

TEXAS DEPARTMENT OF CRIMINAL JUSTICE



**Self Evaluation Report
Submitted to the
Texas Sunset Advisory Commission**

August 31, 2011

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Texas Department of Criminal Justice Self-Evaluation Report

I. Agency Contact Information

A. Please fill in the following chart.

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II. Key Functions and Performance

Provide the following information about the overall operations of your agency. More detailed information about individual programs will be requested in a later section.

A. Provide an overview of your agency's mission, objectives, and key functions.

The mission of the Texas Department of Criminal Justice (TDCJ) is to provide public safety, promote positive change in offender behavior, reintegrate offenders into society, and assist victims of crime. The agency has defined seven key functions, mostly paralleling the agency's strategic plan and the main goals as outlined in the General Appropriations Act. Those functions are:

Provide diversions to traditional prison incarceration by the use of community supervision and other community-based programs. The primary objective of this function is to distribute state financial aid to CSCDs and community service providers that will provide basic supervision and innovative diversionary programs that impact the demand for additional prison capacity.

Provide a comprehensive continuity of care system for special needs offenders through statewide collaboration and coordination. The primary objective of this function is to provide for the diversion of special needs offenders into community-based alternatives to incarceration. Another important objective is the coordination of programs and care for special needs offenders which facilitates successful release and reentry into the community.

Provide for confinement, supervision, rehabilitation and reintegration of adult felons. The primary objectives of this function are to: provide safe and secure confinement of the inmate

population, including the provision of basic necessities; and provide programs and services which support rehabilitation, reintegration and the successful reentry of offenders into the community.

Provide a system of managed health care for the offender population. The primary objectives of this function are the delivery of health care to the offender population as well as the monitoring of that care, which includes investigating medical grievance filled by offenders; ensuring that all offenders have access to primary care and specialty care when warranted; and conducting periodic operational reviews of medical care delivered to the offender population.

Ensure and maintain adequate housing and support facilities for convicted felons during confinement. The primary objective of this function is to provide and maintain safe, secure correctional facilities of sufficient capacity to house incarcerated offenders.

Provide supervision and administer the range of options and sanctions available for felons' reintegration into society following release from confinement. The primary objectives of this function are: supervising and assisting parolees in adjusting to community life; and applying appropriate sanctions when necessary to those parolees who fail to comply with the conditions of release.

Provide through indirect administration the means to administer and direct agency operations. There are several primary objectives of this function, to include: providing professional training, both practical and on-the-job, for security staff; providing for an inspector general function reporting to the Texas Board of Criminal Justice (TBCJ); providing services to victims of crime; and providing information technology resources to assist the agency in fulfilling its mission.

B. Do your key functions continue to serve a clear and ongoing objective? Explain why each of these functions is still needed. What harm would come from no longer performing these functions?

Each of the functions described above serves a clear and ongoing objective, and makes an important contribution to public safety; consequently, no longer performing any of the functions would adversely impact public safety.

For example, to no longer provide diversions to traditional prison incarceration by the use of community supervision and other community-based programs would leave many convicted felons in the community with little or no supervision. In addition to jeopardizing public safety, no longer performing this function would likely result in more offenders being sentenced to incarceration because judges and juries would find the alternative (remaining in the community without supervision) unacceptable. The cost of incarcerating additional offenders would in all likelihood greatly exceed any savings from discontinuing community supervision funding. There are no other county or state agencies or entities that provide oversight or monitoring of the community supervision corrections departments around the state. Because the community

supervision population, the community supervision and corrections department employees and other stakeholders are a unique but decentralized component of the state's criminal justice system, failure to perform this function would result in inconsistencies in supervision and compliance throughout the state.

Additionally, no longer being able to provide a comprehensive continuity of care system for special needs offenders would make supervision of one of the most challenging populations much more difficult, increasing the likelihood that these offenders would re-offend or commit other violations of probation. Consequently, public safety would be negatively impacted, and the cost of incarceration would increase as more offenders are sentenced to prison.

The inability to provide for incarceration and the basic necessities which make the safe and secure confinement and supervision of incarcerated offenders possible would impact public, staff and offender safety. To cease providing rehabilitation and reintegration services for the offender population has an equally direct impact as those programs that address issues such as chemical addiction and lack of education and job skills lessen the likelihood of re-offending.

The failure to ensure access to and delivery of medical care to the offender population would jeopardize the health of the offender population, violate statutory mandates, increase the risk of litigation and ultimately lead to higher health care costs.

Should the department be unable to ensure and maintain adequate housing and support facilities for convicted felons during confinement, there would not be adequate secure correctional capacity to house the offender population. County jails could become dangerously overcrowded in the absence of adequate state capacity, or early releases might be necessary to control offender population growth. Failure to maintain TDCJ's aging physical plant statewide would result in increased costs to the state as mechanical breakdowns begin to occur.

Should the department no longer supervise and assist parolees in reentering the community, recidivism rates would likely increase. Failing to monitor the activities of offenders on parole would result in no intervention for parolees who refuse to comply with the conditions of their release until such time as a new criminal offense occurred, thus endangering public safety.

Were the agency to lose its ability to professionally train new correctional staff, the safety of all TDCJ's employees and offenders would be threatened and litigation resulting from incidents handled by improperly trained staff would increase. If the inspector general was no longer able to investigate violations of law and certain agency policies, operating the agency in a safe and constitutional manner would become more difficult. Should services to victims no longer be provided, opportunities to exercise the rights statutorily provided for in the crime victims bill of rights would be compromised.

C. What evidence can your agency provide to show your overall effectiveness and efficiency in meeting your objectives?

There are numerous performance measures designed to demonstrate whether the agency is effectively and efficiently meeting its objectives. Information regarding the agency's accomplishments relative to these performance measures is provided in Section II of the report, but a few worth noting include escape rates, recidivism rates, the number of American Correctional Association (ACA) accredited units (108) and cost-per-day of housing offenders. The agency's low escape and recidivism rates demonstrate effectiveness relative to other correctional systems, and the low cost-per-day to house offenders demonstrates efficiency is achieved as well. The number of units accredited by ACA shows the high standards which TDCJ strives for in operating their units, and the decline in workers' compensation expenses and employee and offender injuries shows the improvement of day-to-day safety precautions on the units.

D. Does your agency's enabling law continue to correctly reflect your mission, objectives, and approach to performing your functions? Have you recommended changes to the Legislature in the past to improve your agency's operations? If so, explain. Were the changes adopted?

The department's enabling legislation continues to correctly reflect our mission, objectives and approach to performing our functions. However, the agency does periodically bring forward recommendations to the Legislature for statutory changes intended to positively impact agency operations. For example, the agency brought forward four suggestions for statutory changes that were enacted into state law.

E. Do any of your agency's functions overlap or duplicate those of another state or federal agency? Explain if, and why, each of your key functions is most appropriately placed within your agency. How do you ensure against duplication with other related agencies?

Each of the agency's functions is appropriately placed within TDCJ, as no other state agency is responsible for the incarceration and supervision of the adult convicted felons. The Texas Youth Commission (TYC) and the Texas Juvenile Probation Commission (TJPC) have similar responsibilities for the juvenile offender population. Federal agencies such as the federal Bureau of Prisons (BOP) perform similar functions for adult felons convicted under federal law. The various functions of the agency are interconnected and critical to the success of the overall mission, consequently those functions are appropriately placed within the Department. For example, the effective supervision, treatment and diversion programs provided by local Community Supervision and Corrections Departments positively impact both the incarceration function as well as post-release supervision. Likewise, rehabilitation programming and reentry and continuity-of-care services prior and during release are critical to the success of the post-release supervision function. While the department coordinates with numerous state, federal and local criminal justice agencies to ensure appropriate information sharing among agencies and

to avoid duplication, intra-agency communication and coordination is most effective. Interagency coordination is enhanced through memorandums of understanding and interagency contracts where appropriate, as well as frequent uses of informal communication and staff contact. Since the separate agencies have distinct responsibilities regarding the offender population, avoiding duplication is often less of a concern than is coordination to ensure offenders receive appropriate services and supervision as they move through and out of the criminal justice system.

F. In general, how do other states carry out similar functions?

Virtually every state provides for incarceration, rehabilitation and street supervision of offenders in a similar matter. However, they differ in several important aspects, including whether the incarceration, probation and parole functions are combined into a single agency like the TDCJ or are placed in separate agencies. In addition, unlike Texas, some states merge the probation and parole functions into a single function. Also, there is variation among the states as to whether probation and/or parole are state or local functions.

G. What key obstacles impair your agency's ability to achieve its objectives?

An obstacle to the successful confinement of offenders is the introduction of contraband into TDCJ facilities. Contraband cell phones are particularly challenging as they enable clandestine communication which can be used in criminal and gang related activities. Numerous measures have been implemented that have resulted in more phones intercepted and fewer reaching the offender population. Federal prohibitions on cell phone jamming prevent correctional agencies from using one of the most effective means of combating contraband cell phones.

An obstacle to providing adequate health care to the offender population is the rate of inflation in the health care industry, which exceeds inflation in other sectors of the economy, in combination with a growing number of offenders who are elderly or who have medical conditions that require greater levels of care.

An obstacle to successful reintegration of offenders is community opposition to the return of those offenders, as well as to the location of residential facilities which may facilitate successful reentry. Community opposition is particularly significant in regards to releasing sex offenders; consequently many placement options are limited or unavailable for this population.

H. Discuss any changes that could impact your agency's key functions in the future (e.g., changes in federal law or outstanding court cases).

The most significant change that could potentially impact agency operations would be offender population growth that is greater than anticipated. Offender population growth which substantially exceeds expectations has both budget and policy implications which can significantly impact the functions of the agency.

Changing demographics among the offender population also significantly impact the agency. For example, there are a growing number of inmates age 55 and over. Medical expenses for this population significantly exceed those for the typical offender.

Because agency policies and procedure are already substantially compliant, the draft rules proposed by the U.S Department of Justice pertaining to the Prison Rape Elimination Act will generally not have a significant impact. However, proposed limitations on cross gender supervision would have a significant operational impact on TDCJ and correctional agencies across the country.

Changes to federal law permitting cellular telephone jamming would assist in combating contraband cell phones.

I. What are your agency's biggest opportunities for improvement in the future?

One of the most important opportunities for future improvement for TDCJ involves reentry of offenders into the community. Additional appropriations for this purpose from the 81st Legislature remain largely intact. The department is reviewing its practices and reaching out to resources in the community in order to increase the likelihood of successful reentry. Recidivism rates are already low relative to the national average, but any further reduction would enhance public safety and reduce the demand for any additional prison beds.

J. In the following chart, provide information regarding your agency's key performance measures included in your appropriations bill pattern, including outcome, input, efficiency, and explanatory measures. See Example 2 or [click here to link directly to the example](#).

<p align="center">Texas Department of Criminal Justice Exhibit 2: Key Performance Measures - Fiscal Year 2010</p>			
Key Performance Measures	FY 2010 Target	FY 2010 Actual Performance	FY 2010 % of Annual Target
A.1.1. Average Number of Felony Offenders under Direct Supervision	172,895	173,058	100.09%
A.1.1. Average Monthly Caseload	76	77	101.71%
A.1.2. Number of Residential Facility Beds Grant-funded	3,284	3,100	94.38%
A.1.3. Number of Residential Facility Beds Funded through Community Corrections	330	327	99.09%
B.1.1. Offenders with Special Needs Three-year Reincarceration Rate	12%	19.2%	160.00%
B.1.1. Number of Special Needs Offenders Served Through the Continuity of Care Programs	28,500	25,967	91.11%
C.1. Escaped Offenders as Percentage of Number of Offenders Incarcerated	0%	0.0013%	0%

C.1.1. Three-Year Recidivism Rate	28%	24.3% *	86.79%
C.1. Turnover Rate of COs	18%	20.31%	112.83%
C.1.1. Average Number of Offenders Incarcerated	140,529	139,693	99.40%
C.1.7. Psychiatric Inpatient Average Daily Census	1,963	1,923	97.95%
C.1.8. Average number of Offenders under Correctonal Managed Healthcare	151,734	151,227	99.67%
C.1.8. Medical Care Cost Per Offender	7.58	7.61	100.40%
C.1.10 Average Number of Offenders in Contractural Correctional Beds Capacity	-	-	-
C.1.11. Average Number of Offenders in Contract Prisons and Privately Operated State Jails	11,890	11,818	99.39%
C.1.12. Average Number of Pre-parole Transferees in Pre-parole transfer facilities	2,277	2,247	98.70%
C.1.12. Average Number of Offenders in Work Program Facilities	500	498	99.57%
C.2.1. Number of Inmatess Assigned to the Texas Correctional Industries Program	6,100	5,895	96.64%
C.2.2. Inmate Students Enrolled	9,115	7,812	85.70%
C.2.4. Number of Sex Offenders Receiving Psychological Counseling While on Parole/Mandatory Supervision	2,315	2,569	110.97%
C.2.5. Number of Confinnees Completing Treatment in Substance Abuse Felony Punishment Facilities	8,198	5,506	67.16%
E.1.1. Number of Parole Cases Considered	92,000	97,376	105.84%
E.1.1. Number of Parole Cases Processed	42,645	43,231	101.37%
F.1. Releasee Annual Revocation Rate	7.3	6.5	88.49%
F.2.1. Average Number of Offenders under Active Parole Supervision	78,496	81,220	103.47%
F.2.1. Average Monthly Caseload	62	64	103.00%
F.2.2. Average Number of Releasees in Halfway Houses	1,549	1,465	94.60%
F.2.3. Average Number of Releasees in Intermediate Sanction Facilities	2,299	2,829	123.07%

*LBB Statewide Criminal Justice Recidivism and Revocation Rates, January 2011

III. History and Major Events

Texas Department of Criminal Justice

- 1829 Congress of the Mexican State of Coahuila y Texas adopted resolutions to establish first Texas prison.
- 1849 Prison system established in Texas and first began to house prisoners.

1913	Probation system established.
1926	Texas Prison Board established and given oversight authority.
1936	BPP created by constitutional amendment, with authority given to the governor to recommend paroles and acts of executive clemency.
1957	The division of parole supervision established and funds appropriated to employ professional parole officers.
1977	The legislature instituted mandatory supervision for offenders released based on good time plus calendar time calculations for all offenders, regardless of the nature of their offense. In 1987 and in subsequent years, offenders serving time for certain categories of offenses, including most violent offenses, were made ineligible for mandatory supervision release.
1980	Judge William Wayne Justice's original <i>Ruiz</i> memorandum opinion was issued December 12 th stating that Texas Department of Corrections (TDC) imposed cruel and unusual punishment (<i>reversed in part in 1982</i>).
1982	The United States Court of Appeals-Fifth Circuit upheld Judge Justice's finding (<i>Ruiz</i> lawsuit) that TDC imposed cruel and unusual punishment; however, the Appellate Court reversed some of the more specific remedial measures ordered by Judge Justice.
1983	Constitution amended to remove the governor from the parole process; BPP established as a statutory agency with authority to approve paroles, revoke paroles, and issue warrants for the arrest of offenders violating conditions of release.
1989	The TDCJ was created by House Bill (HB) 2335, 71 st Legislature, from the Department of Corrections (previously known as the Institutional Division [ID]) now the Correctional Institutions Division (CID), the supervision function from the BPP (now the PD) and the Adult Probation Commission (now the Community Justice Assistance Division [CJAD]).
1991	During the 72 nd Legislature, HB 93 established a program to confine and treat offenders with a history of substance abuse in an in-prison therapeutic community and created the concept of a substance abuse felony punishment facility. Additionally, the TDCJ was given a statutory deadline of September 1, 1995, to accept all offenders from county jails within 45 days of paper-ready status.
1992	The <i>Ruiz Final Judgment</i> consolidated all previous stipulations, agreements, and orders related to the lawsuit, and allowed the TDCJ to be governed by departmental policies and procedures.
1993	During the 73 rd Legislature, Senate Bill (SB) 532 created the State Jail Division (SJD) of the TDCJ; SB 1067 created the offense category of state jail felony and redefined the selected offenses as state jail felonies. Also, during the 73 rd Legislature, the Correctional Managed Health Care Advisory Committee (later

renamed the Correctional Managed Health Care Committee) was created to establish a managed health care system and control costs by negotiating contracts with a network of physicians, hospitals and other health care providers.

- 1995 HB 1433, 74th Legislature, made mandatory supervision discretionary for any offender with an offense committed on or after September 1, 1996, by granting the BPP the authority to block a scheduled mandatory supervision release based on factors such as an assessment of risk to the public. HB 2162 made numerous changes to the TDCJ statutes, including: equalizing good conduct time for offenders in transfer facilities; replacement of the county-by-county prison allocation formula with a scheduled admissions policy; replacement of the related funding formula for community corrections program funds with a two-factor formula; extending the maximum length of stay for a prison-bound offender in a transfer facility from 12 to 24 months; elimination of authority for furloughs from the ID (now known as the Correctional Institutions Division); and clarifying the shared responsibilities of the CJAD and the SJD for work and rehabilitation programs in state jails. During the summer of 1995, the TDCJ brought into the system offenders from county jails, satisfying the statutory deadline (HB 93, 1991) that by September 1, 1995, all offenders would be accepted from county jails within 45 days of paper-ready status.
- 1996 In March 1996, Attorney General Dan Morales filed, on behalf of the TDCJ, a Motion to Terminate the 1992 *Ruiz Final Judgment* pursuant to Rule 60(b), Federal Rules of Civil Procedure. Congress enacted the Prison Litigation Reform Act (PLRA) in April 1996. The statute at 18 U.S.C. §3626 attempts to affect prison conditions litigation by: requiring that the district court find that the existing prospective relief “remains necessary to correct a current and ongoing violation of [a] Federal right, and that the prospective relief is narrowly drawn and the least intrusive means to correct the violation” [subsection (b)(3)]; requiring immediate termination of prospective relief such as the Final Judgment [subsection (b)(2)]; requiring a prompt ruling on motions for relief; requiring an automatic stay of prospective relief unless the district court finds that relief remains necessary to correct a current or ongoing constitutional violation [subsection (e)(2)]; and requiring automatic termination of decrees on the second anniversary of the PLRA [subsection (b)(1)]. In September 1996, the attorney general filed a Motion to Terminate pursuant to the PLRA.
- 1997 During the 75th Legislature, HB 819 created the Programs and Services Division (PSD) of the TDCJ (now the Rehabilitation Programs Division [RPD]) to administer rehabilitation and reentry programs. HB 2918 required the PD to create a Super-Intensive Supervision Program (SISP) category for violent mandatory supervision parolees who need a very high degree of supervision, as determined by the BPP. Under SISP, releasees who pose a significant threat to public safety face supervision measures whose scope is “construed in the broadest possible manner consistent with constitutional constraints.” SB 367 prohibited private prisons that lack a contractual relationship with a governmental body, and gave the Commission on Jail Standards legal authority to regulate the housing of out-of-state offenders in local jails. The legislature enacted significant restrictions

on the location of correctional or rehabilitative facilities, providing for public notification and local veto authority, in HB 1550. In HB 2909, community supervision and parole officers were authorized to carry handguns in the discharge of their duties.

