House</i> <b>Joe Straus</b>
<i>Senate Finance Committee Chair</i> Tommy Williams	<i>House Appropriations Committee Chair</i> Jim Pitts
<i>Appointed Member</i> Robert Duncan	<i>House Ways and Means Committee Chair</i> Harvey Hilderbran
<i>Appointed Member</i> Juan Hinojosa	<i>Appointed Member</i> Dan Branch
<i>Appointed Member</i> Judith Zaffirini	<i>Appointed Member</i> Sylvester Turner

# LBB Overview

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## Primary Statutory Responsibilities

- Prepare draft of General Appropriations Bill
  - [http://www.lbb.state.tx.us/Appropriations\\_Bills/83/Conf\\_Bill.pdf](http://www.lbb.state.tx.us/Appropriations_Bills/83/Conf_Bill.pdf)
- Prepare budget estimates document
- Guide, review, and finalize agency strategic plans
- Review efficiency of state agencies, public school districts and higher education institutions
- Prepare fiscal notes and impact statements
- Adopt constitutional spending limit
- Budget execution (when necessary)

**LBB Website:** [www.lbb.state.tx.us](http://www.lbb.state.tx.us)

# Criminal Justice Teams' Structure and Staff Members

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- Public Safety and Criminal Justice Team
  - Angela Isaack, Manager
  - John Newton, Senior Analyst
  - Kevin Niemeyer, Analyst
  - John Wielmaker, Analyst
- Criminal Justice Data Analysis Team
  - Laurie Molina, Manager
  - Jamie Gardner, Analyst
  - John Posey, Analyst
  - Ed Sinclair, Analyst

# Criminal Justice Data Analysis Team

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- Project Long-Term Adult and Juvenile Correctional Populations
- Calculate Recidivism Rates for Criminal and Juvenile Justice Populations
- Calculate Cost-Per-Day Information for Criminal and Juvenile Justice Populations
- Project the Impact of Proposed Legislation on Criminal and Juvenile Justice Populations
- Conduct Interim Research Projects

# Criminal Justice Forum Parameters

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- Diverse group of participants
- A learning opportunity for all
- Limited to the subject area
- Please hold all questions until the end of the presentation
- Please fill out the feedback form and turn in after the Forum (last page of handouts)

# Criminal Justice Forum Parameters

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- Criminal Justice Forums are an opportunity for various groups to come together to learn about and discuss current issues in criminal/juvenile justice.
- If you have any questions that remain unanswered following the Criminal Justice Forum, please feel free to talk with any CJDA team member following the Forum
- Past Criminal Justice Forum presentations may be found here: <http://www.lbb.state.tx.us/CJDA.aspx?Team=CJDA>



Overview of 2014-15 Appropriations:  
Texas Department of Criminal Justice (TDCJ) and  
Board of Pardons and Paroles (BPP)

# Overview of 2014-15 Appropriations: TDCJ and BPP

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- \$6.3 billion in All Funds and \$6.1 billion in General Revenue-related Funds are provided for all TDCJ functions and BPP operations
- FY 2014-15 appropriations included an increase of \$163.1 million in All Funds for TDCJ/BPP (2.7 percent increase) and \$198.5 million in General Revenue-related funds (3.4 percent increase) as compared to FY 2012-13
- Agency staff positions within TDCJ/BPP (full-time-equivalents or FTEs) are funded at 40,306 for fiscal year 2015 compared to 40,071 for fiscal year 2013, an increase of 235 FTEs as compared to FY 2012-13
- TDCJ and BPP bill pattern may be found here on Page V-10:
  - [http://www.lbb.state.tx.us/Appropriations\\_Bills/83/Conf\\_Bill.pdf](http://www.lbb.state.tx.us/Appropriations_Bills/83/Conf_Bill.pdf)

