



**TEXAS CRIMINAL
JUSTICE COALITION**

WRITTEN TESTIMONY

**SUBMITTED BY ANA YÁÑEZ-CORREA, PH.D.
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ON

**THE TEXAS DEPARTMENT OF CRIMINAL JUSTICE
LEGISLATIVE APPROPRIATIONS REQUEST, FY 2014 AND 2015**

AND THE

**TEXAS BOARD OF PARDONS AND PAROLES
LEGISLATIVE APPROPRIATIONS REQUEST, FY 2014 AND 2015**

TO

**THE GOVERNOR'S OFFICE OF BUDGET, PLANNING AND POLICY
AND THE LEGISLATIVE BUDGET BOARD**

SEPTEMBER 26, 2012

Dear Members of the Committee,

My name is Ana Yáñez-Correa. I am the Executive Director of the Texas Criminal Justice Coalition. Thank you for allowing me this opportunity to present public comments on the Legislative Appropriations Requests (LARs) of the Texas Board of Pardons and Paroles and the Texas Department of Criminal Justice for Fiscal Years 2014 and 2015.

The Texas Criminal Justice Coalition has been closely monitoring our state criminal justice system for years, and as an organization we greatly support the success of Texas' probation and parole systems, diversion programs, reentry strategies, and other practices that reduce prison populations while tackling the root causes of crime, increasing public safety, and saving taxpayers money.

TEXAS BOARD OF PARDONS AND PAROLES (BPP)

- *Baseline Requests*

The BPP plays a critical role in protecting public safety in Texas. It is the only entity that determines which individuals can be released on parole, which conditions of parole or mandatory supervision must be imposed, and which executive clemency recommendations should be made to the Governor. As such, the Texas Criminal Justice Coalition fully supports each of the BPP's baseline requests to cover operations costs, institutional parole officers, hearings, clemency determinations, and other costs.

NOTE: The BPP's FY 2014-15 request is conservative, seeking funding at levels consistent with the current biennium. However, it does not forecast any expenses associated with future lawsuits, which, if not covered, will be pulled from the BPP's general operations. Ultimately, policy-makers during the coming legislative session must identify strategies to improve structural and systemic deficiencies that lead to these costly lawsuits.

- *Exceptional Items Above the Baseline Budget*

The Texas Criminal Justice Coalition also supports the BPP's exceptional item request of \$300,000 to update and upgrade parole guidelines. These funds will not only provide the BPP expert assistance in the formulation of updated guidelines, but they will allow the BPP to comply with legislation that currently mandates the agency to annually review and update these guidelines.

TEXAS DEPARTMENT OF CRIMINAL JUSTICE (TDCJ)

- *Baseline Requests*

The Texas Criminal Justice Coalition supports TDCJ's baseline requests to accomplish the following:

- » **Goal A: Provide Prison Diversions**, which includes support for basic supervision, diversion programs, community corrections, treatment alternatives to incarceration, and Community Supervision and Corrections Department (CSCD) health insurance.

- » **Goal B: Special Needs Offenders**, which includes support for special needs programs and services.
- » **Goal C: Incarcerate Felons**, with special emphasis on support for the following sub-categories:
 - C.1.4: Institutional Goods
 - C.1.5: Institutional Services
 - C.1.7: Unit & Psychiatric Care
 - C.1.8: Hospital & Clinical Care
 - C.1.9: Managed Health Care – Pharmacy
 - C.1.10: Health Services
 - C.1.13: Residential Pre-Parole Facilities
 - C.2.1: Texas Correctional Industries
 - C.2.2: Academic/Vocational Training
 - C.2.3: Treatment Services
 - C.2.4: Substance Abuse Felony Punishment
 - C.2.5: In-Prison Substance Abuse Treatment & Coordination
- » **Goal F: Operate Parole System**, which includes support for parole release processing, parole supervision, halfway house facilities, and intermediate sanction facilities.
- » **Goal G: Indirect Administration**, which includes support for central administration, correctional training, Inspector General, victim services, and informational resources.
- *Exceptional Items Above the Baseline Budget*

In the chart below, we have outlined the TDCJ exceptional items that deserve full support.