- 1998-1999 The TDCJ participated in the Sunset review process. As passed by the 76th Legislature, the Sunset bill amended the agency's mission statement to include victim services; eliminated statutory restrictions on organizational structure; clarified statutory objectives of Texas Correctional Industries; and created a civil commitment process for violent sexual predators. The 76th Legislature enacted other Sunset legislation affecting the BPP (SB 352) and the Correctional Managed Health Care Committee (CMHCC) (SB 371). On March 1, 1999, Judge William Wayne Justice issued a 167-page opinion in the *Ruiz* litigation finding that the TDCJ violated the 8th Amendment in three respects: excessive use of force, conditions in administrative segregation, and failure to protect vulnerable offenders. The opinion found that the system is not unconstitutional, though deficient, in the areas of health and psychiatric care. Judge Justice also ruled that the PLRA is unconstitutional, but entered an "Alternative Order" under the PLRA to be triggered in the event the 5th Circuit disagreed with the holding.
- 2000-2001 The 77th Legislature enacted a procedure for convicted persons to request DNA testing (SB 3), reform of the system for appointing and compensating criminal defense counsel (SB 7), and liberalized compensation for wrongful imprisonment (SB 536). In the corrections realm, the legislature enacted a new Interstate Compact for Adult Offender Supervision (HB 2494), the "Safe Prisons Program" (SB 1, General Appropriations Act, TDCJ Rider 73), requirements for enhanced monitoring of private facilities under contract (HB 776 and SB 1, TDCJ Rider 68), and liberalized provisions for crediting time served under parole supervision (HB 1649). On March 20, 2001, the 5th Circuit panel issued a *Ruiz* decision, holding that: the Prison Litigation Reform Act (PLRA) is constitutional and the district court had 90 days (June 18) to follow the mandate of the PLRA, which is to make written findings that explain why provisions of the *Ruiz Final Judgment* remain necessary to address ongoing constitutional violations, that the provisions are narrowly tailored, and are the least intrusive means to address the constitutional violations. The June 18th order held that the following areas of the *Ruiz Final Judgment* are free from court oversight as of the date of the order: staffing, support services inmates (building tenders), discipline, access to courts, visiting, crowding, internal monitoring and enforcement, health services and death row. On October 12, 2001, Judge William Wayne Justice issued an order detailing remedial actions in the three remaining areas and setting a target date for the end of jurisdiction on July 1, 2002. The state appealed the order but did not seek a stay pending the appeal.
- 2002 In the weeks before the plaintiff's June 1, 2002, deadline to object to termination, plaintiffs' counsel engaged in extensive discussions with the TDCJ management and the Office of the Attorney General (OAG). The deadline was extended by agreement to June 10th, and on June 7th, the parties met with Judge Justice to convey plaintiffs' counsel's decision not to object to termination. On June 17,

2002, Judge Justice signed a one-page order dismissing the case. On September 24, 2002, the long-standing Guajardo class action, governing the offender correspondence rules, was terminated by United States District Judge Lee Rosenthal, pursuant to the PLRA.

- 2003-2004 The state's budget deficit dominated the landscape of the 78th Legislature. The TDCJ's operating budget for Fiscal Year (FY) 2004-05 was reduced by approximately \$240 million, or approximately 4.7% compared to the original FY 2002-03 funding level. More than 1,700 positions were eliminated, impacting virtually all support functions (security and parole officer positions were not reduced). Appropriations for food, utilities and other basic operational items were reduced. Although funding for many rehabilitative programs was maintained at the FY 2002-03 level, funding for several programs was reduced or eliminated. The Criminal Justice Policy Council (CJPC) was eliminated effective September 1, 2003. Significant criminal justice legislation included: a requirement that judges grant community supervision for first time drug possession state jail felonies (HB 2668); expansion of eligibility and improved procedures for medically recommended intensive supervision (HB 1670); wholesale revision to the statute governing competency to stand trial (SB 1057); a requirement that non-violent offenders be reviewed annually for parole release, and that others be set off for up to five years (SB 917); and a reduction in the amount of time allowed to process a parole revocation for a technical violation (SB 880). In the 3rd Called Session, the BPP was reorganized in HB 7 (Article 11). TDCJ streamlined the agency's organizational structure, combining four separate divisions, the Institutional, State Jail, Operations and Private Facilities Divisions, into the CID.
- 2005 The 79th Legislature responded to projections of offender population growth by appropriating additional funding for: contract temporary capacity; CCFs and reduced community supervision caseloads; and substance abuse treatment for parolees. The legislature also enacted several measures significantly impacting TDCJ employees, to include: a 4% pay raise in FY 2006 followed by an additional 3% pay raise in FY 2007; an increase in hazardous duty and longevity pay; a low-interest home loan for employees drawing hazardous duty; and maintenance of the state's benefit and retirement package. Significant criminal justice legislation enacted by the 79th Legislature included SB 60, making life without the possibility of parole a sentencing option in capital crimes; HB 1068, creating the Texas Forensic Science Commission; and HB 2036, providing for the licensing and regulation of sex offender treatment providers and the treatment of sex offenders.
- 2006-2007 The TDCJ participated in the Sunset review process. As enacted by the 80th Legislature, the Sunset bill (SB 909) made numerous changes to state law, to include authorizing judges to permit the release of state felons to medically recommended intensive supervision, and requiring the PD to establish a process for identifying low risk offenders who may be released from supervision. The 80th Legislature responded to projections of offender population growth by appropriating additional funding for numerous programs designed to reduce

recidivism or provide alternatives to incarceration. The legislature also enacted several measures impacting TDCJ employees, to include a 2% pay raise in both FY 2008 and FY 2009, and an increase in hazardous duty pay for security staff. In response to SB 1580 enacted by the 80th Legislature, the agency began implementation of an offender telephone system offering both prepaid and collect calling options. In order to consolidate oversight functions involving contract facilities, TDCJ modified the agency's organizational structure by creating the Private Facility Contract Monitoring/Oversight Division (PFCMOD).

2008-2009 Offender population growth peaked during the summer of 2008, and then began a decline which continued throughout the remainder of 2008 and 2009. In September 2008, Hurricane Ike struck the Texas Gulf Coast and caused considerable damage to Hospital Galveston, requiring TDCJ, Correctional Managed Health Care (CMHC) and the partnering universities to temporarily make alternative arrangements for the offender population. During the 2009 legislative session, several actions were taken that impacted TDCJ employees, especially correctional and parole officers, as well as unit-based employees. Beginning with their September 2009 pay, these employees received, on average, a targeted pay increase of 3.5% in gross monthly pay, and another targeted 3.5% increase in gross monthly pay effective September 2010. Employees who were not recipients of the targeted pay raise received an \$800 gross payment during August 2009. Legislation mandating regional release sites, permitting suspension and restoration of good time credits, and promoting successful reentry of releasing offenders was also enacted. The agency created a new Reentry and Integration Division (RID) based upon the Texas Correctional Office on Offenders with Medical or Mental Impairments (TCOOMMI) model to facilitate the successful transition of offenders from incarceration to supervision.

IV. Policymaking Structure

A. Complete the following chart providing information on your policymaking body members.

(Texas Department of Criminal Justice) Exhibit 3: Policymaking Body			
Member Name	Term/ Appointment Dates/ Appointed by ____ (e.g., Governor, Lt. Governor, Speaker)	Qualification (e.g., public member, industry representative)	City
Oliver J. Bell, Chairman	Appointed 1/2004 and reappointed 3/2009 Term expires 2/2015 Appointed by Governor	Public Member	Austin
Eric Gambrell	Appointed 12/2007 Term expires 2/2013 Appointed by Governor	Public Member	Dallas

Judge Larry Gist	Appointed 3/2011 Term expires 2/2017 Appointed by Governor	Public Member	Beaumont
Carmen Villanueva-Hiles	Appointed 3/2009 Term expires 2/2015 Appointed by Governor	Public Member	Palmhurst
Janice Harris Lord	Appointed 12/2007 Term expires 2/2013 Appointed by Governor	Public Member	Arlington
Terrell McCombs	Appointed 12/2007 Term expires 2/2013 Appointed by Governor	Public Member	San Antonio
Tom Mechler	Appointed 11/2005 and reappointed 3/2011 Term expires 2/2017 Appointed by Governor	Public Member	Amarillo
J. David Nelson	Appointed 4/2008 Term expires 2/2013 Appointed by Governor	Public Member	Lubbock
Leopoldo Vasquez III	Appointed 11/2005 and reappointed 3/2011 Term expires 2/2017 Appointed by Governor	Public Member	Houston

B. Describe the primary role and responsibilities of your policymaking body.

The TBCJ governs the operations of the TDCJ, which provides for confinement, supervision and rehabilitation of convicted felons (Texas Government Code Sec. 492.001). The board does so primarily by employing the executive director, by adopting rules and policies that guide the agency, and by considering other agency actions at its regularly scheduled meetings.

Topics under the jurisdiction of the TBCJ are extremely varied, and include:

- establishing standards for the operation of community supervision and corrections programs and parole supervision community residential facilities;
- reviewing the sale or other disposition of surplus agricultural goods and agricultural personal property;
- approving purchases and contracts over \$1million;
- approving policies on the treatment of offenders, such as use of force, discipline and access to courts; and
- approving and certifying the operations of the private sector prison industry programs in the TDCJ, the TYC, and in county correctional facilities.

The TBCJ is also responsible for appointing, along with the TDCJ executive director, an inspector general, the director of Internal Audits, the director of State Counsel for Offenders (SCFO), and the PREA (Prison Rape Elimination Act) ombudsman.

C. How is the chair selected?

Per Texas Government Code Sec. 492.005, the TBCJ chairman is appointed by and serves at the pleasure of the governor.

D. List any special circumstances or unique features about your policymaking body or its responsibilities.

The TBCJ also serves in a separate capacity as the Board of Trustees for the Windham School District (WSD) by hiring a superintendent and providing similar oversight. The WSD is the school district created by state law to operate within prisons and provide education to incarcerated offenders. See Texas Education Code Chapter 19.

E. In general, how often does your policymaking body meet? How many times did it meet in FY 2010? In FY 2011?

The TBCJ attempts to hold a regular meeting at least every other month of the year, but is required to meet at least once each quarter of the calendar year (Texas Government Code Sec. 492.006). Additional meetings can be held at the discretion of the chairman. In conjunction with the regular meetings, the board will typically schedule an executive session and a meeting of the WSD Board of Trustees. TBCJ committee meetings are also routinely held in combination with these regular board meetings. During FY 2010 and FY 2011, the TBCJ held six regular meetings each year; the WSD Board of Trustees held the same.

F. What type of training do members of your agency's policymaking body receive?

As required by Texas Government Code Sec. 492.0031, board members must complete a training program before they vote, deliberate or can be counted as a member in attendance at a meeting of the TBCJ.

Training, which is provided by the agency, is conducted shortly after new members are appointed and prior to the next scheduled meeting of the board. This training includes, but is not limited to, information on the following topics:

- legislation that created the agency and the board;
- programs operated by the agency;
- the role and functions of the agency;
- the rules of the agency, with an emphasis on the rules that relate to disciplinary and investigatory authority;
- the current budget for the agency;
- the results of the most recent formal audit of the agency;
- the requirements of the open meetings law, Chapter 551; the public information law, Chapter 552; the administrative procedure law, Chapter 2001; and all other laws relating to public officials, including conflict of interest laws; and

- any applicable ethics policies adopted by the agency or the Texas Ethics Commission.

Within the first six months after taking office or assuming duties, pursuant to Texas Government Code Sec. 2256.007, board members are also required to receive investment training related to their responsibilities under the *Texas Public Funds Investment Act*.

With the transfer of duties from the Private Sector Prison Industry Oversight Authority to the TBCJ in 2009, members on the board are also required to receive training on the Private Sector Prison Industries Program. This statutory requirement expires September 1, 2011.

As necessary, in addition to new member training, the agency provides board members with relevant information regarding requirements of their office, to include a copy of the agency's ethics policy pursuant to Texas Government Code Section 572.051.

G. Does your agency have policies that describe the respective roles of the policymaking body and agency staff in running the agency? If so, describe these policies.

The following policies describe the respective roles of the board and the TDCJ in running the agency:

Board Rule 151.3 Texas Board of Criminal Justice Operating Policy – establishes uniform procedures for the TBCJ to conduct business.

Board Policy-01.01 Texas Board of Criminal Justice Responsibilities – establishes the division of responsibilities between the TBCJ and the TDCJ.

Board Policy-01.03 Delegation of Authority to Manage and Administer the Texas Department of Criminal Justice – formalizes the delegation of authority from the TBCJ to the TDCJ executive director to carry out the management and administration of the agency.

Board Policy-01.07 Inspector General Policy Statement – sets out the employment, responsibilities and reporting authority of the inspector general.

Board Policy-02.08 Policy Statement of Internal Controls – establishes that a system of internal controls shall exist to ensure the effective discharge of responsibilities by the TBCJ, the TDCJ executive director and agency employees.

Board Policy-02.09 PREA Ombudsman Policy Statement - sets out the employment, responsibilities and reporting authority of the PREA ombudsman.

Board Policy-13.69 State Counsel for Offenders – sets out the employment, responsibilities and reporting authority of the director of SCFO.

Board Policy-14.02 Internal Audit Division Policy Statement – sets out the employment, responsibilities and reporting authority of the director of the Internal Audit Division (IAUD).

The following policies describe the respective roles of the WSD Board of Trustees and the WSD in running the district:

Board Rule 300.2 Windham School District Board of Trustees Operating Procedures – establishes uniform procedures for the WSD Board of Trustees to conduct business.

Windham Board Policy-02.00 Windham School District Board of Trustees Responsibilities – establishes the responsibilities of the WSD Board of Trustees.

Windham Board Policy-03.01 Windham School District Superintendent Qualifications, Selection, Evaluation, and Dismissal or Renewal/Non-Renewal of Contract – sets out the employment and evaluation responsibilities of the board as it relates to the WSD superintendent. Windham Board Policy-03.02 Superintendent Responsibilities and Authority - formalizes the delegation of authority from the WSD Board of Trustees to the WSD superintendent to carry out the management and administration of the district.

H. What information is regularly presented to your policymaking body to keep them informed of your agency's performance?

At the regular meetings of the board, in addition to information on routine business that requires TBCJ approval by Texas statute, the TDCJ executive director and the TBCJ chairman provide reports on a variety of topics. In addition, the executive director of the CMHCC, the presiding officer of the BPP, the chairman of the Judicial Advisory Council (JAC), and the chairman of the Advisory Council on Offenders with Medical or Mental Impairments (ACOOMMI) are afforded the opportunity to provide a report on topics under their oversight.

In conjunction with all regularly scheduled meetings, and at times otherwise requested by the board committee chairmen, committee meetings are held for divisional staff and outside organizations to provide detailed reports on new and on-going programs, as well as operational issues and statistical updates. Typically, committee meetings are held the day or morning prior to a regularly scheduled meeting with the majority of the board in attendance.

Quarterly divisional summaries, from all TDCJ divisions as well as the divisions reporting directly to the TBCJ, are provided to board members on a regular basis. These summaries highlight significant initiatives or milestones, as well as provide progress updates on program implementation or achievements. Where appropriate bimonthly reports are utilized for a more specific purpose. For instance, the IAUD prepares a bimonthly report that is presented at each board meeting to provide status updates on the board's Approved Annual Audit Plan. The Office of General Counsel (OGC) also prepares a confidential bimonthly report which addresses litigation issues for upcoming executive sessions. In addition, monthly PREA ombudsman activity reports and various other agency reports, such as the TDCJ Annual Report, the TDCJ Fiscal Year Statistical Report and the TDCJ Annual Financial Report, are provided to the board for review.

Directly related to performance, copies of all audit reports conducted on the agency, by both the TDCJ IAUD and the State Auditor's Office, are provided to the board upon their completion.

I. How does your policymaking body obtain input from the public regarding issues under the jurisdiction of the agency? How is this input incorporated into the operations of your agency?

The TBCJ has an established board rule regarding Public Testimony and Comments to the TBCJ (37 Texas Administrative Code Sec 151.4). This rule establishes procedures by which

individuals have the opportunity to provide public testimony on items that are a part of a board meeting's posted agenda, to give public comment on issues within the jurisdiction of the board, and to request items be placed on a board meeting agenda for discussion.

Regarding public testimony on agenda topics, as laid out in procedure, the board has the ability to discuss and consider this testimony prior to a vote being taken on the matter at hand.

Twice a year, the board provides an opportunity for public comment on issues that are not a part of the TBCJ posted agenda but are within the jurisdiction of the board. As these topics are not a part of the meeting's posted agenda, the board may not deliberate on these items at the meeting, but the chairman has the discretion to place such items on a future agenda, if warranted. All public comments are noted at the meeting with the agency's written response to those comments being available upon request.

Regarding requests for items to be placed on a board meeting agenda, the decision whether to calendar a matter for discussion before the full board is within the discretion of the chairman.

J. If your policymaking body uses subcommittees or advisory committees to carry out its duties, fill in the following chart. See Exhibit 4 Example or [click here to link directly to the example](#).

Texas Department of Criminal Justice Subcommittees and Advisory Committees			
Name of Subcommittee or Advisory Committee	Size/Composition/How are members appointed?	Purpose/Duties	Legal Basis for Committee
Audit and Review Committee	Four members of the board, appointed by the chairman	Provide oversight to and bring forth consensus recommendations on activities for the Administrative Review and Risk Management Division (ARRM), the IAUD and the OIG	Board rule 151.3
Community Corrections Committee	Four members of the board, appointed by the chairman	Provide oversight to and bring forth consensus recommendations on activities for the CJAD and the PD	Board rule 151.3
Health Care Committee	Four members of the board, appointed by the chairman	Provide oversight to and bring forth consensus recommendations on activities for the TDCJ Health Services Division (HS) and CMHC	Board rule 151.3
Human Resources Committee	Four members of the board, appointed by the chairman	Provide oversight to and bring forth consensus recommendations on activities for the TDCJ	Board rule 151.3

		Human Resources Division (HR)	
Correctional Institutions Committee	Four members of the board, appointed by the chairman	Provide oversight to and bring forth consensus recommendations on activities for the TDCJ Correctional Institutions Division	Board rule 151.3
Management Information Systems Committee	Four members of the board, appointed by the chairman	Provide oversight to and bring forth consensus recommendations on activities for the TDCJ Information Technology Division (ITD)	Board rule 151.3
Legal Committee	Four members of the board, appointed by the chairman	Provide oversight to and bring forth consensus recommendations on activities for the TDCJ OGC and the SCFO	Board rule 151.3
Rehabilitation and Reentry Programs Committee	Four members of the board, appointed by the chairman	Provide oversight to and bring forth consensus recommendations on activities for the TDCJ RPD and the Reentry and Integration Division	Board rule 151.3
Business and Financial Operations Committee	Four members of the board, appointed by the chairman	Provide oversight to and bring forth consensus recommendations on activities for the TDCJ Business and Finance Division (BF), to include the Facilities Division (FAC), Manufacturing and Logistics Division (M&L), and the Agribusiness, Land and Minerals Department	Board rule 151.3
Victim Services Committee	Four members of the board, appointed by the chairman	Provide oversight to and bring forth consensus recommendations on activities for the TDCJ Victim Services Division (VS)	Board rule 151.3
Advisory Committee on Offenders with Medical or Mental Impairments	Thirty-one members; includes representatives from twenty-one agencies and organizations (designated by statute) and ten at-large members appointed by the governor	Advise TBCJ and the TDCJ Texas Correctional Office on Offenders with Medical and Mental Impairments (TCOOMMI) on matters related to offenders with medical or mental impairments	Health and Safety Code, Chapter 614
Judicial Advisory Council	Twelve members; six of which are appointed by the chief justice of the Supreme Court of	Advise the TBCJ and the Director of the CJAD on matters of interest to the	Texas Government Code 493.003(b)

	Texas and six appointed by the presiding judge of the Texas Court of Criminal Appeals	judiciary	
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V. Funding

A. Provide a brief description of your agency's funding.

The 2010 budget for the TDCJ is \$3,029,325,634. The primary funding source is general revenue and dedicated general revenue funds, which finance nearly 96% of the agency operations. Some other significant sources of funding that are appropriated to the agency include general obligation bond proceeds for the major repair and rehabilitation projects, federal grant funds from the State Criminal Alien Assistance Program (SCAAP), and revenues generated from the sale of agricultural products, as well as items manufactured by Texas Correctional Industries.