# Overview of 2014-15 Appropriations: TDCJ and BPP

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- TDCJ Incarceration
  - \$5.1 billion in All Funds and \$4.9 billion in General Revenue-related Funds
  - General Revenue-related Funds increases over the 2012-13 biennium include:
    - \$105.2 million for a five percent increase in correctional officers' salaries
    - \$60.8 million for correctional managed health care
    - \$20.1 million for contract correctional facilities' per diem increases and replacement of reduced federal funds
    - \$11.7 million for vehicle replacements
    - \$6.1 million for an additional 75 reentry transitional coordinators
  - General Revenue-related Funds decreases below the 2012-13 biennium include:
    - \$97.3 million for reduction in capacity at contract prisons, private state jails, and residential pre-parole facilities, \$12.0 million of which was saved in FY 2013

# Overview of 2014-15 Appropriations: TDCJ and BPP

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- TDCJ Support of Community Supervision (adult probation) Services
  - \$598.8 million in All Funds and \$584.8 million in General Revenue-related Funds are provided for services delivered by local adult community supervision and corrections departments (CSCDs)
  - General Revenue-related Funds increases over the 2012-13 biennium include:
    - \$30.0 million to maintain current levels of corrections and diversion programs
    - \$17.0 million for CSCD employee health insurance cost increases
  - General Revenue-related Funds decreases below the 2012-13 biennium include:
    - \$7.2 million as a result of decreased community supervision population projections

# Overview of 2014-15 Appropriations: TDCJ and BPP

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- TDCJ Parole Supervision and Services
  - \$331.5 million in All Funds and \$330.9 million in General Revenue-related Funds
  - General Revenue-related Funds increases over the 2012-13 biennium include:
    - \$15.7 million for projected increases in parole supervision populations
    - \$2.5 million for contract intermediate sanction facilities' per diem increases
- Board of Pardons and Paroles
  - \$52.5 million in All Funds and General Revenue-related Funds
  - General Revenue-related Funds increases over the 2012-13 biennium include:
    - \$1.3 million for seven additional parole hearing officers and two additional voting commissioners
    - \$0.3 million for information technology equipment and vehicle replacements

## Overview of 2014-15 Appropriations: Texas Juvenile Justice Department (TJJD)

# Overview of 2014-15 Appropriations: TJJD

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- \$645.7 million in All Funds and \$588.2 million in General Revenue Funds are provided for all TJJD functions
- FY 2014-15 appropriations represents decreases of \$28.6 million in All Funds (4.2 percent decrease) and \$16 million in General Revenue Funds (2.7 percent decrease) as compared to FY 2012-13
- Agency staff positions within TJJD (full-time-equivalents: FTEs) are funded at 2,855 for fiscal year 2015 compared to 2,797 for fiscal year 2013, an increase of 58 FTEs.
- TJJD bill pattern may be found here on Page V-30:
  - [http://www.lbb.state.tx.us/Appropriations\\_Bills/83/Conf\\_Bill.pdf](http://www.lbb.state.tx.us/Appropriations_Bills/83/Conf_Bill.pdf)

# Overview of 2014-15 Appropriations: TJJD

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- TJJD State Services and Facilities
  - \$289.8 million in All Funds and \$260.4 million in General Revenue Funds
    - This is a \$24.4 million decrease in General Revenue Funds as compared to the 2012-13 biennial base spending level
  - General Revenue Funds decreases below the 2012-13 biennium include:
    - \$35.2 million due to decreasing populations at state correctional
  - General Revenue Funds increases over the 2012-13 biennium include:
    - \$5.2 million for a five percent increase in juvenile correctional officers' salaries
    - \$4.3 million for an additional 50 juvenile correctional officers
    - \$1.3 million and 8 FTEs for a reentry skills program
  - General Obligation Bond Proceeds of \$5.5 million were approved for facility maintenance and repair