FUNDING PRIORITY 1: DIVERSIONS, SUPERVISION & TREATMENT			
Item	Requested Amount		Texas Criminal Justice Coalition Position
	FY14	FY15	
Diversion Programs/Community Corrections	\$15.0 million	\$15.0 million	Proven community-based programs and treatment provide viable, cost-effective alternatives to incarceration. Already, nearly 420,000 individuals are on community supervision in Texas. Additional resources for CJAD will support local efforts to provide effective programs and services to probationers, to keep them law abiding and self-sufficient members of our Texas communities.
CSCD Health Insurance	\$6.2 million	\$10.0 million	Employee insurance premiums represent a steadily growing piece of CSCD budgets. According to Probation Advisory Committee Chair Mike Wolfe, “If insurance premiums continue to increase at the rate that has been experienced over the last several years by FY 2015 payment for health insurance will account for 41% of basic supervision budgets and only 59% of the budgets

			<p>will provide for the operations of departments and the provision of services to probationers.”</p> <p>Additional resources for health insurance will prevent CSCDs from having to pull funding away from needed programming and services for probationers.</p>
Reentry Initiatives/ Transitional Coordinators	\$4.1 million	\$4.1 million	Without a reentry infrastructure, individuals coming out of prison are more likely to re-offend – creating more victims and greater expense for the state. Additional resources for reentry services and staff (both inside and outside of prison walls) will boost public safety and save taxpayer dollars.
Parole Caseload Growth	\$2.2 million	\$3.6 million	Caseload ratios that align with performance measures established by the Legislative Budget Board help parole officers effectively serve individuals under their supervision; caseloads that exceed recommended ratios result in poor supervision and costly revocations to prison. Additional resources to help the Parole Division manage a growing numbers of parolees and provide effective programming to them will ensure that public safety is protected and that the high costs of recidivism are curbed.
TCOOMMI – Expansion of Mental Health/ Criminal Justice Initiatives	\$3.0 million	\$3.0 million	Again, an effective reentry infrastructure is critical to the success of individuals exiting prisons – especially those with mental health needs who are likely to re-offend without a community-based continuum of care. Additional resources for TCOOMMI will assist the agency in providing much-needed follow-up treatment for individuals returning to our communities, thus better enabling these individuals to healthily and safely manage their lives.

FUNDING PRIORITY 2: IMPROVED CONDITIONS AND SAFETY			
Item	Requested Amount		Texas Criminal Justice Coalition Position
	<i>FY14</i>	<i>FY15</i>	
Offender Health Care	\$70.2 million	\$70.9 million	<p>TDCJ’s \$100 “Annual Health Care Service Fee” (effective in 2011) has caused inmates’ a great burden, while doing little to help TDCJ fill a financial gap in health care provision. Inmates who request any medical treatment are now charged a one-time \$100 fee – even if the treatment falls under \$100 (like band-aids or other very inexpensive items). If that inmate has less than \$5 in his trust fund account, he can claim the indigency exception and receive treatment, but he must begin paying off the \$100 owed if his trust fund balance rises above \$5. What was once a quick trip to the doctor for a 50¢ band-aid now requires paperwork and costs the inmate (or his family) \$100.</p> <p>Additional resources for inmate health care – in excess of the \$70 million requested here – will allow TDCJ to roll back the fee and charge inmates per-visit treatment fees,</p>

			while having the funds to effectively provide that treatment.
Fleet Vehicle Replacement	\$15.0 million	\$15.0 million	When buses break down while transporting individuals to and from correctional facilities, our public safety is threatened, as are inmate passengers, drivers, and guards. Additional resources for fleet vehicles will minimize the likelihood of breakdowns and associated dangers.
Correctional Laundry & Food Services Equipment Replacement	\$7.5 million	\$7.5 million	Additional resources for equipment replacement will help TDCJ sustain facility operations at minimal levels.
Repair & Rehabilitation of Facilities	\$40.0 million	\$40.0 million	Recent reports from prisoner units indicate that 93 of TDCJ's prisons do not have air conditioning, especially problematic as summer temperatures reach up to 108 degrees Fahrenheit. Also worrisome, some surveyed correctional officers commented that units are extremely cold in the winter. At the very least, these conditions – and other problems causing unsanitary environments – must be addressed. Additional resources for facility rehabilitation will create safer, more humane working and living situations for guards, administrative staff, and inmates alike.

FUNDING PRIORITY 3: IMPROVED EFFICIENCY			
Item	Requested Amount		Texas Criminal Justice Coalition Position
	<i>FY14</i>	<i>FY15</i>	
Electronic Document Management Systems	\$7.9 million	\$5.0 million	Criminal justice agencies can best respond to lawmakers, the public, and those under their supervision when they increase information accessibility, streamline information dissemination, and improve inter-agency and interdepartmental collaboration. Additional resources for document management systems will help TDCJ staff improve decision-making and response times, so as to facilitate more effective communication with agency heads, practitioners, elected officials, and other concerned members of the public.
Replacement of Obsolete Personal Computers	\$6.9 million	---	TDCJ's technical devices are largely hand-me-downs from other state agencies. Given TDCJ's mission to supervise more than a half-million individuals each year, and given the above-stated importance of effective communication, updates to computers are critical to protecting public safety. TDCJ staff must have the capacity to make operations-related, program-related, and other crucial decisions based on real-time data and information that impacts staff and inmates.