B. List all riders that significantly impact your agency's budget.

While every rider in the agency's bill pattern provides direction and guidance, several riders from the 2010-2011 General Appropriations Act significantly impacted the agency budget. This includes Article V riders that:

- Provide direction for specified funding increases in the probation function (Riders 63 & 64)
- Allow the agency to fund contract capacity needs within the biennium (Riders 26 & 40)
- Increase salaries for community supervision officers (CSOs) and direct care staff (Rider 80)
- Increase the annual compensation by 3.5% in fiscal year 2010 and an additional 3.5% in fiscal year 2011 for certain TDCJ employees who work at correctional facilities (Rider 84)
- Provide funding for additional Diversion Initiatives (Rider 75)
- Allow for appropriation transfer between fiscal years by the Correctional Managed Health Care Committee (CMHCC) (Rider 83).

C. Show your agency's expenditures by strategy. See Exhibit 5 Example or [click here to link directly to the example](#).

Texas Department of Criminal Justice Expenditures by Strategy - Fiscal Year 2010 (Actual)		
Strategy	Total Amount	Contract Expenditures Included in Total Amount
A.1.1. Basic Supervision	\$ 104,752,979	\$ 104,752,979
A.1.2. Diversion Programs	\$ 119,776,913	\$ 119,776,913

Strategy	Total Amount	Contract Expenditures Included in Total Amount
A.1.3. Community Corrections	\$ 38,128,877	\$ 38,128,877
A.1.4. Treatment Alternatives to Incarceration	\$ 11,653,628	\$ 11,653,628
B.1.1. Special Needs Projects	\$ 19,996,337	\$ 18,632,498
C.1.1. Correctional Security Operations	\$ 1,040,862,425	\$ -
C.1.2. Correctional Support Operations	\$ 91,461,980	\$ 442,265
C.1.3. Offender Services	\$ 14,443,043	\$ 61,414
C.1.4. Institutional Goods	\$ 153,384,526	\$ 550
C.1.5. Institutional Services	\$ 173,932,348	\$ 787,589
C.1.6. Institutional Operations and Maintenance	\$ 198,461,743	\$ 833,857
C.1.7. Correctional Managed Psychiatric Care	\$ 46,510,189	\$ 46,510,189
C.1.8. Correctional Managed Health Care	\$ 423,606,403	\$ 423,156,591
C.1.9. Health Services	\$ 4,916,445	\$ 693,399
C.1.11. Contract Prisons / Private State Jails	\$ 115,570,279	\$ 115,570,279
C.1.12. Residential Pre-Parole Facilities	\$ 32,415,703	\$ 32,415,602
C.2.1. Texas Correctional Industries	\$ 66,178,041	\$ 855,823
C.2.2. Academic / Vocational Training	\$ 2,520,851	\$ -
C.2.3. Project RIO	\$ 4,239,966	\$ -
C.2.4. Treatment Services	\$ 19,198,191	\$ 1,867,778
C.2.5. Substance Abuse Treatment	\$ 64,239,927	\$ 58,287,355
D.1.1. Facilities Construction	\$ 29,636,684	\$ 3,393,891
D.1.2. Lease-Purchase of Facilities	\$ 12,985,788	\$ -
F.1.1. Parole Release Processing	\$ 7,054,912	\$ 262
F.2.1. Parole Supervision	\$ 95,190,508	\$ 8,099,715
F.2.2. Halfway House Facilities	\$ 20,096,495	\$ 20,096,495
F.2.3. Intermediate Sanction Facilities	\$ 36,078,911	\$ 36,077,411
G.1.1. Central Administration	\$ 34,198,708	\$ 2,130,926
G.1.2. Correctional Training	\$ 5,414,894	\$ 78,923
G.1.3. Inspector General	\$ 9,978,155	\$ 81,625
G.1.4 Victim Services	\$ 1,969,611	\$ 209,060

Strategy	Total Amount	Contract Expenditures Included in Total Amount
G.1.5 Information Resources	\$ 30,470,174	\$ 21,485,641
TOTAL	\$ 3,029,325,634	\$ 1,066,081,535

D. Show your agency's objects of expense for each category of expense listed for your agency in the General Appropriations Act FY 2010-2011. See Exhibit 6 Example or [click here to link directly to the example](#). Add columns and rows as necessary.

Texas Department of Criminal Justice								
Exhibit 6: Objects of Expense by Program or Function Fiscal Year 2010								
Object-of-Expense	Provide Prison Diversions	Special Needs Offenders	Incarcerate Felons	Correctional Health Care	Ensure Adequate Facilities	Operate Parole System	Indirect Administration	Total Expenditures
Salaries and Wages		\$ 1,146,760	\$ 1,242,355,164	\$ 3,277,496	\$ 3,390,763	\$ 75,063,547	\$ 46,760,029	\$ 1,371,993,759
Other Personnel Costs		\$ 39,398	\$ 55,167,898	\$ 102,773	\$ -	\$ 2,825,161	\$ 2,053,103	\$ 60,188,333
Professional Fees and Services	\$ 289,037	\$ 18,602,486	\$ 1,009,745	\$ 466,963,201	\$ 3,283,843	\$ 108,728	\$ 21,873,700	\$ 512,130,740
Fuels and Lubricants		\$ -	\$ 12,232,691	\$ -	\$ 154	\$ 185	\$ 146,008	\$ 12,379,038
Consumable Supplies		\$ 11,099	\$ 16,451,260	\$ 41,326	\$ 148,257	\$ 820,297	\$ 564,801	\$ 18,037,040
Utilities		\$ 848	\$ 122,626,948	\$ 7,230	\$ 26,582	\$ 33,251	\$ 30,908	\$ 122,725,767
Travel		\$ 35,407	\$ 1,560,549	\$ 61,271	\$ 105,999	\$ 5,525,347	\$ 651,925	\$ 7,940,498
Rent - Buildings		\$ 128,935	\$ 2,859,554	\$ 486,037	\$ -	\$ 7,379,872	\$ 1,806,303	\$ 12,660,701
Rent - Machine and Other		\$ 7,367	\$ 4,702,782	\$ 37,276	\$ 138,027	\$ 558,432	\$ 349,319	\$ 5,793,203
Debt Service		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Other Operating Expense	\$ 41,459,899	\$ 24,037	\$ 369,219,459	\$ 4,056,427	\$ 18,836,913	\$ 60,151,095	\$ 6,271,201	\$ 500,019,031
Client Services		\$ -	\$ 42,273,831	\$ -	\$ -	\$ 5,954,911	\$ -	\$ 48,228,742
Food for Persons - Wards of State		\$ -	\$ 88,871,734	\$ -	\$ -	\$ -	\$ -	\$ 88,871,734
Grants	\$ 232,563,461	\$ -	\$ 574,175	\$ -	\$ -	\$ -	\$ -	\$ 233,137,636
Capital Expenditures	\$ -	\$ -	\$ 17,003,233	\$ -	\$ 16,691,934	\$ -	\$ 1,524,245	\$ 35,219,412
Total	\$ 274,312,397	\$ 19,996,337	\$ 1,976,909,023	\$ 475,033,037	\$ 42,622,472	\$ 158,420,826	\$ 82,031,542	\$ 3,029,325,634

E. Show your agency's sources of revenue. Include all local, state, and federal appropriations, all professional and operating fees, and all other sources of revenue collected by the agency, including taxes and fines. See Exhibit 7 Example or [click here to link directly to the example](#).

Texas Department of Criminal Justice Sources of Revenue - Fiscal Year 2010 (Actual)	
Source	Amount
General Revenue Fund	\$ 2,796,346,049
Education and Recreation Program Receipts	\$ 93,009,426
Texas Correctional Industry Receipts	\$ 6,121,758
GR Dedicated - Operators and Chauffeurs License Account No. 099	\$ 28,398
GR Dedicated - Compensation to Victims of Crime Account No. 469	\$ 1,514,007
GR Dedicated - Private Sector Prison Industry Expansion Account No. 5060	\$ 288,160
American Recovery and Reinvestment Act Account No. 369	\$ 636,240
Federal Funds	\$ 425,202
Federal Funds for Incarcerated Aliens	\$ 17,890,357
Appropriated Receipts	\$ 26,256,246
Interagency Contracts	\$ 8,467,108

Interagency Contracts - Texas Correctional Industries	\$ 44,859,209
General Obligation Bonds	\$ 33,483,474
Total	\$ 3,029,325,634

F. If you receive funds from multiple federal programs, show the types of federal funding sources. See Exhibit 8 Example or [click here to link directly to the example](#).

Texas Department of Criminal Justice Federal Funds - Fiscal Year 2010 (Actual)				
Type of Fund	State/Federal Match Ratio	State Share	Federal Share	Total Funding
Catalog of Federal Domestic Assistance (CFDA) 11.555 Interoperable Communications Grant Governor's Office of Emergency Management	State Match 20%	\$ 27,500	\$ 110,000	\$ 137,500
CFDA 16.000 Nat. Asset Seizure Forfeiture Program OIG Seized Funds received from Federal agencies (Drug Enforcement Agency (DEA), United States Marshals Service (USMS), Federal Bureau of Investigation (FBI), Secret Service)	100%	\$ -	\$ 157,131	\$ 157,131
CFDA 16.202 Serious /Violent Offender Reentry U.S. Department of Justice (Office of Justice Programs [OJP])	State Match 25%	\$ 104,920	\$ 78,698	\$ 183,618
CFDA 16.580 Edward Byrne Memorial St. Sex Offender Sentencing, Monitoring, Apprehending, Registering and Tracking (SMART) Office, Support of Adam Walsh Implementation Grant Program	State Match 25%	\$ 16,350	\$ 81,973	\$ 98,323
CFDA 16.606 State Criminal Alien Assistance U.S. Department of Justice (OJP)	100%	\$ -	\$ 17,890,357	\$ 17,890,357
CFDA 16.809 Combating Criminal Narcotics Stimulus U.S. Department of Justice (OJP)	100%	\$ -	\$ 636,240	\$ 636,240
TOTAL		\$ 148,770	\$ 18,954,399	\$ 19,103,169

G. If applicable, provide detailed information on fees collected by your agency. See Exhibit 9 Example or [click here to link directly to the example.](#)

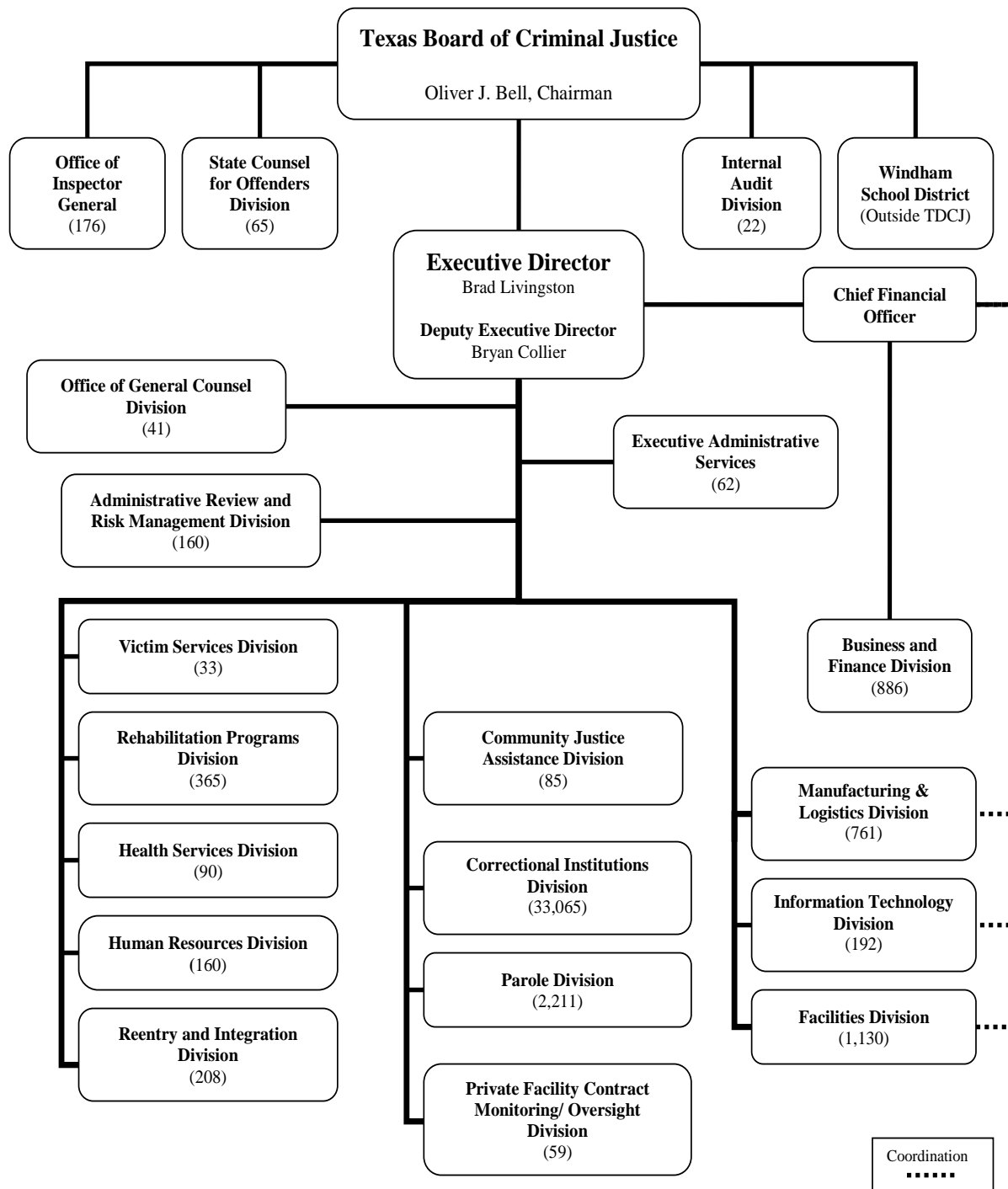
Texas Department of Criminal Justice Fee Revenue - Fiscal Year 2010				
Fee Description/ Program/ Statutory Citation	Current Fee/ Statutory maximum	Number of persons or entities paying fee	Fee Revenue	Where Fee Revenue is Deposited (e.g., General Revenue Fund)
Inmate Health Care Copayments Tx Gov't Code §501.063	\$3	150,313	\$ 421,328	General Revenue
Fees for Copies or Filing of Records Tx Gov't Code §552.261 and 603.004 et al	Varies	2,307	\$ 32,862	General Revenue
Recovery of Parole Costs Tx Gov't Code §508.182	Varies	122,941	\$ 7,826,727	General Revenue

VI. Organization

A. Provide an organizational chart that includes major programs and divisions, and shows the number of FTEs in each program or division.

Please see chart on page 24

**TEXAS DEPARTMENT OF CRIMINAL JUSTICE
ORGANIZATIONAL STRUCTURE**



Note: The number within parenthesis denotes filled positions as of August 31, 2010 and does not include 553 Board of Pardons and Paroles employees.

B. If applicable, fill in the chart below listing field or regional offices. See Exhibit 10 Example or [click here to link directly to the example](#).

(Texas Department of Criminal Justice) Exhibit 10: FTEs by Location C Fiscal Year 2010			
Headquarters, Region, or Field Office	Location	Number of Budgeted FTEs, FY 2010	Number of Actual FTEs as of August 31, 2010
AN/A@			
TOTAL			

FTEs for the TDCJ are budgeted and expended at the funding strategy level. (See Section VI. E.)

C. What are your agency's FTE caps for fiscal years 2010-2013?

*FY 10 39,294.3
 *FY 11 39,443.3
 FY 12 39,497.3
 FY 13 39,497.3

*On August 16, 2010, the TDCJ requested an increase to the original FY 10 and FY 11 FTE caps to 40,362.3 and 40,369.3 respectively.

D. How many temporary or contract employees did your agency have as of August 31, 2010?

On August 31, 2010, the agency employed a contract workforce of 29 employees, primarily utilized for IT programming and network support services.

E. List each of your agency's key programs or functions, along with expenditures and FTEs by program. See Exhibit 11 Example [or click here to link directly to the example](#).

Texas Department of Criminal Justice List of Program FTEs and Expenditures - Fiscal Year 2010		
Program	FTEs as of August 31, 2010	Actual Expenditures
Provide Prison Diversion	*	\$ 274,312,397
Special Needs Offenders	26.0	\$ 19,996,337
Incarcerate Felons	36,316.5	\$ 1,976,909,023
Correctional Health Care	72.5	\$ 475,033,037

Ensure Adequate Facilities	82.0	\$	42,622,472
Operate Parole Facilities	2,171.0	\$	158,420,826
Indirect Administration	1,103.0	\$	82,031,542
GRAND TOTAL:	39,771.0	\$	3,029,325,634

*Because employees of the community supervision and corrections departments (CSCDs) are employed by the judicial districts, they are not state FTE employees. The CJAD's state FTE employees are not accounted for in this function.

VII. Guide to Agency Programs

1A. Provide the following information at the beginning of each program description.

Name of Program or Function	Provide Prison Diversions through Probation & Community-based Programs
Location/Division	Community Justice Assistance Division
Contact Name	Carey Welebob
Actual Expenditures, FY 2010	\$274,312,397
Number of FTEs as of August 31, 2010	*

1B. What is the objective of this program or function? Describe the major activities performed under this program.

The primary objective of this function is distributing state financial aid to CSCDs and intervention/treatment program service providers that will provide basic supervision and innovative diversionary programs that impact and reduce the demand on prison capacity. Within the TDCJ organizational structure, CJAD is primarily responsible for the activities associated with this function. With the CSCDs, CJAD is responsible for providing prison diversions through community supervision and other community-based programs. CJAD seeks to achieve this goal by distributing formula driven state aid to 121 CSCDs; making grant awards to local CSCDs and non-profit organizations; approving CSCDs' program budgets; promulgating and enforcing standards for CSCD programs; providing technical assistance in the development of programs, Community Justice Plans (CJP) and task forces; providing training, certification and continuing education for approximately 3,500 CSCD officers; administering state health insurance benefits to over 7,000 CSCD employees; and monitoring, auditing and evaluating the expenditures and performance of local departments.