# Overview of 2014-15 Appropriations: TJJD

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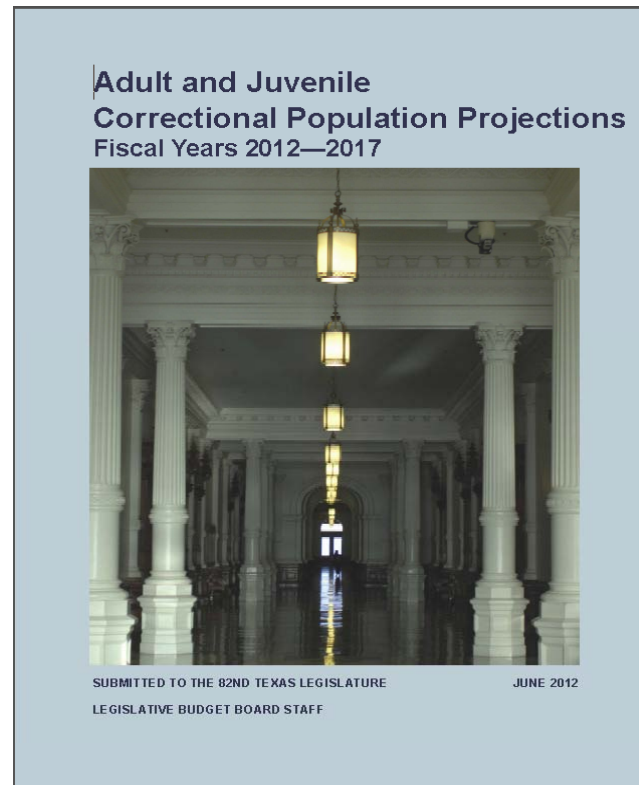
- TJJD Community Juvenile Justice (juvenile probation)
  - \$327.3 million in All Funds and \$293.7 million in General Revenue Funds
    - This is a \$10.5 million increase in General Revenue Funds as compared to the 2012-13 biennial base spending level
  - General Revenue Funds increases over the 2012-13 biennium include:
    - \$15.2 million for additional mental health services
    - \$2.0 million for prevention and intervention services
  - General Revenue Funds decreases below the 2012-13 biennium include:
    - \$6.7 million due to decreasing juvenile probation populations

# LBB Criminal Justice Data Analysis Team Reports and the 83<sup>rd</sup> Legislative Session

# CJDA Reports and the 83<sup>rd</sup> Legislative Session

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- June 2012 Adult and Juvenile Correctional Population Projections



# CJDA Reports and the 83<sup>rd</sup> Legislative Session

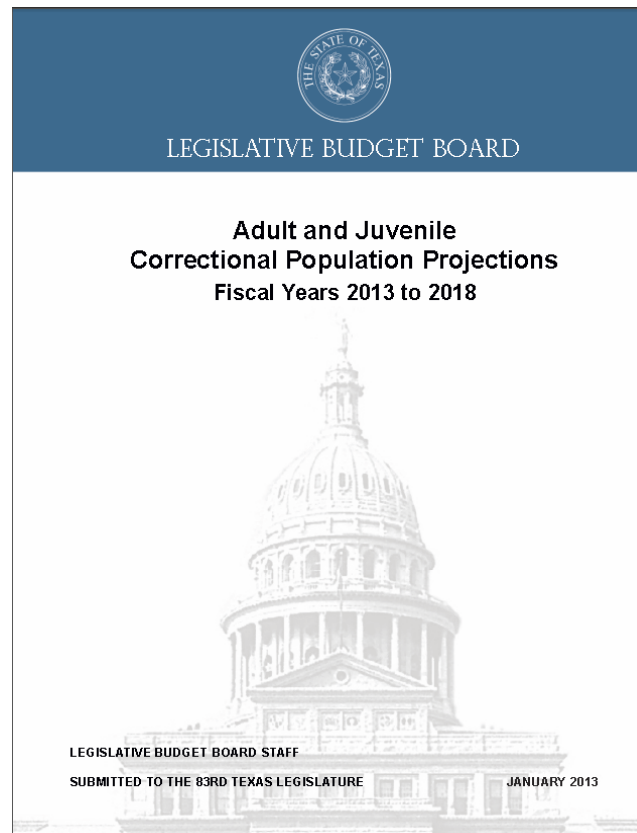
21

- Relationship between June 2012 Projections report and TDCJ/TJJD Legislative Appropriations Requests (LARs)
- June 2012 Projections report is preliminary and only includes partial data from FY 2012 – its primary purpose is to assist TDCJ and TJJD in developing their LARs
- Report may be found on the LBB website

# CJDA Reports and the 83<sup>rd</sup> Legislative Session

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- January 2013 Adult and Juvenile Correctional Population Projections