State aid for basic supervision is provided to local CSCDs based on the number of misdemeanor offenders placed on community supervision and on the number of direct felony offenders supervised by the department. Prior to implementing the formula calculation, the employer-paid insurance premiums are deducted from the appropriated funds along with a reserve for payment of Workers' Compensation claims. Then, for misdemeanor offenders, state aid is provided at the

rate of 70 cents per day (as authorized in the General Appropriations Bill) for a period of time not to exceed 182 days. After misdemeanor payments are allocated, the funds in this appropriations strategy are calculated based on the number of felony offenders under direct community supervision and felony pretrial diversion by a local CSCD relative to the statewide number of felony offenders under direct community supervision and pretrial diversion. State aid is used to employ CSOs who monitor and counsel offenders, to employ administrative and financial staff who support the CSOs and the department operations, to facilitate access to or provide a continuum of offender services such as job placement, treatment referral, or adult education referral, electronic monitoring, urinalysis testing, community service restitution placement, collection of restitution/court ordered fees and to pay administrative expenses of the CSCD not borne by county governments.

State aid through Community Corrections funding is also allocated to CSCDs based on a formula which provides equal weight to two factors: the percentage of the state's population which resides in the area served by the local CSCD, and the percentage of felons under direct community supervision in the state who are supervised by the local department. Prior to implementing the formula calculations, the employer-paid health insurance premiums are deducted from the appropriated funds.

By statute local CSCDs' municipalities, counties and non-profit organizations may apply for Diversion Program (DP) funds set in the diversion appropriation's strategy. Diversion funding targets programs and services that lower offenders' risk to re-offend impacting and reducing revocations and incarceration. Monies allocated through competitive grants may be used for programs similar to those described above. However, grant funds are available to entities other than CSCDs, and the method of allocating funds allows meritorious programs and programs in rural areas to receive funding that would not otherwise be possible through state aid allocated by formula. CJAD also funds Battering Intervention and Prevention Programs (BIPP) which provide education and counseling to batterers. These BIPP grants are awarded to non-profit organizations.

Treatment Alternative to Incarceration Program (TAIP) grants are also awarded for substance abuse screening/assessment and referral for treatment services. These treatment services may include detox, intensive residential, residential, intensive outpatient or supportive outpatient. Some TAIP programs are regional and serve several CSCDs.

State aid and grant funding account for approximately 65 percent of all CSCD revenue. Fees paid by offenders under supervision account for remaining revenue. Counties are required by statute to provide office space, basic equipment and utilities for CSCDs.

To be eligible for funding, programs must be included in the community justice plan reviewed by the local community justice council, approved by the judge(s) of the state district courts and statutory courts- at-law trying criminal cases for the CSCDs in a defined geographic district, and accepted by CJAD.

1C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? Provide a summary of key statistics and performance measures that best convey the effectiveness and efficiency of this function or program.

- Performance measures included in the FY 2009 -2013 Agency Strategic Plan are:
 - (1) A.1. Provide Prison Diversions
 - (a) Felony community supervision annual revocation rate
 - (b) Misdemeanor community supervision revocation rate
 - (2) A.1.1. Basic Supervision
 - (a) Average number of felony offenders under direct supervision
 - (b) Average number of misdemeanor offenders under direct supervision
 - (c) Average monthly caseload
 - (d) Number of felons placed on community supervision
 - (e) Number of misdemeanants placed on community supervision
 - (3) A.1.2. Diversion Programs
 - (a) Number of grant-funded residential facility beds
 - (b) Number of alternative sanction programs and services grant-funded (excluding residential facilities)
 - (c) Number of grant-funded residential facility beds in operation
 - (d) Number of grant-funded facilities providing residential services to offenders on community supervision
 - (4) A.1.3. Community Corrections
 - (a) Number of residential facility beds funded through Community Corrections
 - (b) Number of alternative sanction programs and services funded through Community Corrections (excluding residential facilities)
 - (c) Number of facilities funded through community corrections providing residential services for offenders on community supervision
 - (d) Number of operational residential facility beds funded through community corrections
 - (5) A.1.4. Treatment Alternative to Incarceration Program
 - (a) Number of persons completing the treatment in TAIP
- Seven evaluation criteria have been established to track the performance of new diversion program funds; these measures are reported in the *Report to the Governor and Legislative Budget Board on the Monitoring of Community Supervision Diversion Funds*
 - (1) Change in Felony Probation Placements
 - (2) Average Community Correctional Facility (CCF) Population
 - (3) Numeric Increase in CSOs Employed
 - (4) Numeric Reduction in Caseload Size

- (5) Percent Reduction in Felony Revocations to TDCJ
- (6) Percent Reduction in Felony Technical Revocations
- (7) Percent Increase in Felony Early Terminations
- CCFs performance measures include:
 - (1) Re-arrest after 2 years
 - (2) Completion rate
 - (3) Revocations after 2 years
 - (4) Risk level
 - (5) Compliance with program table data submissions to ISYS/CSTS
 - (6) Capacity utilization rate of 90%

1D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent.

Since FY2010, CJAD has moved from the Monthly Community Supervision and Corrections Report to the community supervision tracking system – intermediate system (CSTS-ISYS) as the primary source of offender data. This represented a move from an aggregate count of offenders to individual-level data which provides more detail on offenders. The additional data permits more efficient data collection and provides an opportunity to develop alternate methods of monitoring and auditing local CSCDs.

1E. Describe who or what this program or function affects. List any qualifications or eligibility requirements for persons or entities affected. Provide a statistical breakdown of persons or entities affected.

Average Community Supervision Population as of 4/30/2011

	Total Direct	Total Indirect	Total Pretrial	Total
Felony Supervision	171,027	66,227	7,623	244,877
Misdemeanor Supervision	95,953	62,581	11,145	169,679
Total	266,980	128,808	18,768	414,556

FY 2010 Offender Profile Active Supervision

	Felony n=172,003	Misdemeanor n=99,446	Total n=271,449
Age Group			
17-21	10.9%	19.7%	14.1%
22-25	15.8%	18.3%	16.7%
26-30	18.1%	17.3%	17.8%
31-40	25.4%	21.5%	23.9%
41-50	18.3%	14.4%	16.9%
51+	11.5%	8.8%	10.6%

FY 2010 Offender Profile Active Supervision			
	Felony n=172,003	Misdemeanor n=99,446	Total n=271,449
Ethnicity			
African-American	23.1%	15.4%	20.3%
Caucasian	41.6%	46.0%	43.2%
Hispanic	34.4%	37.1%	35.4%
Other	0.9%	1.5%	1.1%
Gender			
Female	27.2%	28.8%	27.8%
Male	72.8%	71.2%	72.2%
OffenseType			
Assault	12.9%	11.3%	12.3%
Burglary	7.8%	1.4%	5.4%
Controlled Substance	31.7%	13.6%	25.1%
DWI/DUI	10.7%	37.7%	20.6%
Forgery	3.0%	0.3%	2.0%
Homicide	0.4%	0%	0.2%
Kidnap	0.1%	0%	0.1%
Larceny	9.5%	14.0%	11.1%
Other Offenses	10.3%	18.9%	13.5%
Other Property	5.8%	2.5%	4.6%
Robbery	2.8%	0%	1.8%
Sex Offenses	2.3%	0.3%	1.5%
Sexual Assault	2.0%	0%	1.3%
Stolen Vehicle	0.7%	0%	0.5%

Source: CSTS-ISYS

Direct supervision includes offenders who are receiving a minimum of one face-to-face contact every three months. Indirect supervision includes offenders who have transferred to another state, absconded, been temporarily incarcerated (not revoked) or report by mail.

1F. Describe how your program or function is administered. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. List any field or regional services.

The CJAD administers adult community supervision in Texas. The division does not work directly with offenders but distributes state aid to local CSCDs that work directly with the offender population. CJAD's role is ensuring that services are provided in accordance with statewide minimum standards, the FMM and CMM, evidenced based practices, legislated funding strategies, community justice plans and corresponding budgets. Texas has 121 CSCDs responsible for 254 counties. Organized within local judicial districts, the CSCDs receive funding and administrative support from the CJAD. Based on a statewide average, 65% of a CSCD's operating budget is state funded and allocated by CJAD. Other funds, such as court

ordered fees, meet the remaining budget needs of a CSCD. County governments provide CSCDs with office space, basic equipment and utilities.

Funds Distribution

A CSCD applies for state funds by submitting a community justice plan outlining current and proposed programs and services. As mandated by the Texas Legislature, a CSCD's judge(s) trying criminal cases in the district and statutory courts-at-law for the geographic district listed in Chapter 76.002 (a) of the Government Code and community justice council approve the plan. Funds for the Basic Supervision and Community Corrections appropriation strategies are distributed based on legislative formulas. For the Diversion and TAIPs appropriation, funding is based on a program's likelihood of meeting offenders' needs, reducing offender risks to recidivate and in consideration of the CSCD's other financial resources. Basic Supervision funds provide for the core services and general operational costs of supervising offenders and are based on the number of direct felons supervised and misdemeanants placed on community supervision. Community corrections program funds are also formula driven and are applied by CSCDs to program designs ranging from specialized caseloads to inpatient treatment. Community corrections program funds are based on the ratio of felons placed directly on supervision and on the county's population in the CSCD's jurisdiction. Diversion Program grants are awarded to select CSCDs for CCFs, differential offender supervision, treatment/intervention programs for substance abuse offenders, maintenance of the mental health initiative and similar programmatic initiatives that are alternatives to incarceration. TAIP grants are awarded to select CSCDs for substance abuse screening, assessment, referral and treatment. Efficiency of governance has promoted consortiums of TAIP services that provide services to multiple CSCDs as opposed to individual departments.

Program Standards

As mandated in Chapter 509 of the Government Code and Article 42.13 of the CCP, CJAD develops minimum standards for core CSCD services and must receive approval of the TBCJ. CJAD tracks and evaluates CSCDs' programs and monitors, reviews, and approves CSCDs' budgets. Besides providing departments with administrative and technical assistance, CJAD trains and certifies Texas CSOs.

Role of the CSCDs

CSCDs supervise and rehabilitate offenders sentenced to community and pretrial supervision by local courts. CSCDs collect victim restitution and certain court ordered fees. Some CSCDs also collect fines and court costs that are remitted to local counties and the state.

CSOs assess each offender's risk level and design a supervision plan that includes court-ordered conditions utilizing a continuum of services and programs available to that jurisdiction. Some offenders are confined temporarily in CCFs while others must report to CSOs at intervals determined by risk level. Supervisory and rehabilitative methods include urinalysis, electronic monitoring, ignition interlock verification in certain intoxication driving offenses, surveillance supervision, cognitive programming differential supervision/specialized caseloads, community service restitution, continuing education, job and life-skills training, and treatment for substance abuse. Some CSCDs offer services to crime victims.

CJAD's Responsibilities to CSCDs

- Development of standards
- Distribution of state aid to CSCDs
- Awarding of grants to local CSCDs and non-profit organizations
- Administering the state health insurance program for CSCD employees
- Reviewing and approving CSCDs' program budgets
- Providing of technical assistance in the development of community justice councils (CJCs) and task forces
- Providing of training, certification, and continuing education for CSOs
- Providing of technical assistance to ensure quality and compliance with standards
- Monitoring expenditures by those entities receiving state aid and grant funds
- Reviewing and inspecting community corrections programs
- Interfacing and coordinating the access to Substance Abuse Felony Punishment Facilities' (SAFPF) resources for CSCDs
- Establishment and maintenance of a statewide database (CSTS) of offenders on community supervision

Organization

Division Administration

Division administration supports the division director. The primary function of this division is to manage the division and the division purpose consistent with the provisions of Chapter 509 of the Government Code. The division director, deputy director, internal operations director and special programs director manage all aspects of the division through a system of section directors. The section provides information and acts as a resource to the Office of the Governor, the Legislature, the LBB, the TBCJ, the JAC, Probation Advisory Committee (PAC), CSCDs, the judiciary and other stakeholders. Regular contact and information dissemination is provided via monthly webinar presentations, quarterly JAC and PAC meetings, conferences and utilizing webinar technology by CSCD region.

Field Services

The Field Services Section consists of 3 regional units comprised of staff responsible for audits, planning, the Substance Abuse Felony Punishment Facility (SAFPF) and state contracted Intermediate Sanction Facility (ISF) placements, the BIPP, the TAIP, oversight of 34 (as of 9/1/2011) CSCD-operated community corrections facilities (CCFs), and the division's Ombudsman and Victim Services responsibilities. The section provides a range of services to CSCDs, including compliance monitoring, program reviews, technical assistance, coordination of admissions and discharges for SAFPFS and ISFs, and the review as well as acceptance of CJP's. This staff also works with CJAD budget specialists in awarding diversion grant funding and with CJAD planning specialists in the review and scoring of program proposals within the CJP's.

CJPs are submitted by the CSCDs to CJAD on March 1st of each even numbered year (changed effective September 1, 2012 by H.B. 1055) and include programs, sanctions, tools and services available to offenders under community supervision in that jurisdiction for the next biennium starting September 1st of the next even numbered year. Program proposals include programs to be funded by the two formula allocations and requests for grant funding through DP and TAIP funds.

Field Services Staff take lead roles in providing on-site technical assistance to CSCDs in the areas of mental health, sex offender supervision, substance abuse treatment, officer safety, firearms, emergency management, pre-sentence investigations, BIPP, and residential facilities. Staff are responsible to oversee the development, periodic review and revision of standards, handling of concerns and complaints from victims, offenders, and the public.

Financial Management

The Financial Management Section is comprised of three units: accounting, fiscal audit and Employee Retirement System (ERS). The section is responsible for maintaining the division's operating budget, reviewing quarterly financial reports from funding recipients, releasing money to CSCDs and other funding recipients, tracking the status of each appropriations strategy line item, analyzing and evaluating independent fiscal audits conducted on the CSCDs, as well as paying the ERS the employee premiums on behalf of the CSCDs, and administering other aspects of the ERS health benefits program for CSCD employees.

Budget

The Budget Section reviews and scores diversion program budgets, awards Diversion Program grant funds, approves CSCDs' program budgets, certification requests, and ensures compliance with the Financial Management Manual (FMM). In addition, the unit coordinates revisions to the FMM and Contract Management Manual (CMM) and provides financial technical assistance to CSCD directors and fiscal officers.

Information Systems Management

The Information Systems Management Section consists of 2 units: Information Systems and the CSTS. The Information Systems unit is responsible for developing and analyzing computer systems for the division. They are also responsible for the division's integrated database which is the primary database for the division's business operations. The CSTS unit facilitates the development, implementation and daily operations of the CSTS.

Research

The Research Section is responsible for entering data reported by the CSCDs and correcting all data errors detected, maintaining division statistics, reporting performance measure data, conducting research on the effectiveness of community corrections programs to enhance the division's ability to allocate resources in a cost-effective method and responding to requests for information. Among the section's specific functions are preparation and monitoring of accountability measures, including monitoring the impact of Diversion Program funds appropriated by the legislature, and maintenance and compilation of statewide community supervision.

Training and Staff Development

The Training and Staff Development Section specializes in providing training for CSOs and managers. Section personnel work to develop new training strategies and workshops, to include workshops for CSO certification. The section acts as a liaison between CJAD and CSCD regional training sites and provides training for CSCD staff.

1G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

Method of Finance	Amount
General Revenue Fund	\$ 257,919,095
Appropriated Receipts	\$ 13,143,302
Interagency Contracts	\$ 3,250,000
Total	\$ 274,312,397

The riders outlined below were included in the General Appropriations Act, Article V, and passed by the 81st Legislature:

- 53. Misdemeanor Funding
- 54. Appropriation: Refunds of Unexpended Balances from CSCDs
- 56. Treatment Alternatives to Incarceration Program
- 57. Harris County Community Corrections Facility
- 63. Probation Caseload Reduction
- 64. Residential Treatment and Sanction Beds Funding
- 67. Monitoring of Community Supervision Diversion Funds
- 68. Mental Health Services
- 69. Battering Intervention Program
- 71. Progressive Sanctions Model
- 75. Diversion Initiatives
- 76. Withholding of Funds
- 78. Targeted Substance Abuse
- 80. CSOs and Direct Care Staff Salary Increases
- 85. Serving for Success Diversion Program

1H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions. Describe the similarities and differences.

The TJPC provides similar services to local jurisdictions which supervise juvenile offenders. TJPC oversight is provided by a nine member Commission appointed by the governor to 6 year terms. Funding is provided by TJPC to juvenile boards to operate juvenile probation departments, juvenile detention facilities, and to provide basic and special services to juvenile

offenders. Like CJAD, TJPC promulgates standards, trains and certifies officers, provides legal assistance, and collects data on juvenile crime in Texas. Recent legislation combining TYC and TJPC will not change the primary role of juvenile probation.

PD provides direct services to offenders released from CID, which is similar to services provided by CSCDs. However, the offenders supervised by the PD are not subject to the jurisdiction of the sentencing court, but are instead subject to the terms of condition of release determined by the BPP. Decisions regarding the modification and revocation of supervision for probationers are made by judges, whereas such decisions regarding prison releasees are made by the BPP. Due to sentencing practices of the judiciary a few offenders may be subject to dual supervision (PD/CSCD) when sentencing courts order incarceration and community supervision in separate concurrent offenses. Courts may place offenders on community supervision while the defendant is on parole as a diversion from incarceration for the new offense.

II. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

There is no duplication of services with TJPC, as CJAD deals with the adult population only. Approximately 1% of the probation population is also on parole supervision. These dual supervision cases are identified and information is shared between the respective probation and parole officers in order to facilitate appropriate supervision of the offender. CJAD and the parole division coordinate on issues of mutual concern regarding street supervision such as dual supervision and assessments.

The Texas Department of State Health Services (DSHS) provides funding and oversight of local Mental Health Mental Retardation (MHMR) centers. The centers provide direct mental health services to county residents. This system operates in a similar manner as CJAD and local CSCDs. CJAD, CSCDs, local MHMR departments, DSHS and the TCOOMMI have signed a Memorandum of Understanding (MOU) regarding the provision of services to offenders with mental health needs. The MOU defines the roles and responsibilities for each entity.

CJAD has a responsibility to provide required and relevant training to meet statutory requirements to CSCD staff. CSCDs must ensure that their staff enroll and attend the appropriate training. Many CSCDs in Texas have large employee pools. The training needs of large departments warrant a dedicated staff to conduct and coordinate in-service training. Several CSCDs provide in-service training of course material developed and adopted by CJAD. These CSCDs must sign a MOU with CJAD prior to use of said curriculum. By providing in-service training, CSCDs are able to cut the cost of staff travel for training purposes. CJAD also has a interagency contract with the Correctional Management Institute of Texas (CMIT) at Sam Houston State University (SHSU). The purpose of this interagency contract is to identify and train Regional Training Officers (RTOs) who assist CJAD in delivering relevant coursework such as CSO Certification. CMIT pays for travel expenses related to these trainings.

CJAD has a memorandum of understanding with Texas Commission on Law Enforcement Standards and Education (TCLEOSE) regarding the respective responsibilities of each agency as it pertains to firearms certification for CSOs.

1J. If the program or function works with local, regional, or federal units of government include a brief description of these entities and their relationship to the agency.

CSCDs are under the jurisdiction of local judicial districts. Local district and county court-at-law judges appoint the CSCD director who is responsible for administration of that department. CJAD provides financial assistance, training and regulations governing the operations of those departments.

CJAD has oversight of adult community supervision in Texas. Although the division does not work directly with the offender population, it distributes formula funding and grant funds to local CSCDs. CJAD's role is to ensure that services are provided in accordance with community justice plans and state standards including best-practice treatment standards. This is achieved through training and certification of CSOs, program and fiscal audits of departments and their programs, and technical assistance.