# CJDA Reports and the 83<sup>rd</sup> Legislative Session

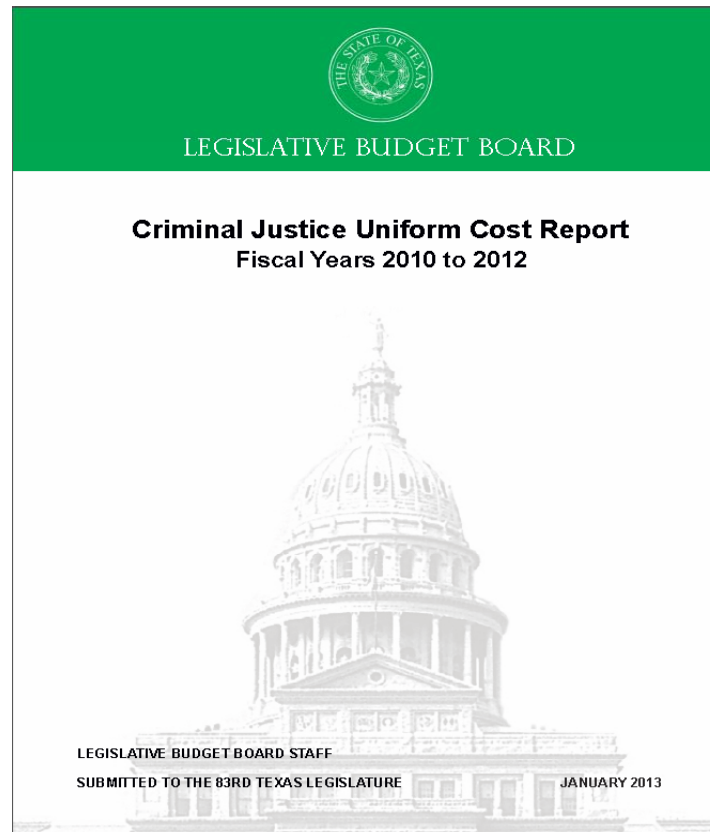
23

- January 2013 Projections are considered the “official” projections, while the June 2012 are only preliminary
- January 2013 Projections report includes full FY 2012 data and the findings were used to assist decision-makers in the budget process
- January 2013 Projections report also includes a qualitative section with both policy and budget recommendations derived from field research among criminal and juvenile justice practitioners
- Report may be found on the LBB website

# CJDA Reports and the 83<sup>rd</sup> Legislative Session

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- January 2013 Criminal Justice Uniform Cost Report



# CJDA Reports and the 83<sup>rd</sup> Legislative Session

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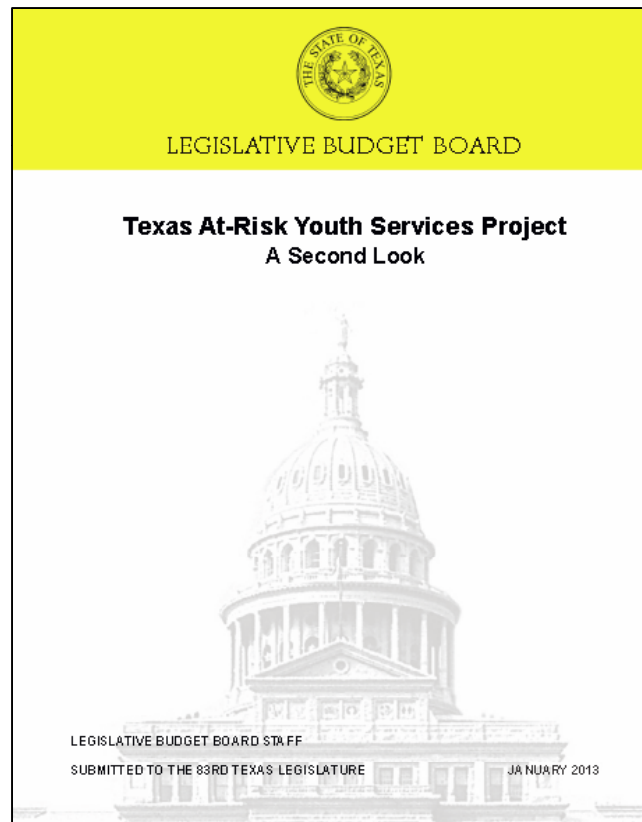
- The January 2013 Criminal Justice Uniform Cost Report provides legislators and practitioners comprehensive cost-per-day information for various correctional populations and programs
- Cost-per-day figures include indirect costs related to correctional populations and programs, including employee benefits and indirect administration costs
- Correctional costs included in fiscal notes are based on cost-per-day figures reported in the Uniform Cost Report
- Report may be found on the LBB website



# CJDA Reports and the 83<sup>rd</sup> Legislative Session

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- Texas At-Risk Youth Services Project: A Second Look



# CJDA Reports and the 83<sup>rd</sup> Legislative Session

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- The Texas At-Risk Youth Services Project (ARYSP) is a multi-interim study focused on developing recommendations to improve service delivery to at-risk youth in Texas
- The January 2013 ARYSP report included two legislative recommendations:
  - Consolidate juvenile delinquency prevention funding at TJJD
  - Increase funding allocated to Communities in Schools from the appropriations made to the Texas Education Agency

# CJDA Reports and the 83<sup>rd</sup> Legislative Session

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- The recommendation to consolidate juvenile delinquency funding at TJJD was not adopted
- The recommendation to increase funding for Communities in Schools was adopted
  - Fiscal year 2014-15 appropriations to CIS = \$40.7 million
  - Fiscal year 2012-13 appropriations to CIS = \$29.7 million
  - Total increase of \$11.0 million (37.2 percent)
- Report may be found on the LBB website

# CJDA Reports and the 83<sup>rd</sup> Legislative Session

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- Other CJDA reports and responsibilities during the 83<sup>rd</sup> Legislative Session:
  - January 2013 Statewide Criminal Justice Recidivism and Revocation Rates Report
  - January 2013 Windham School District Evaluation Report
  - Fiscal Notes
  - Criminal Justice Impact Statements
  - Issue Briefs – available on the LBB website
  - Ad-hoc information and data requests

## New Legislation with Potential to Directly Affect Criminal and/or Juvenile Justice Populations and/or Policies

# New Legislation with Potential to Affect Criminal and/or Juvenile Justice Populations

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- Of the criminal/juvenile justice-related bills enacted by the 83<sup>rd</sup> Legislature, three bills have the most potential to directly affect criminal/juvenile justice populations and/or policies:
  - Senate Bill 549 (Williams)
    - <http://www.legis.state.tx.us/tlodocs/83R/billtext/pdf/SB00549F.pdf#navpanes=0>
  - Senate Bill 1173 (West)
    - <http://www.legis.state.tx.us/tlodocs/83R/billtext/pdf/SB01173F.pdf#navpanes=0>
  - Senate Bill 511 (Whitmire)
    - <http://www.legis.state.tx.us/tlodocs/83R/billtext/pdf/SB00511F.pdf#navpanes=0>

# Senate Bill 549 (Williams)

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- Senate Bill 549
  - Bill Caption: Relating to penalties for engaging in organized criminal activity
  - Primary Focus: Delay parole release for certain offenders convicted of engaging in organized criminal activity and directing activities of criminal street gangs
  - Effective Date: September 1, 2013

# Senate Bill 1173 (West)

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- Senate Bill 1173
  - Bill Caption: Relating to procedures for the sentencing and placement on community supervision of defendants charged with the commission of a state jail felony
  - Primary Focus: Permit judges to sentence certain offenders to a term of state jail incarceration followed by a term of community supervision
    - Prior law only permitted state jail OR community supervision
  - Effective Date: September 1, 2013



# Senate Bill 511 (Whitmire)

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- Senate Bill 511
  - Bill Caption: Relating to the commitment of certain juveniles to local post-adjudication secure correctional facilities in certain counties and to the release under supervision of those juveniles
  - Primary Focus: Permit Travis County to commit certain juveniles to certain local facilities instead of TJJD
  - Effective Date: December 1, 2013
  - Expiration Date: December 31, 2018