1K. If contracted expenditures are made through this program please provide:

- the amount of those expenditures in fiscal year 2010;
- the number of contracts accounting for those expenditures;
- a short summary of the general purpose of those contracts overall;
- the methods used to ensure accountability for funding and performance; and
- a short description of any current contracting problems.

- The amount of contracted expenditures in FY 2010: \$274,312,397
- The number of contracts accounting for those expenditures: 121

State aid and grants are provided to local CSCDs. The local CSCDs must submit detailed community corrections plans outlining proposed operations and expenditures as well as specific detailed grant proposals. These submissions are approved, disapproved or modified only after thorough review by CJAD staff. Periodic reporting of both performance and expenditure data is also required. Funding for programs failing to achieve satisfactory results has been discontinued. Local CSCDs are subject to audits both by CJAD staff and independent auditing firms.

CSCDs are required to expend funds in accordance with the TDCJ-CJAD Financial Management Manual. CSCDs submit quarterly financial reports to CJAD. Each year the CSCDs are required to submit an independent CPA audit which provides an opinion on the quarterly financial reports submitted by the CSCDs. If discrepancies are found CJAD staff resolve these discrepancies with the local CSCD.

CJAD has also developed a contract manual which the CSCDs are required to use when contracting for services to the offenders. Each of the 121 CSCDs may have multiple contracts with vendors or other 3rd parties.

CSCDs are required to submit budgets detailing how the money will be expended. Each budget is reviewed by CJAD staff to assure it meets the requirements of the TDCJ-CJAD Financial Management Manual.

1L. What statutory changes could be made to assist this program in performing its functions? Explain.

No statutory changes relating to this function are recommended at this time.

1M. Provide any additional information needed to gain a preliminary understanding of the program or function.

There is no additional information.

2A. Provide the following information at the beginning of each program description.

Name of Program or Function	Special Needs Offenders
Location/Division	Texas Correctional Office on Offenders with Medical or Mental Impairments - Reentry and Integration Division
Contact Name	Dee Wilson
Actual Expenditures, FY 2010	\$19,996,337
Number of FTEs as of August 31, 2010	26.0

2B. What is the objective of this program or function? Describe the major activities performed under this program.

TCOOMMI is the department within the Reentry and Integration Division (RID) that is responsible for providing projects that coordinate multi-agency efforts for special needs offenders, i.e., offenders who are mentally ill, mentally retarded, elderly, physically handicapped or terminally/seriously ill. TCOOMMI contracts with the DSHS and local MHMR authorities in order to provide direct services to offenders and pre-released planning services for all offenders with special needs who are incarcerated in local jails or state custodial facilities and for whom aftercare treatment services are necessary. Parolees released through the medically recommended intensive supervision (MRIS) parole program are among the offenders receiving TCOOMMI services. The MRIS program permits the release of offenders not otherwise eligible

for parole if the offenders are mentally ill, mentally retarded, elderly, terminally ill or physically handicapped. Potential candidates for MRIS are screened and assessed by TCOOMMI, and are also monitored after their release into the community. The advisory council to the TBCJ is comprised of public members appointed by the governor, representatives of criminal justice and health and human services agencies, and members of several associations representing person with various disabilities.

2C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? Provide a summary of key statistics and performance measures that best convey the effectiveness and efficiency of this function or program.

Performance measures relating to this function include the percent reduction in arrests and the number of special needs offenders served through the continuity of care programs. The agency exceeded the targeted percentage reduction in arrests and greatly exceeded the number of offenders served through continuity of care programs.

2D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent.

Since its inception in 1987, TCOOMMI, then known as the Texas Council on Offenders with Mental Impairments, was a separate state agency. In 2003 the Texas Legislature enacted legislation which made TCOOMMI a division within the TDCJ. In addition, the scope of TCOOMMI services has expanded to incorporate offenders with serious or terminal illnesses, physically handicapped and the elderly. A further expansion of functions were made by the 78th and 79th Legislatures with the addition of 46.B defendants (from Sec. 46B, Code of Criminal Procedure (CCP), those committed to a state mental health hospital for a determination or restoration of competency) and persons found not guilty by reason of insanity in TCOOMMI's continuity of care activities. During the 80th legislative session, TCOOMMI was charged with coordination pre and post release case management, psychiatric and medical support services to individuals who had been legally determined to be a wrongfully imprisoned person.

2E. Describe who or what this program or function affects. List any qualifications or eligibility requirements for persons or entities affected. Provide a statistical breakdown of persons or entities affected.

Offenders with special needs, as defined by statutory guidelines, are the target population addressed by TCOOMMI. Recent data analysis shows approximately 18% of the adult criminal justice system (probation, correctional institutions and parole divisions) have a prior history with the public mental health system. In addition, the juvenile system shows a higher prevalence rate of mental health disorders among the juvenile probation and TYC populations. Research also shows that the medical conditions of offender populations are typically much more severe than that of the general population due to negative lifestyles such as substance or alcohol abuse. Finally, the elderly offender population continues to be one of the fastest growing in correctional

settings across the nation.

2F. Describe how your program or function is administered. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. List any field or regional services.

The TCOOMMI functions include systemic and direct services programs for offenders with special needs. The accompanying continuity of care flow chart provides an example of how TCOOMMI activates impact regulatory, procedural, statutory and programmatic practices of local and state governmental entities in relation to offenders with special needs.

2G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

Method of Finance	Amount
General Revenue Fund	\$ 19,474,584
Interagency Contracts	\$ 521,753
Total	\$ 19,996,337

The riders outlined below were included in the General Appropriations Act, Article V, and passed by the 81st Legislature:

- 58. Continuity of Care
- 60. Advisory Committee on Offenders with Medical or Mental Impairments
- 65. Medically Recommended Intensive Supervision
- 66. Unexpended Balance Authority for Special Needs Projects
- 68. Mental Health Services

2H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions. Describe the similarities and differences.

There are a number of external state and local agencies that directly provide and/or contract for psychiatric developmentally disabled medical or elderly treatment and support services. This includes DSHS, Department of Aging and Disability Services (DADS) and Department of Assistive and Rehabilitation Services (DARS). Their primary mission however is not public safety, consequently the offender with special needs may present unique challenges to the state's health and human service delivering system. The TCOOMMI's targeted treatment and support services ensure that offenders have immediate access to services, and compliance to treatment is monitored through conditions of release. This dual supervision and treatment strategy is critical to the agency's overall public safety mission.

2I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

In addition to necessary coordination with local community supervision and corrections departments, the Community Justice Assistance Division and the Parole Division, TCOOMMI's legislative mandates require collaboration and coordination with representatives from 31 agencies and associations with an interest in criminal justice or health and human services. The TCOOMMI Advisory Committee is responsible for addressing statewide issues that impact special need offenders and coordinate on effective responses to any barriers which may be identified. Current statutory mandates require memorandums of understanding (MOU) with the following agencies: DSHS, DARS, TCLEOSE, the Texas Commission on Jail Standards, local CSCDs, jails and MHMR authorities and juvenile justice agencies. Also, an MOU with the Region I Social Security Administration is in place to allow for the pre-application of entitlement benefits during an offender's incarceration. In addition, TCOOMMI has intergovernmental contracts with local MHMR authorities, DSHS and the TJPC for targeted treatment services for offenders.

2J. If the program or function works with local, regional, or federal units of government include a brief description of these entities and their relationship to the agency.

Chapter 614 of the Health and Safety Code, a copy of which is included in Attachment 1 to this report, outlines the composition of the TCOOMMI Advisory Committee composition and the role committee members play pursuant to state law. Committee members represent a wide range of both state and local criminal justice and health and human service agencies. In addition to advising the TBCJ on policy matters relating to special needs offenders, one of their primary responsibilities is to foster the inter-agency information sharing and coordination necessary to facilitate the continuity of care process.

2K. If contracted expenditures are made through this program please provide:

- the amount of those expenditures in fiscal year 2010;
- the number of contracts accounting for those expenditures;
- a short summary of the general purpose of those contracts overall;
- the methods used to ensure accountability for funding and performance; and
- a short description of any current contracting problems.

- The amount of contracted expenditures in FY 2010: \$18,632,498
- The number of contracts accounting for those expenditures: 41

With a few exceptions, all services are contracted out to local or state entities. The oversight function is outlined in contracts and is monitored through monthly fiscal and program reports and on-site audits by TCOOMI staff.

This amount does not reflect the Medicaid revenue generated from contracted sites. The general purpose of each contract is to provide continuity of care to eligible special needs offenders. The contracts also include provisions for case management services for both juvenile and adults. The sites approved to deliver case management services are funded in collaboration with the CJAD and TJPC.

The fiscal accountability is established through an audit process. This process is completed by the Operations Branch of RID. Each site was audited in FY 2010 with follow up reviews in FY 2011. The priority in which sites are reviewed is decided by risk. The risk scale utilized is one that reviews overall dollar amount awarded and spending patterns that are outside of normal ranges. The programmatic performance is evaluated using the similar concepts. Those contracts that have the highest dollar amount awarded are considered high risk and are reviewed with greater frequency. The other risk indicator that generates prompt review is programmatic trends, such as high revocations or felony arrests. The high rates in these particular area indicate gaps in contractual compliance. Over FY 2010 and 2011 all contracts had a programmatic performance review.

2L. What statutory changes could be made to assist this program in performing its functions? Explain.

No statutory changes are recommended at this time.

2M. Provide any additional information needed to gain a preliminary understanding of the program or function.

No other state in the country operates or funds a program comparable to TCOOMMI. The office continues to represent a system of care that allows for a seamless reentry for offenders with special needs releasing from a jail or prison setting.

3A. Provide the following information at the beginning of each program description.

Name of Program or Function	Incarcerate Felons
Location/Division	Correctional Institutions Division; Private Facility Contract Monitoring/Oversight Division; Manufacturing and Logistics Division; Reentry and Integration Division; Rehabilitation Programs Division; Administrative Review and Risk Management Division
Contact Name	Rick Thaler; Celeste Byrne; C. F. Hazlewood Jr.; Dee Wilson; Madeline Ortiz; Jackie Edwards

Actual Expenditures, FY 2010	\$1,976,909,023
Number of FTEs as of August 31, 2010	36,316.5

3B. What is the objective of this program or function? Describe the major activities performed under this program.

Correctional Institutions Division

The primary objective of this function is to provide for the safe and secure confinement and supervision of the offender population, providing basic necessities and programs and services which support rehabilitation, and reintegrating adult offenders into the community. In addition, the management of correctional facilities is in accordance with constitutional and statutory standards.

The CID is responsible for the confinement and supervision of adult felony offenders who are incarcerated in state prisons, transfer facilities, state jails, SAFPF, pre-release, medical, psychiatric facilities, developmentally disabled programs (DDP) and geriatric facilities.

The CID employs correctional officers (COs) and other security staff to maintain a safe and orderly environment. The CID also classifies offenders, which involves gathering pertinent information about offenders when determining an offender's custody designation, housing and work assignments, unit of assignment and participation in certain programmatic activities. The safety of the public, staff, and offenders are the highest priorities for the agency. The security and appropriate classification of offenders is critical in monitoring the continuous safe and secure operation of any correctional system.

Basic necessities such as food, laundry and utilities are necessary in day-to-day operations of the prison system. The CID uses supervised offender labor to assist in food preparation and laundry services, and is also supported by farming, livestock and other agricultural operations. Offenders participating in industrial programs help reduce the cost of offender incarceration and help offenders learn marketable job skills while developing a work ethic.

Transportation of offenders is critical to support the operations of 112 correctional facilities located across Texas. The CID offender transportation department provides transportation and security for the offender population, while the agency's Manufacturing and Logistics Division (M&L) transports materials necessary for facility operations.

The TDCJ has a zero tolerance for controlled substance use by offenders. Random, targeted and reasonable suspicion drug tests are conducted to ensure prompt detection and response.

Private Facility Contract Monitoring/Oversight Division

The PFCMOD is responsible for the oversight and monitoring of the privately operated facility contracts for the agency.

The Operations Monitoring section is responsible for the contract monitoring and oversight of the secure correctional facilities. There were a total of 20 facility locations with approximately 18,100 offenders in privately-operated secure correctional facilities, monitored by the PFCMOD during FY 2010.

The Program Monitoring area is responsible for the oversight and monitoring of contracts for community-based facilities and substance abuse treatment services. This section monitors halfway houses for the PD and monitors many types of substance abuse program contracts in coordination with RPD which include in-prison treatment programs that could be co-located on state-run or privately-operated facilities, residential aftercare treatment programs and outpatient treatment programs. Working under a rotating schedule, RPD contract monitors perform quality assessment reviews while PFCMOD contract monitors perform contract delivery reviews.

Manufacturing and Logistics Division

This division contributes to offender reentry opportunities by providing work skills training programs and a documented work history, performance evaluations and certificates of completion.

The division partners with the WSD and other TDCJ divisions to optimize the number of offenders participating in training programs. M&L staff coordinates nationally accredited certification training and administer certification tests.

The division maintains the agency's vehicles and is responsible for the distribution of goods and materials to TDCJ facilities across the state.

Reentry and Integration Division

RID is responsible for a number of pre and post release reentry services. The program currently takes the lead in obtaining identification documents for all offenders scheduled for release from custody within six months. In FY 2011, offenders were screened and referred to the identification processing unit. For offenders who will discharge their sentences, (state jail or flat) reentry planning services are provided to any offender who agrees to enroll and participate.

Participating offenders are provided with a functional needs assessment (FNA) to determine what obstacles exist for a successful reintegration. Based upon the FNA, reentry case managers will work with the offender, the family and/or state, federal and local entities to coordinate post release service needs such as housing, benefits, employment and other similar resources.

Rehabilitation Programs Division

The objective is to provide rehabilitative services to the offender population. The functions being performed are a key component to enhance an offender's success while incarcerated as well as increase their likelihood of success upon release, therefore enhancing public safety. The RPD provides centralized administration and management of activities related to offender programs within TDCJ. The RPD is responsible for ensuring that all TDCJ programs operate with consistency and quality with respect to planning, implementation, and the integration of the delivery of treatment programs across divisional lines. As the coordinating entity, the RPD facilitates offender programs inter-divisionally, cooperating with PD, CJAD, HS, CID, the WSD, the BPP, and faith-based and community-based organizations and volunteers to provide effective, evidence-based treatment services for individual offenders throughout the incarceration and supervision period. A description of each of the programs is listed below:

Chaplaincy Program

The Chaplaincy Program provides spiritual guidance and other assistance to male and female offenders, as well as the 18 month faith-based InnerChange operated by Prison Fellowship Ministries. Chaplaincy facilitates 209 faith groups and over 45,000 faith-based classes. There are currently 121 chaplains (108 on facilities, 5 parole, 6 regional, and 2 administrative). The program is involved in volunteer recruiting engagements. Currently, there are 635 mentors making 9,397 mentor visits. Chaplaincy also oversees 2,890 faith-based dorm beds on 30 facilities. This number will continue to increase. To assist in the responsibility, there are 371 certified volunteer chaplain assistants on 94 facilities. During FY 10, 83,161 service hours were provided.

The newest initiative is a partnership with Southwest Baptist Theological Seminary. Approximately 40 students enrolled in the introductory course during March, 2011. The core credit curriculum commencement will begin September 2011. Offenders will receive a four year Bachelor of Science degree in Biblical Studies.

The Chaplaincy Program also works very closely with the CID, Office of the Attorney General (OAG) and the OGC related to constitutional religious legal issues.

Volunteer Services

Volunteer Services utilize volunteers as an essential element in the rehabilitation and reentry of offenders into the community. Volunteers assist in providing literacy and educational programs, life skills training, job skills training, parent-training, medical issues and prevention training, arts and craft programs, drug and alcohol rehabilitation programs, faith-based programming, and other programs determined by TDCJ to aid in institutional adjustment and the transition between confinement and society. As of July 2011, 19,124 volunteers provided services to the offender population.

Sex Offender Rehabilitation Programs

The following three programs are designed to address the low, moderate and high risk sex offenders:

The Sex Offender Education Program (SOEP) is a four-month, low-intensity program designed to assist sex offenders assessed to pose a low sexual re-offense risk or who may have an extended period of supervision during which they may participate in treatment. The SOEP employs a cognitive intervention model utilizing psycho-educational classes.

The nine-month Sex Offender Treatment Program (SOTP-9) consists of a moderate intensity treatment program designed to assist sex offenders assessed to pose a moderate sexual re-offense risk. The SOTP-9 employs a cognitive-behavioral model and includes psycho-educational classes as well as group and individual therapy.

The eighteen-month Sex Offender Treatment Program (SOTP-18) consists of a high intensity treatment program designed to assist sex offenders assessed to pose a high sexual re-offense risk. The SOTP-18 employs a cognitive-behavioral model and includes psycho-educational classes as well as group and individual therapy.

The primary goal of the SOTP-9 and SOTP-18 programs is to reduce the rate of re-offense and move the participant toward a more pro-social lifestyle.

Civil Commitment

State law requires that sexually violent offenders (defined as having two or more convictions for a sexually violent offense) be identified and referred to a multidisciplinary team for possible civil commitment.

Dynamic Risk Assessment (DRA)

Sex offenders currently serving sentences for registerable sex offenses are subject to the DRA. Once offenders are identified by RPD, an Associate Psychologist reviews each offender's file and in conjunction with interviewing the offender, assesses the risk level of the offender by using the Hare Psychopathy Checklist Revised (PCL-R), the Level of Service Inventory Revised (LSI-R) and the Static 99. According to a scoring matrix developed by the Counsel on Sex Offender Treatment (CSOT), the findings of the three instruments yield a dynamic risk level of Low, Moderate or High. This information is then used by TDCJ Field Services for the sex offender registration process and provided to the Texas Department of Public Safety (DPS).

Serious and Violent Offender Reentry Initiative (SVORI)

SVORI is a 63-bed program housed at the Estelle Unit in Huntsville that provides pre-release and in-cell programming for male offenders releasing directly from administrative segregation. Offenders may be placed in the program as the result of an FI-7R vote by the

BPP, or may be selected based on eligibility criteria. The curriculum addresses the leading causes of recidivism: anger management, thinking errors, substance abuse, life skills and employment. Offenders with the parole stipulation of SVORI aftercare may participate in a continuum of care through a parole district reentry center (DRC).

Gang Renunciation and Disassociation Program (GRAD)

GRAD provides in-cell programming Security Threat Group (STG) members in order to facilitate disassociation from gang membership and release from administrative segregation to the general population.

GO KIDS (Giving Offenders' Kids Incentives and Direction to Succeed)

GO KIDS combines programs geared towards strengthening the parent-child relationship with efforts to link family members to community resources.

Babies and Mothers Bonding Initiative (BAMBI)

BAMBI program requires the cooperation of several TDCJ divisions (RPD, HS and CID), is governed by statute and managed through a contract with the TDCJ and the University of Texas Medical Branch (UTMB). The UTMB subcontracts with the Santa Maria Hostel, Inc. of Houston, Texas to provide post-delivery services to up to 15 female confinees and their infants and to coordinate government programs such as WIC and Medicaid with the clients. Program components include: parenting skills, GED preparation, substance abuse and cognitive restructuring.

DNA Testing

State law requires the collection of blood or other specimens from offenders for the purpose of creating a forensic record based on DNA. Each DNA specimen collection is preserved, recorded, and sent to the DPS for scientific analysis and maintenance in the DNA database.