## Upcoming Criminal Justice Forums

# Upcoming Criminal Justice Forums

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- The next Criminal Justice Forum will be held Friday, October 4, 2013, at 1:30 PM.
  - This forum will provide participants with:
    - A more in-depth understanding of LBB CJDA report findings and statistics
    - Updates on current LBB CJDA research plans for the upcoming year
    - Most importantly, a greater opportunity for participant feedback and recommendations for future research topics

# Upcoming Criminal Justice Forums

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- **Future Criminal Justice Forums:**
  - Academic
  - Performance Review
  - Advocacy Groups
  - Legal Groups
  - Criminal and Juvenile Justice Practitioners
  - Legislators
  - 84<sup>th</sup> Legislative Session Preparation
- **Be sure to fill out our sign-in forms and provide an email address so we may keep you informed about future Criminal Justice Forums**

# Contact Information

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- Wayne Pulver, Assistant Director – [wayne.pulver@lbb.state.tx.us](mailto:wayne.pulver@lbb.state.tx.us)
- Criminal Justice Data Analysis Team
  - Laurie Molina, Manager – [laurie.molina@lbb.state.tx.us](mailto:laurie.molina@lbb.state.tx.us)
  - Jamie Gardner, Analyst – [jamie.gardner@lbb.state.tx.us](mailto:jamie.gardner@lbb.state.tx.us)
  - John Posey, Analyst – [john.posey@lbb.state.tx.us](mailto:john.posey@lbb.state.tx.us)
  - Ed Sinclair, Analyst – [ed.sinclair@lbb.state.tx.us](mailto:ed.sinclair@lbb.state.tx.us)
- Public Safety and Criminal Justice Team
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  - John Newton, Senior Analyst – [john.newton@lbb.state.tx.us](mailto:john.newton@lbb.state.tx.us)
  - Kevin Niemeyer, Analyst – [kevin.niemeyer@lbb.state.tx.us](mailto:kevin.niemeyer@lbb.state.tx.us)
  - John Wielmaker, Analyst – [john.wielmaker@lbb.state.tx.us](mailto:john.wielmaker@lbb.state.tx.us)

# Contact Information

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**LBB Main Number**  
**512-463-1200**

# Report links

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- June 2012 Adult and Juvenile Correctional Population Projections:  
[http://www.lbb.state.tx.us/Public\\_Safety\\_Criminal\\_Justice/Pop\\_Projections/Adult%20and%20Juvenile%20Correctional%20Populations%20Projections2012-2017.pdf](http://www.lbb.state.tx.us/Public_Safety_Criminal_Justice/Pop_Projections/Adult%20and%20Juvenile%20Correctional%20Populations%20Projections2012-2017.pdf)
- January 2013 Adult and Juvenile Correctional Population Projections:  
[http://www.lbb.state.tx.us/Public\\_Safety\\_Criminal\\_Justice/Pop\\_Projections/Adult%20and%20Juvenile%20Correctional%20Population%20Projections%20Fiscal%20Years%202013%20to%202018.pdf](http://www.lbb.state.tx.us/Public_Safety_Criminal_Justice/Pop_Projections/Adult%20and%20Juvenile%20Correctional%20Population%20Projections%20Fiscal%20Years%202013%20to%202018.pdf)

# Report links

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- January 2013 Criminal Justice Uniform Cost Report:  
[http://www.lbb.state.tx.us/Public\\_Safety\\_Criminal\\_Justice/Uniform\\_Cost/Criminal%20Justice%20Uniform%20Cost%20Report%20Fiscal%20Years%202010%20to%202012.pdf](http://www.lbb.state.tx.us/Public_Safety_Criminal_Justice/Uniform_Cost/Criminal%20Justice%20Uniform%20Cost%20Report%20Fiscal%20Years%202010%20to%202012.pdf)
- January 2013 Texas At-Risk Youth Services Project – A Second Look:  
[http://www.lbb.state.tx.us/Public\\_Safety\\_Criminal\\_Justice/Reports/Texas%20At%20Risk%20Youth%20Service s%20Project%20A%20Second%20Look.pdf](http://www.lbb.state.tx.us/Public_Safety_Criminal_Justice/Reports/Texas%20At%20Risk%20Youth%20Services%20Project%20A%20Second%20Look.pdf)