In-Prison DWI Recovery Program

This program is a multimodal program that contains a variety of educational modules and treatment activities, to include group and individual therapy. Each offender has a comprehensive individual treatment plan based on the results of an evaluation battery designed to assess the needs and risk of recidivating. This program consists of at least 20 hours of programming weekly which includes education activities, individual group therapy, and interactive discussions for family members. The curriculum includes a blend of evidenced-based practices that focus on alternatives to drinking and driving, alcohol addiction and abuse, victim awareness, medical effects, lifestyles, stress assertion, Cognitive therapy.

In-Prison Therapeutic Community (IPTC)

This program is an intensive six to nine month treatment program that offenders are required to complete prior to release on parole. The IPTC program consists of three phases. The IPTC continuum of care lasts for 12 to 15 months and includes both a transitional residential phase of approximately three months with an outpatient phase of approximately nine to twelve months depending on the individual's needs.

Substance Abuse Felony Punishment Facility

This program is an intensive six to nine month treatment program for offenders on probation or modified parole. The modality is that of a therapeutic community setting. The objectives and treatment modality of the program are the same as the IPTC.

Pre-Release Substance Abuse Program (PRSAP)

This program is a six month program for offenders with serious substance abuse chemical dependency problems.

Pre-Release Therapeutic Community (PRTC)

This program is similar to the PRSAP, but adds two tracks, vocational and cognitive intervention. The PRTC is a coordinated effort between RPD, WSD and the PD. Both programs are based on principles of a therapeutic community treatment modality. Offenders are placed in the programs based on a vote by the BPP.

State Jail Substance Abuse Program (SJSAP)

The SJSAP is a multimodal program accommodating the diverse characteristics and individual needs of this population. Eligible offenders are placed in one of three program tracks based on an Addiction Severity Index (ASI) Assessment.

Youthful Offender Program (YOP) Challenge, Opportunity, Understanding, Respect, Acceptance, Growth and Education (COURAGE)

This program serves both male (Clemens Unit) and female (Hilltop Unit) offenders between 14 and 17 years of ages. The Courage Program is structured according to a two-track programming system. Track 1 is for those offenders who are expected to leave the custody of the TDCJ from, or shortly after, their participation in the program. Track 2 is for offenders who are facing a lengthy sentence and who are expected to transition to the TDCJ general population for a significant period of time. This program focuses on basic skills and value building and incorporates an individual strategy for each offender. The track placement influences the focus of treatment planning. Comprehensive, interdisciplinary programming is established on a weekly schedule, which includes: education, social skills training, anger management, values development, goal setting, cognitive restructuring, substance abuse education, conflict resolution, aggression replacement and life skills.

Administrative Review and Risk Management Division

The primary function of the ARRM is to promote excellence in correctional practice in TDCJ through identifying areas of potential risk or liability and facilitating action to maintain safety, accountability, efficiency and professionalism. This function is accomplished through the efforts of two sections and their departments:

- Resolution Support – It is the mission of the Resolution Support section to provide agency resources, including training of staff, to ensure timely resolution to institutional issues at the earliest possible level.
 - Access to Courts – It is the mission of the Access to Courts department to ensure that offenders assigned to the correctional institutions operated, managed, or monitored by the TDCJ are provided their constitutional right of access to the courts, counsel and public officials, and that access is “adequate, effective, and meaningful” as required by state and federal law.
 - Offender Grievance Program – It is the mission of the Offender Grievance Program to promote awareness and positive intervention between staff and offenders, to identify and resolve issues at the lowest possible level and to facilitate the flow of information between the units and agency leaders.
 - TDCJ Ombudsman Program – The TDCJ Ombudsman Program provides a single point of contact for elected officials and members of the general public who have inquiries regarding the agency, offenders or staff. When necessary, investigations are coordinated through appropriate TDCJ officials.
- Review & Standards – It is the mission of the Review & Standards section to provide a monitoring function for the agency; managing risks affecting people, property and liability, and monitoring adherence to rules, regulations, policies and correctional practices required for certification by the ACA, which focuses on public safety, humane treatment of offenders and the effective operation of correctional units.
 - Administrative Monitor for the Use of Force (UOF) – The mission of the administrative monitor for the UOF department is to facilitate updates to and publication of the UOF Plan and review UOF records to ensure all incidents are timely and accurately reported in accordance with the UOF plan.
 - Monitoring and Standards – The mission of the Monitoring and Standards department is to monitor TDCJ facilities to ensure that operations are in accordance with agency policies and procedures, court orders, and nationally accepted standards established by the ACA.
 - ACA Accreditation – Monitoring, technical guidance and support are provided to ensure compliance with agency policy, procedures and applicable ACA standards.
 - Operational Review Program – Provides agency managers with performance indicators of unit and departmental operational effectiveness.
 - Risk Management – The mission of the Risk Management department is to support and adhere to the TDCJ safety policy by providing a safe and healthful work environment for staff and offenders through identifying hazards, assessing risk and establishing effective methods for accident prevention.

3C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? Provide a summary of key statistics and performance measures that best convey the effectiveness and efficiency of this function or program.

Correctional Institutions Division

The most significant performance measures involving this function include escape rates and cost-per-day. The number of escapes as a percentage of the offender population was about one one-thousandth of one percent which is just above the target rate of zero. The cost-per-day for offenders housed in the CID was \$50.79, which is low relative to the national average of \$62.50 per day.

Private Facility Contract Monitoring/Oversight Division

Contract monitoring is the core function of the division. By performing monitoring duties such as site visits and compliance reviews, the division is able to ascertain the level of the contractor's performance and compliance with the terms of the contract and policy requirements. A compliance review is an in-depth formal review of multiple areas of operation required by contract. A site visit is a less formal review of facility operations without prior notice in order to determine compliance with contract and policy requirements.

The following contractor performance verifications were conducted in FY 2010:

- 379 compliance reviews for 118 contracts were conducted with 31,476 items reviewed and 2,793 items of noncompliance identified.
- 721 site visits for 104 contracts were conducted with 10,258 items reviewed and 2,588 items of noncompliance identified.

Noncompliant items are tracked and the contractor is required to submit responses on how to correct the deficiencies. Follow-up reviews are conducted to ensure corrective action is taken.

Manufacturing and Logistics Division

Relevant statistics and performance measures include:

- the average monthly number of offenders enrolled in training programs during FY 2010 was 2,925;
- the number of offenders that completed training programs during FY 2010 was 2,272;
- the number of factories operated by Texas Correctional Industries during FY 2010 was 41;
- the number of offenders assigned to the correctional in FY 2010 was 6100;
- the number of offenders that earned nationally recognized certifications during FY 2010 (e.g., Braille, ASE, AWS and GeoMedia) was 287; and
- the number of training programs provided by Manufacturing & Logistics was 220.

Reentry and Integration Division

Despite the lack of recidivism data, the reentry program can provide information on a key issue relating to an offenders' successful transition, identification verification and documentation activities. During the current Fiscal year, 55,479 offenders have been reviewed for identification document eligibility. Of this number, 44,561 applications for Social Security cards have been processed, and 26,707 birth certificates have been requested. For those offenders whose state issued identification or drivers license will be current upon release, the offender and supervising parole officer are notified in writing of the status and process for renewal.

Rehabilitation Programs Division

To ensure the effectiveness of rehabilitation programs, TDCJ routinely performs evaluations of rehabilitation programs to ensure the programs reduce offender re-incarceration and parole revocations. The most recent study was conducted in April 2011 by TDCJ Executive Services to evaluate offenders who were released from rehabilitation tier programs during 2007. The results of that study showed that with the exception of the PRSAP, all programs evaluated reduced the three year recidivism for program completers.

	2 Year Recidivism Rates			3 Year Recidivism Rates		
	Treatment Group	Comparison Group	Difference	Treatment Group	Comparison Group	Difference
IFI*	11.21%	17.88%	-6.66%	15.89%	25.70%	-9.81%
IPTC w/Aftercare	8.56%	11.29%	-2.74%	17.11%	21.86%	-4.75%
PRSAP	13.56%	13.04%	0.52%	22.77%	21.75%	1.01%
PRTC	13.54%	12.84%	0.70%	21.88%	22.27%	-0.40%
SVORI	26.09%	29.49%	-3.40%	36.23%	41.03%	-4.79%
SOEP	10.64%	14.13%	-3.48%	15.41%	20.82%	-5.41%
SOTP	8.50%	11.82%	-3.32%	12.55%	18.23%	-5.68%
SAFP w/Aftercare	15.17%	27.07%	-11.90%	24.28%	38.18%	-13.90%

*InnerChange Freedom Initiative

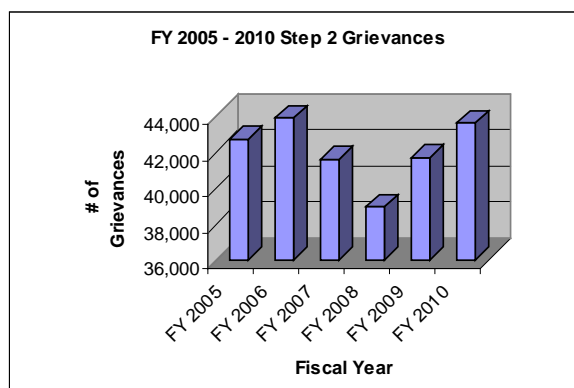
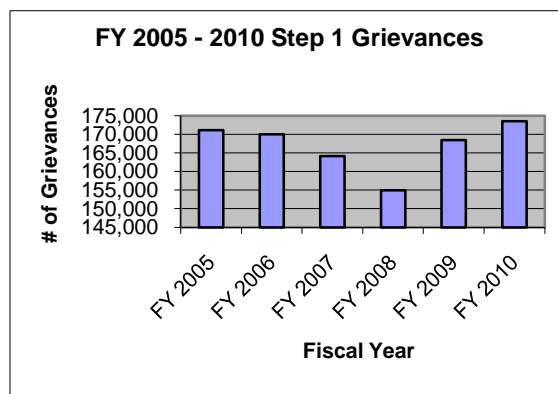
In addition to the evaluations conducted related to the recidivism rates of offenders who participate in programs, the RPD also has a quality assurance function where periodic reviews are conducted of the quality treatment services. These reviews are conducted on all treatment facilities as well as transitional treatment centers and outpatient treatment providers. The key areas being reviewed consist of but are not limited to: clinical documentation, therapeutic community components (if applicable), observations and interviews, treatment disruption and separation, operational status reporting and motivational interviewing and evidence-based practices.

Administrative Review and Risk Management Division

Relevant statistics and performance measures include:

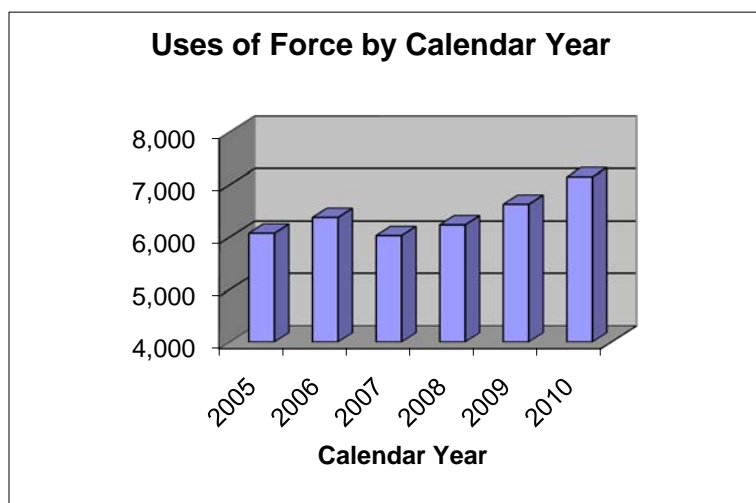
Please see various charts on pages 50 - 52.

- Offender Grievance Program –



Review & Standards

- Administrative Monitor for the UOF –

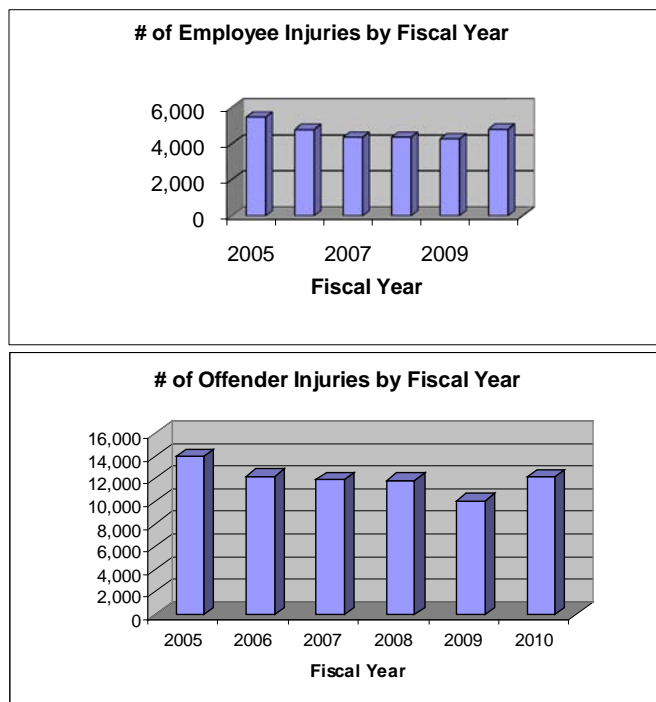


- Monitoring and Standards –

- ACA Accreditation –

Of the 112 TDCJ facilities, 108 have been ACA accredited. Two facilities, Bridgeport and Mineral Wells pre-parole facilities have been ACA accredited for medical. Hospital Galveston has been accredited by the Joint Commission on Accreditation of Healthcare Organizations. Only one privately operated prison (Diboll Unit) remains to be accredited. The Diboll Unit will be presented to the ACA Panel of Commissioners in August 2011. Additionally, the Baten ISF and the Correctional Training Academy are ACA accredited.

- Risk Management –



3D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent.

Correctional Institutions Division

The most significant aspect of this function's history including the Ruiz litigation and the evolution of the substance abuse treatment initiative, safe prison programs, and the state jail system, are described in the agency's general history.

Private Facility Contract Monitoring/Oversight Division

The 80th Legislature appropriated funds to TDCJ for a new diversion initiative. In May 2007, to support this initiative, the TBCJ approved a change in the agency's organizational structure to establish a new division, the Private Facility Contracts Monitoring/Oversight Division (PFCMOD). Community-based programs monitoring and secured facility operations monitoring were brought together along with all the financial aspects of the contracts.

To create the new division, certain support and monitoring staff were consolidated from the CID, CJAD, PD and the RPD. The PFCMOD supports these four divisions by providing contract monitoring and oversight for their unique missions. The new structure has improved the consistency of contracting terms and conditions, and has provided central coordination for the

agency's proponents who assist in certain subject matter reviews. For example, the Health Services Division conducts quarterly access to care reviews.

Reentry and Integration Division

Due to the elimination of Project Re-Integration of Offenders (Project RIO) during FY 2011, the reentry case managers have assumed a greater role in the processing of identification documents for the 70,000 plus offenders who are released from TDCJ each year.

Rehabilitation Programs Division

The most significant aspects of this function's history include the Ruiz litigation and the evolution and expansion of the substance abuse treatment initiative, through the inclusion of the DWI program.

Passed by the 80th Legislature, Regular Session, HB 199 created the BAMBI program, which was modeled after a federal program in Ft. Worth. Also passed by the 80th Legislature was the TDCJ Sunset bill, SB 909, which required TDCJ to conduct a dynamic risk assessment for an offender serving a sentence for a registerable sex offense. The bill required the Council on Sex Offender Treatment to develop the risk assessment.

Administrative Review and Risk Management Division

The first TDCJ unit accredited by ACA was the Boyd Unit in 1997.

3E. Describe who or what this program or function affects. List any qualifications or eligibility requirements for persons or entities affected. Provide a statistical breakdown of persons or entities affected.

Correctional Institutions Division

The statistics below regarding the offender population are as of May 31, 2011.

Age Category	Prison	State . Jail	SAFP	Total
14-16	10	0	0	10
17-18	603	121	40	764
19-20	3,797	605	196	4,598
21-21	6,524	786	273	7,583
23-24	7,878	824	286	8,988
25-29	21,782	2,261	634	24,677
30-34	22,138	1,930	478	24,546
35-39	18,814	1,385	328	20,527
40-44	17,976	1,313	346	19,635
45-49	16,550	1,157	335	18,042
50-54	12,275	718	242	13,235
55-59	6,812	299	114	7,225

Age Category	Prison	State Jail	SAFP	Total
60-64	3,447	94	42	3,583
65+	2,481	35	11	2,527
Total	141,087	11,528	3,325	155,940

Race	Prison	State Jail	SAFP	Total
Black	50,919	4,198	822	55,939
Hispanic	46,683	3,280	899	50,862
White	42,753	4,003	1,590	48,346
Other and Unknown	732	47	14	793
Total	141,087	11,528	3,325	155,940

Gender	Prison	State Jail	SAFP	Total
Female	9,031	2,466	818	12,315
Male	132,056	9,062	2,507	143,625
Total	141,087	1,1528	3,325	155,940

By Offense and Offender Type				
Offense Category	Prison	State Jail	SAFP	Total
VIOLENT				
Homicide	16,272	*19	15	16,306
Kidnapping	1,348	7	6	1,361
Sexual Assault	6,816	0	0	6,816
Sexual Assault Against a Child	12,664	0	0	12,664
Robbery	22,896	0	174	23,070
Assault/Terroristic Threat	19,469	131	466	20,066
VIOLENT TOTAL	79,465	157	661	80,283
PROPERTY				
Arson	706	6	22	734
Burglary	14,116	1,000	412	15,528
Larceny	2,447	2,624	147	5,218
Stolen Vehicle	679	471	42	1,192
Forgery	748	727	85	1,560
Fraud	717	580	67	1,364
Stolen/Damaged Property	92	173	17	282
PROPERTY TOTAL	19,505	5,581	792	25,878
DRUG				
Drug-Delivery	9,980	472	197	10,649
Drug- Possession	11,287	3,494	927	15,708
Drug-Other	570	15	34	619
DRUG TOTAL	21,837	3,981	1,158	26,976
OTHER				
Sexual Offense Against a Child	5,025	5	0	5,030
Failure to Register as a Sex Offender	1,858	97	0	1,955
Family Offense	279	155	25	459
Commercialized/Sex Offense	112	288	36	436

By Offense and Offender Type				
Offense Category	Prison	State Jail	SAFP	Total
OTHER				
Obstruction/Public Order	2,006	132	54	2,192
Escape	1,155	826	51	2,032
Weapons Offense	2,705	53	38	2,796
DWI	6,289	230	392	6,911
Other	848	21	28	897
Unclassified	3	2	90	95
OTHER TOTAL	20,280	1,809	714	22,803
TOTAL	141,087	11,528	3,325	155,940

State Jail offenders listed under homicide have convictions of criminally negligent homicide.

Private Facility Contract Monitoring/Oversight Division

Below are the types of contracts being monitoring in FY 2010:

	Facilities	Beds/Slots*
Secure Correctional Facilities		
<input type="checkbox"/> Correctional Centers	7	4,118
<input type="checkbox"/> State Jails	5	7,345
<input type="checkbox"/> Work Program	1	500
<input type="checkbox"/> Pre-Parole Transfer Facilities	2	2,300
<input type="checkbox"/> Intermediate Sanction Facilities	3	1,149
<input type="checkbox"/> Multi Use Treatment Facilities (DWI/SAFPF/ISF)	<u>2</u>	<u>2,692</u>
	20	18,104
	Facilities	Beds/Slots*
Community-Based Facilities		
<input type="checkbox"/> Halfway Houses	7	1,607
<input type="checkbox"/> Parole Division County Jail Beds	2	32
<input type="checkbox"/> Substance Abuse Residential Treatment Facilities	<u>23</u>	<u>1,944</u>
	32	3,583
Privately Operated In-Prison Treatment Programs		
<input type="checkbox"/> SAFPF/IPTC	12	5,655
<input type="checkbox"/> State Jail Substance Abuse Program (SJSAP)	6	1,200
<input type="checkbox"/> DWI	<u>1</u>	<u>500</u>
	19	7,355
Outpatient Substance Abuse Programs		
<input type="checkbox"/> Services provided at various locations	100	6,577

*The terms beds and slots are used to indicate how many offenders can be housed or treated under the contract at any one time. This does not indicate the number of offenders served over a

year as there are various time periods for each type of program. For example, the average stay for an offender sentenced to an ISF is between 75 and 90 days.

Manufacturing and Logistics Division

Eligibility requirements for offender job placement include: minimum of a G3 custody level; no medical restrictions preventing performance of a particular job; enrollment within 30 days of being turned out to the facility.

Reentry and Integration Division

With the exception of offenders with some type of detainer, all offenders who are scheduled for release within six months are potentially eligible for certain reentry services. Eligible offenders are screened for identification document needs (i.e.; social security card, birth certificate), and applications are submitted for those who agree to participate. For those individuals who will be released from a state jail or prison on a flat discharge, reentry case managers conduct orientation and enrollment to assess pre and post release service needs. Due to the lack of post-release supervision for discharged offenders, participation in reentry planning services are voluntary. In FY 2011, 30,573 offenders were discharged without any supervision requirements. The most recent three year recidivism rate for state jail offenders is 31.9% compared to 24.4% for releasees.

Rehabilitation Programs Division

Programs Eligibility and Placement Procedures For Rehabilitation Programs Division Programs

Program	Eligibility Requirements	Procedures for Placement
Gang Renunciation and Disassociation Process (GRAD)	<ul style="list-style-type: none"> • No offender/staff assaults for a period of at least 2 years; • No major disciplinary cases of any kind for at least 1 year; • No extortion, weapons possession, or aggressive sexual misconduct cases for a period of at least 2 years; • Must have time earning status of Line Class 1 for a minimum of 1 year; • Must have renounced membership in a Security Threat Group (STG); • Documentation evidencing disassociation (Attachment "B") must be completed at the unit and regional levels; • Must sign a release form requesting participation; • Must sign the Gang Renouncement Disassociation (GRAD) Renouncement form; • Must not have been involved in any STG act for a minimum of 2 years; • No Security Precaution Designator code of: (ES) Escape, (SA) Staff Assault, or (HS) Hostage Situation 	<ul style="list-style-type: none"> • Offender makes decision to disassociate and files proper paperwork (Attachment B) • List compiled from database with STG diversity considered
Substance Abuse Felony Punishment Facilities (SAFPF)	<ul style="list-style-type: none"> • Offenders charged with or convicted of a first, second, third, or state jail felony are eligible, unless they are charged with or convicted of a felony or criminal attempt of a felony under Section 21.11 (Indecency with a Child), 22.011 (Sexual Aslt), or 22.021 (Agg Sexual Aslt) of the Penal Code; • Offenders convicted of the following 3g offenses are eligible: 	<ul style="list-style-type: none"> • Sanctioned by the BBP in lieu of revocation. • Offenders are sentenced by a judge as a condition of

Program	Eligibility Requirements	Procedures for Placement
	aggravated kidnapping, aggravated robbery, or an affirmative finding of the use or exhibition of a deadly weapon in the offense; <ul style="list-style-type: none"> Defendants on deferred adjudication are eligible; Offenders shall be chemically dependent; Offenders with a felony, misdemeanor, Immigration and Customs Enforcement (ICE) detainer or pending charges are not eligible to participate unless the jurisdiction that placed the detainer agrees not to seek custody <u>Parole only</u> <ul style="list-style-type: none"> Offenders with technical violations only; Offenders must have more than 12 months remaining on supervision 	community supervision
In-Prison Therapeutic Community (IPTC)	<ul style="list-style-type: none"> Must be G2 custody or above; no Safekeeping; Must be an Institutional Division (ID) or Transfer Facility (TF) offender type; Not currently enrolled in vocational or college course (transfer allowed upon completion if eligible); Must have time earning status of Line Class 1 or above; No active felony or ICE detainers, (State Jail [SJ]) detainer permissible if expiration is prior to program completion); No current conviction for sex offense; Allow substance abuse score of 3 or greater; or, a "C" on ASI; Not found guilty of Major Disciplinary (solitary confinement, reduction in class, or loss of good time) within past 6 months; Must not be Parole In Absentia (PIA); Not have consecutive sentences pending parole review; Not currently enrolled in an intensive rehabilitation program; No severe med/psych issues as determined by individual medical review by HSL; Minimum of 6 months before Mandatory Date and 12 months to Discharge 	<ul style="list-style-type: none"> FI-5 vote from the Board of Pardons and Paroles (BPP)
Sex Offender Treatment Program and Sex Offender Education Program	<ul style="list-style-type: none"> Must be G3 custody or above; Must be an ID or TF offender type; Not currently enrolled in vocational or college course (transfer allowed upon completion if eligible); Must have time earning status of Line Class 1 or above; No active ICE detainers; Must be sex offender as defined by AD-4.09; Must be male for SOEP; Must not be PIA; Not have consecutive sentences pending parole review; Not currently enrolled in an intensive rehabilitation program; Minimum of 24 months before FI-R release month, Mandatory Supervision Date or Discharge 	<ul style="list-style-type: none"> FI-18R or FI-4R vote from the Board of Pardons and Paroles (BBP) receive priority placement followed by offenders who are eligible for civil commitment review.
Pre-Release Therapeutic Community Program	<ul style="list-style-type: none"> Must be G3 custody or above; no Safekeeping; Must be an ID or TF offender type; Not currently enrolled in vocational or college course (transfer allowed upon completion if eligible); Must have time earning status of Line Class 1 or above; No active felony or ICE detainers, (SJ detainer permissible if 	<ul style="list-style-type: none"> FI-6R vote from the Board of Pardons and Paroles (BPP)

Program	Eligibility Requirements	Procedures for Placement
	expiration is prior to program completion); <ul style="list-style-type: none"> • No sex offenders as defined by AD-4.09; • Must be male; • Not found guilty of Major Disciplinary (solitary confinement, reduction in class, or loss of good time) within past 6 months; • Must not be PIA; • Not have consecutive sentences pending parole review; • Not currently enrolled in an intensive rehabilitation program 	
Pre-Release Substance Abuse Program	<ul style="list-style-type: none"> • Must be G3 custody or above; no Safekeeping; • Must be an ID or TF offender type; • Not currently enrolled in vocational or college course (transfer allowed upon completion if eligible); • Must have time earning status of Line Class 1 or above; • No active felony or ICE detainers, (SJ detainer permissible if expiration is prior to program completion); • No sex offenders as defined by AD-4.09; • Must be male; • Allow substance abuse score of 3 or greater; or, a “C” on ASI; • Not found guilty of Major Disciplinary (solitary confinement, reduction in class, or loss of good time) within past 6 months; • Must not be PIA; • Not have consecutive sentences pending parole review; • Not currently enrolled in an intensive rehabilitation program 	<ul style="list-style-type: none"> • FI-6R vote from the Board of Pardons and Paroles (BPP)
InnerChange Freedom Initiative (IFI)	<ul style="list-style-type: none"> • Voluntary participation; • Must be G2 custody or above; no Safekeeping; • Must be an ID or TF offender type; • Not currently enrolled in vocational or college course (transfer allowed upon completion if eligible); • Must have time earning status of Line Class 1 or above; • No active felony or ICE detainers; • Must be male; • No sex offenders as defined by AD-4.09; • Must be returning to one of the following counties: Brazoria, Chambers, Collin, Dallas, Denton, Ellis, Fort Bend, Galveston, Harris, Johnson, Kaufman, Liberty, Montgomery, Parker, Rockwall, Tarrant, Waller, Wise; • Not found guilty of Major Disciplinary (solitary confinement, reduction in class, or loss of good time) within past 6 months; • Must not be PIA; • Not have consecutive sentences pending parole review; • Not currently enrolled in an intensive rehabilitation program; • Minimum of 24 months before FI-R release month, Mandatory Supervision Date or Discharge; • Offenders may have any religious affiliation or none at all 	<ul style="list-style-type: none"> • Offenders who are interested in the InnerChange Program can write to the InnerChange Coordinator at Chaplaincy Headquarters to be screened or can contact a unit chaplain. • FI-18R vote from the Board of Pardons and Paroles (BBP)

Program	Eligibility Requirements	Procedures for Placement
In-Prison DWI Recovery Program	<ul style="list-style-type: none"> • Must have active DWI conviction and is sentenced to TDCJ; • No violent offenses (based on electronic screening); • Sentence length for active DWI is 10 years or less; • Must be male; • Must be G2 custody or above; no Safekeeping; • No active ICE detainees; • Not found guilty of Major Disciplinary (reduction in class, or loss of good time) within past 6 months; • Not currently enrolled in vocational or college courses; • Not already approved for parole; • No DMS consideration prior to the program completion date; • Parole review date must be at least 6 to 9 months after enrollment date 	<ul style="list-style-type: none"> • The State Classification Committee (SCC) reviews possible candidates in accordance with the appropriate eligibility criteria and coordinates transfer to appropriate facility • FI-6 vote from the Board of Pardons and Paroles (BPP)
Serious and Violent Offender Reentry Initiative (SVORI)	<ul style="list-style-type: none"> • Must be Ad-Seg custody (1A); • Must be an ID or TF offender type; • No active felony or ICE detainees; • Must be male; • Not found guilty of Major Disciplinary (solitary confinement, reduction in class, or loss of good time) within past 12 months; • Must not be PIA; • Not have consecutive sentences pending parole review; • Not currently enrolled in an intensive rehabilitation program 	<ul style="list-style-type: none"> • FI-7R vote from the Board of Pardons and Paroles (BBP)
The Challenge Opportunity Understanding Respect Acceptance Growth Education Program (COURAGE)	<ul style="list-style-type: none"> • At least 14 years of age but not older than 17; • Shall be medically suited for assignment to the unit or be reasonably accommodated, unless such accommodation creates a burden to the Agency; offenders more suited for a medical unit of assignment or who are mentally impaired shall be transferred to the appropriate special needs facility; • An offender shall not pose a threat to a co-defendant or other youthful offender to the degree that the safety and security of the facility, staff, and other offender are jeopardized and which cannot be resolved through the Safe Prisons Plan process 	<ul style="list-style-type: none"> • Offenders under eighteen are placed in this program
State Jail Substance Abuse Program (SJSAP)	<ul style="list-style-type: none"> • Release date must be within four months (ideal to ensure an offender has enough time to complete the 90-day track maximum); • General Population Level 1 or 2 (J1, J2) custody; • No ICE detainees 	<ul style="list-style-type: none"> • Program Director or designee reviews potential candidates from mainframe system download on a monthly basis, or as needed • Once enrolled, program staff shall determine appropriate track placement

Program	Eligibility Requirements	Procedures for Placement
Voyager	<ul style="list-style-type: none"> • Must be G3 or above, custody level; • Must volunteer (faith based); • Must not be PIA 	<ul style="list-style-type: none"> • All offenders who meet criteria at a unit that offers • FI-3R vote from Board of Pardons and Paroles (BBP) are priority

Administrative Review and Risk Management Division

The ARRM Division focuses on the confinement and supervision of individuals under the custody of the TDCJ to ensure the security, safety, and sanitation are held to the highest level.

3F. Describe how your program or function is administered. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. List any field or regional services.

Correctional Institutions Division

The CID is organized into six geographic regions. As of August 31, 2010, the division operated 51 state prison facilities, four pre-release facilities, three psychiatric facilities, one Developmentally Disabled Program (DDP) facility, two medical facilities, 14 transfer facilities, 15 state jail facilities, one geriatric facility, and five SAFPFs. There were five expansion cellblock facilities, additional medical facilities, boot camps, and a work camp co-located with several of the facilities mentioned.

CID is divided into three areas: Prison and Jail Operations, Management Operations, and Support Operations. Each area is under the leadership of a CID deputy director

The CID deputy director of Prison and Jail Operations oversees six regional directors who have the responsibility of managing institutional prisons and state jails throughout the state of Texas. This deputy director is also responsible for the oversight of the Security Systems Department and the Canine Coordinator.

Each of the six regional directors, in their respective geographical location, is responsible for a hierarchy of staff members who provide security at each state operated secure correctional facility.

The mission of the Security Systems Department is to provide technical assistance and operational support to CID administration and correctional facilities in the areas of staffing, security equipment, surveillance and video equipment/production, armory, research and technology, budget, security serious incident review (SIR) and field operations.

The Canine Coordinator provides training, technical advice to kennel staff, regional canine coordinators, and maintains the program's statistics.

The CID deputy director of Management Operations, provides oversight of Correctional Training and Staff Development, Plans and Operations, Safe Prisons Program Management Office, Fusion Center and the Security Threat Group Management Office (STGMO).

The Correctional Training and Staff Development Department provides pre-service and in-service training, in addition to specialized training.

The Plans and Operations Department provides support to divisional leadership in tracking and implementation of legislation, coordinates and staffs all security-related policies and operational plans. This department may serve as the liaison to other state agencies and government officials.

The Safe Prisons Program Management Office provides administrative oversight of the Safe Prisons Program and technical support to the regional and unit safe prisons program coordinators and executive administrative staff regarding in-prison sexual abuse.

The Management Operations Fusion Center serves as the centralized hub for the collection, assessment, analysis, and dissemination of offender gang related information and intelligence to all appropriate internal and external entities.

The STGMO monitors the activities of security threat groups (gangs) and members who threaten the safety and security of TDCJ units, staff, and offenders. The STGMO provides oversight, training, and technical support for the unit level staff who gather information on the activities of security threat group members. The STGMO works closely with law enforcement agencies by sharing information on security threat groups and members.

The CID deputy director of Support Operations oversees the support functions on all CID facilities. This department includes Classification and Records, Mail System Coordinator Panel, Office for Disciplinary Coordination, Counsel Substitute, Offender Transportation and Laundry Food and Supply.

The Classification and Records oversees diverse matters pertaining to offender management and provides technical support for various administrative and unit-based departments. It includes the Classification and Records Office (CRO), Unit Classification and Count Room, Intake, and the State Classification Committee (SCC).

The Mail System Coordinators Panel (MSCP) assists offenders in maintaining contact with family and friends and facilitates offender access to courts and public officials. The MSCP provides procedural training and technical assistance to unit mailroom staff and conducts mailroom operational review audits. This department also generates investigations regarding receipts of threats and unidentifiable substances sent by offenders in uninspected mail.

The Office for Disciplinary Coordination oversees and monitors facility compliance with disciplinary rules and procedures by conducting division-level unit operational reviews.

The Office of Spanish Language Coordination manages Spanish language assistance service. This office is responsible for coordinating and processing the testing of employees to determine their proficiency in speaking Spanish. Based on test results, qualified Spanish language interpreters are designated.

The Counsel Substitute Program secures and protects the due process rights of offenders charged with disciplinary infractions by providing trained staff to assist offenders during the disciplinary process. The Counsel Substitute Program's employees conduct certification training, provide technical assistance and continuous support for the disciplinary hearing officers and counsel substitute staff.

Offender Transportation is headquartered in Huntsville at the Byrd Unit with five satellite offices located in Amarillo, Abilene, Tennessee Colony, Rosharon and Beeville. This department is responsible for unit-to-unit transfers, offender state and federal court appearances, medical transfers, offsite medical offender tracking, county jail transfers, out-of-state extradition and responding to emergencies (i.e. floods, hurricanes).

Laundry, Food and Supply manages the food laundry, necessities, and unit supply operations. These unit-based programs are vital to the unit's mission and offenders' well being. This department is responsible for ensuring all offenders are provided access to clean and serviceable clothing, footwear, and bedding. Offenders are provided access to appropriate person hygiene items, and units are provided basic supplies needed to operate. Offenders are also provided access to wholesome and nutritious meals, to include special diets.

Private Facility Contract Monitoring/Oversight Division

The division is organized into three functional areas (Operations Monitoring, Program Monitoring, and Business Operations). The division director and deputy division director work in unison regarding the PFCMOD's daily operations as well as supervising the Operations Monitoring and Program Monitoring area deputies who are responsible for the oversight of all monitoring operations. Both the Operations and Program Monitoring areas are staffed with regional supervisors who have contract monitors that are assigned to geographic regions and monitor the facilities/contracts in their respective functional area.

Manufacturing and Logistics Division

M&L consists of Engineering, Operational Support, Financial Operations, Planning and Monitoring, Texas Correctional Industries and Transportation and Supply.

Engineering provides professional engineering services by using value engineering and life cycle cost analysis. Operational Support provides human resources and staff development services. Financial Operations provides automated information services, various budgeting, purchasing accounting activities as well as administration of the PIE program. Planning and Monitoring is responsible for publications, video productions, implementation plans and analysis of M&L facility operations.

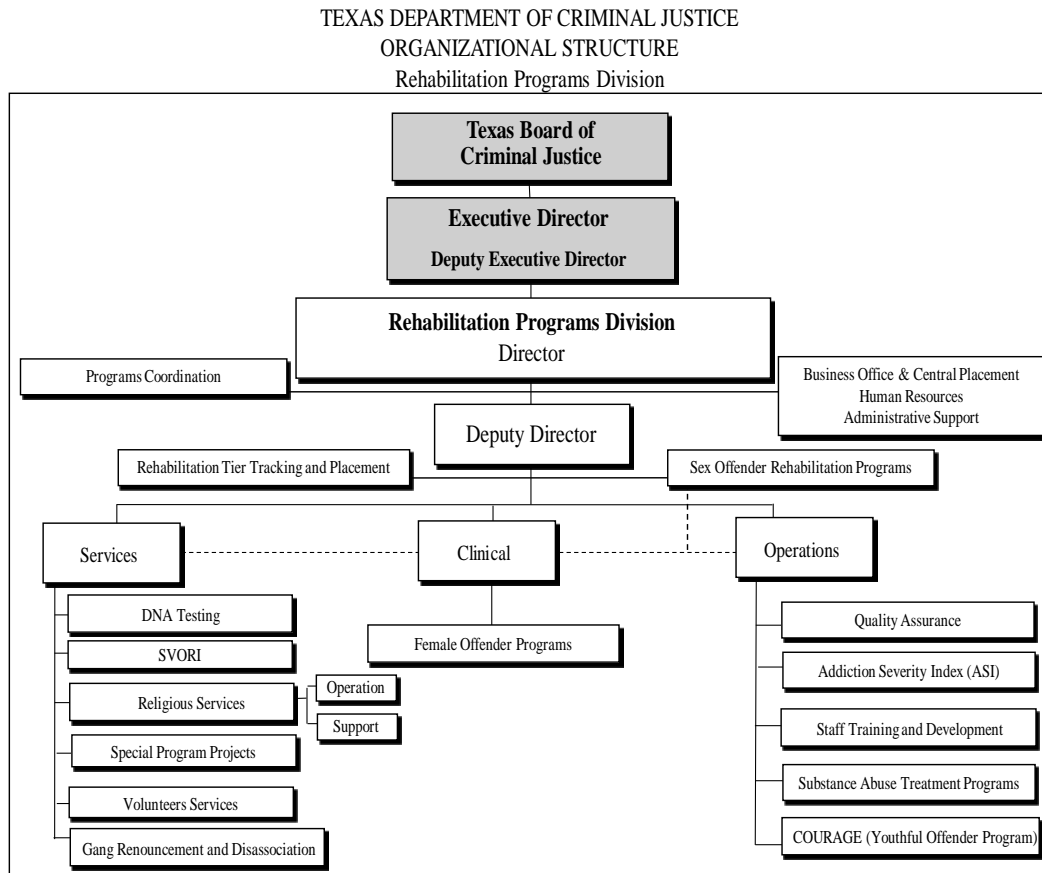
Texas Correctional Industries manufactures goods and provides services for state and local government agencies, political subdivisions, public educational systems and private and public institutions of higher education. The Garment Division has 16 facilities that manufacture items such as shirts, pants, coats, shoes, sheets, pillows, and mattresses. The Graphics Division has eight facilities that create items including signs, stickers, printed materials, janitorial supplies, soap and detergent, and license plates. The Furniture Division has five facilities that build a variety of office/institutional furniture and modular systems. The Metal Division maintains eight facilities that manufacture items such as stainless steel goods, signs, and park equipment, dump beds and trailers. The Marketing & Distribution Division develops the marketing strategy, organizes TCI's participation in conventions, handles customer service and maintains the Austin and Huntsville showrooms and warehouses. The Offender Work & Training Programs Division manages the division's designated offender training facilities for computer recovery (Daniel and Wynne Units), geographic information systems (Ferguson Unit) and Braille (Mountain View Unit). These training facilities provide offenders with opportunities to acquire workplace knowledge and skills and help offenders develop a work ethic, learn marketable skills and earn nationally-accredited certifications in computer technician services, Braille transcription certifications from the Library of Congress, Geographic Information Systems, welding, construction, refrigerant application, and automotive services. The work and training programs offered to offenders help in reducing idleness and provide opportunities for offenders to learn marketable job skills and work ethics. On-the-job training and accredited certification programs, along with the Work Against Recidivism (WAR) program, are specifically targeted to successfully reintegrate the offender into society upon release from the TDCJ.

Transportation & Supply includes Fleet Transportation, Freight Transportation and Warehousing & Supply. Fleet Transportation is responsible for the management and supervision of TDCJ transportation and mechanical operations, planning and forecasting equipment needs and managing the acquisition and maintenance service of TDCJ vehicles, trailers and equipment. Fleet Transportation also provides transportation through motor pools or vehicle assignments to TDCJ staff and oversees the disposal of salvage vehicles. Freight Transportation is responsible for transporting goods, planning shipping and distribution requirements for TDCJ, providing safety education training for employees and offenders, and coordinating shipping, transporting and receipt of goods with customers. Freight Transportation also provides maintenance services for offender transport buses and emergency wrecker services to TDCJ. Warehousing & Supply is responsible for managing the annual distribution of supplies, including dry, cold and frozen food, Texas Correctional Industries' produced goods, Agribusiness, Land & Minerals Division produced goods, Facilities Division construction and maintenance supplies, and general consumable goods.

Reentry and Integration Division

The reentry case management functions are currently performed on 54 prison or state jail units across the state. The case managers work directly with offenders who have been assessed as having priority need for pre and post release service planning. In addition to working directly with the offenders, the case managers coordinate with local providers to identify and obtain services for the offender prior to their release from custody.

Rehabilitation Programs Division

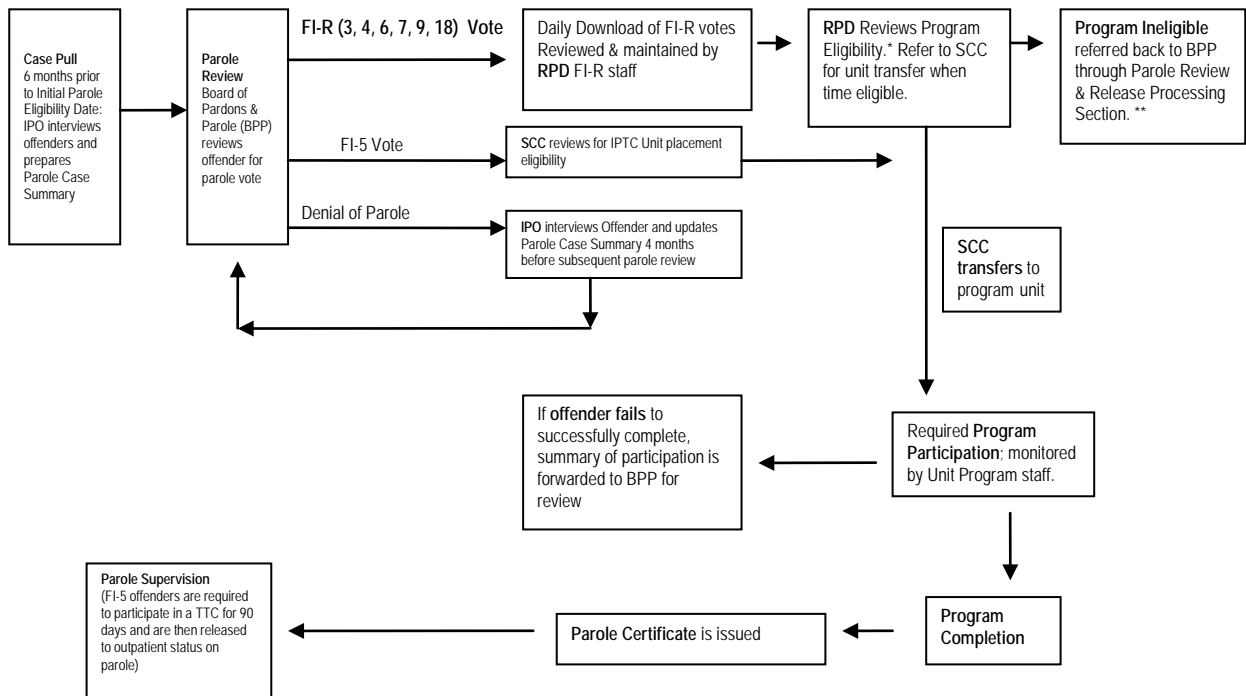


Prepared by RPD - 4/2011

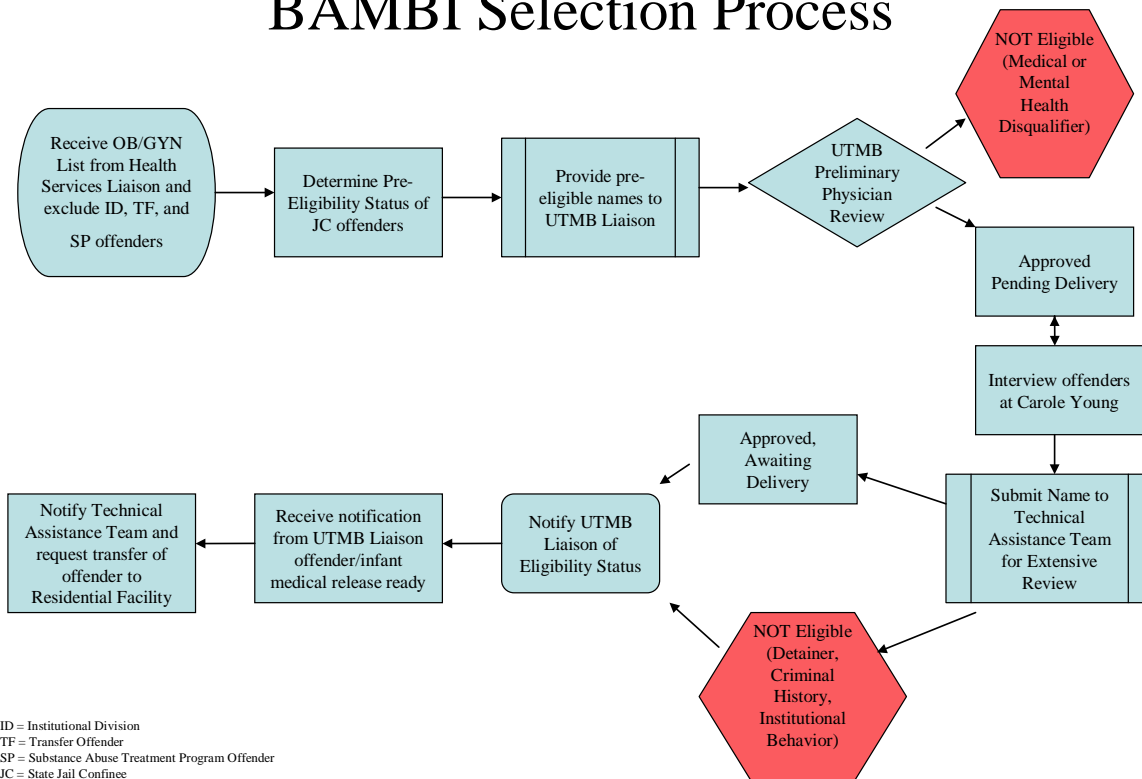
Placement in programs is primarily parole voted and is guided by the FIR tracking office. The exceptions to this rule are the DWI and IPTC placements which are placed by SCC based on established criteria.

Please see various flow charts on pages 64 - 66.

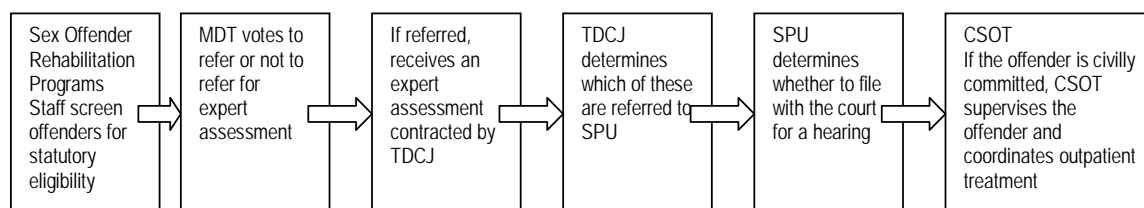
FI-R Parole Program Placement & Tracking



BAMBI Selection Process



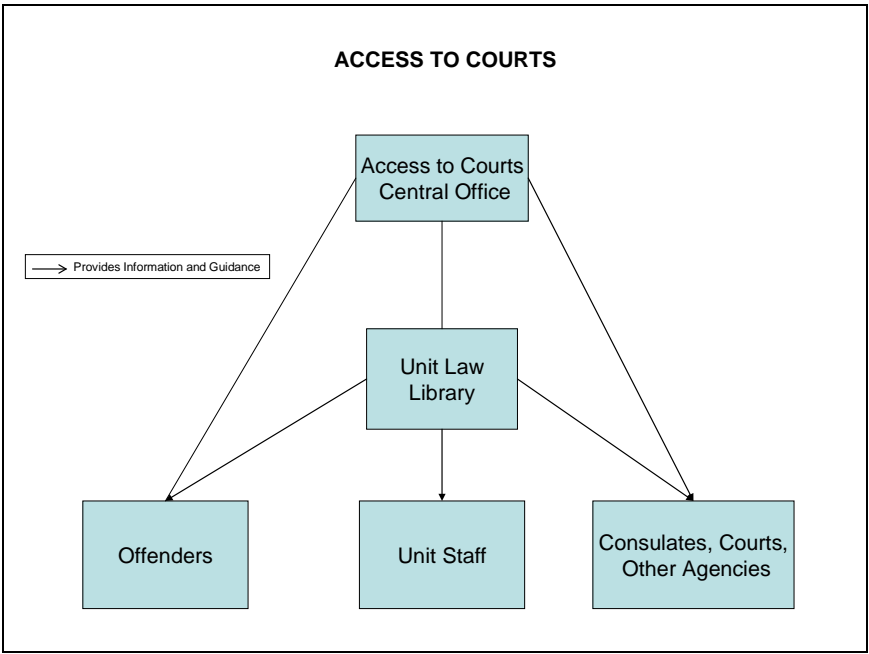
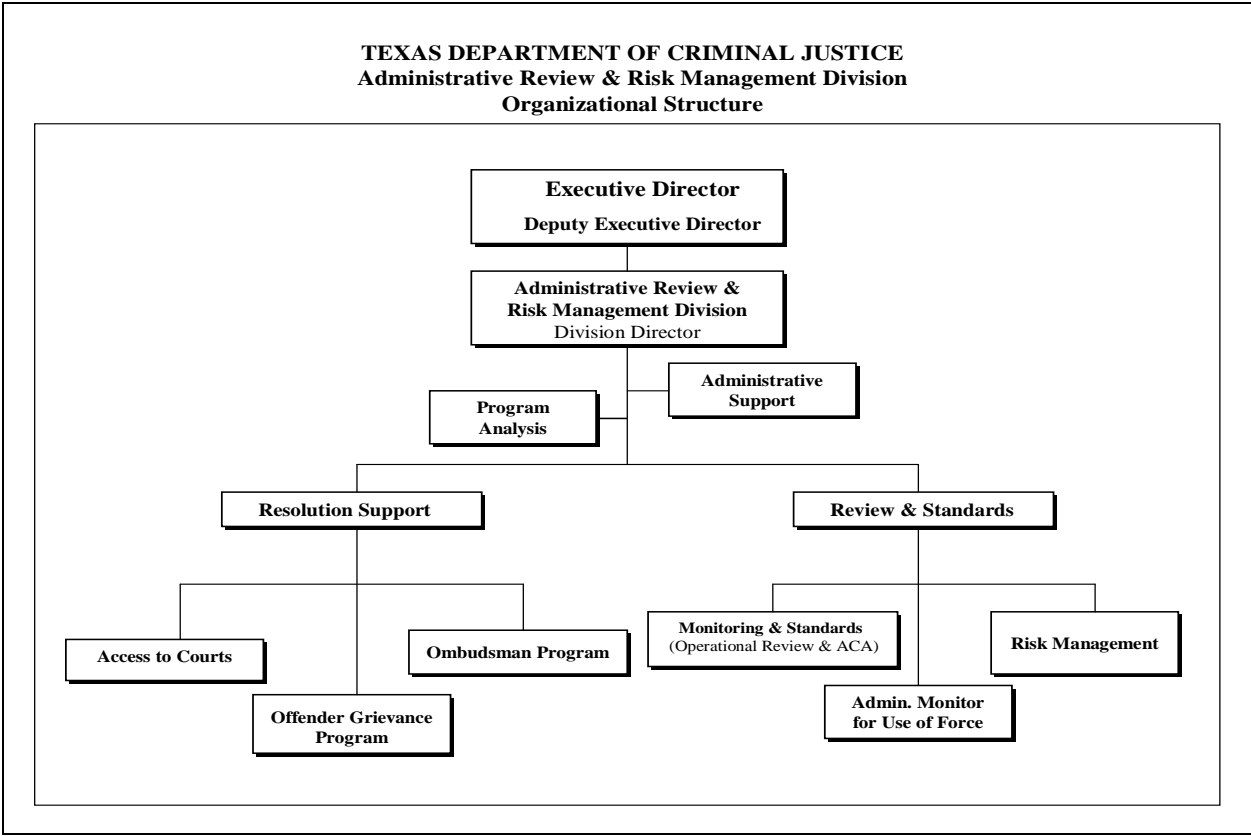
Civil Commitment of Sexually Violent Predators (Health & Safety Code, Chapter 841) flow chart for offender review and referral prior to release:

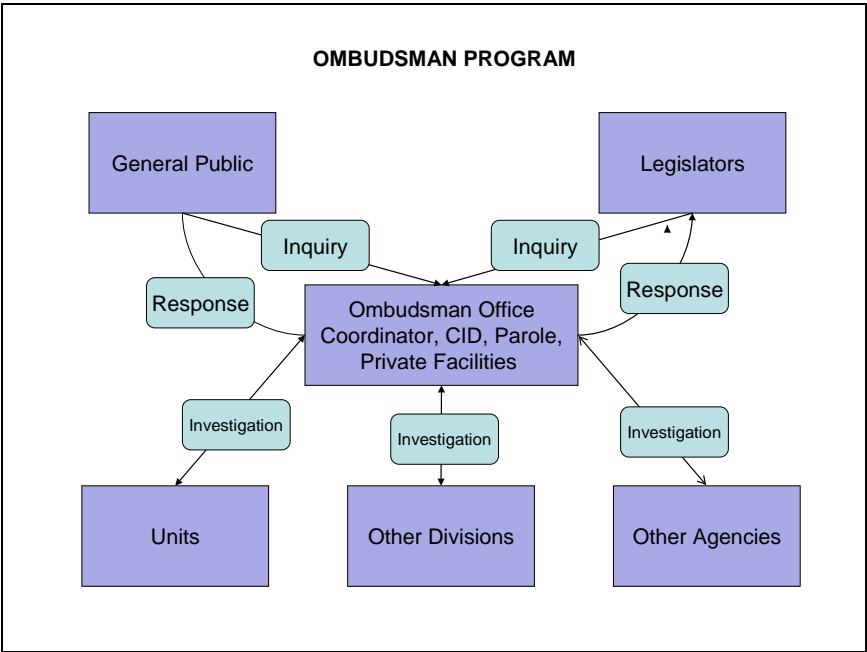
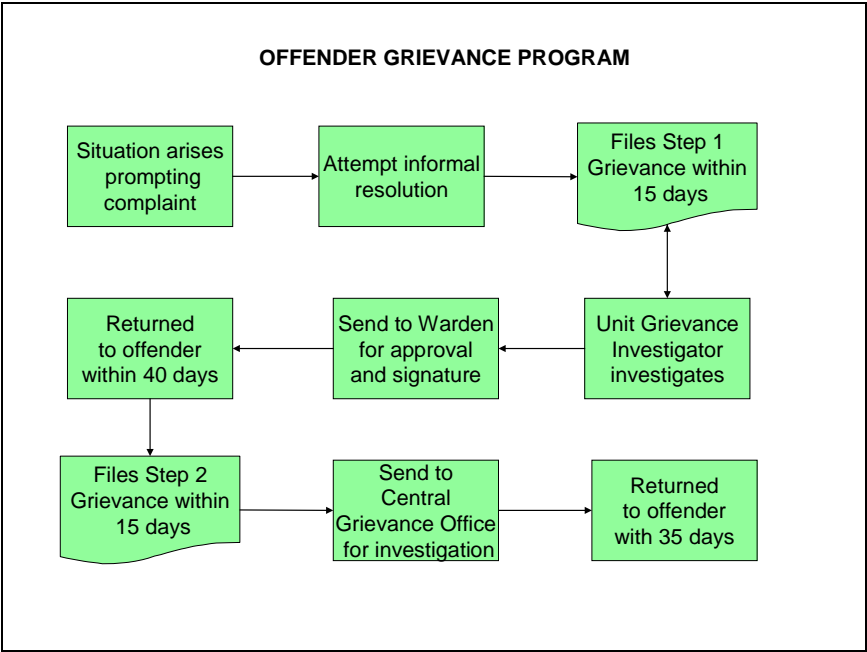


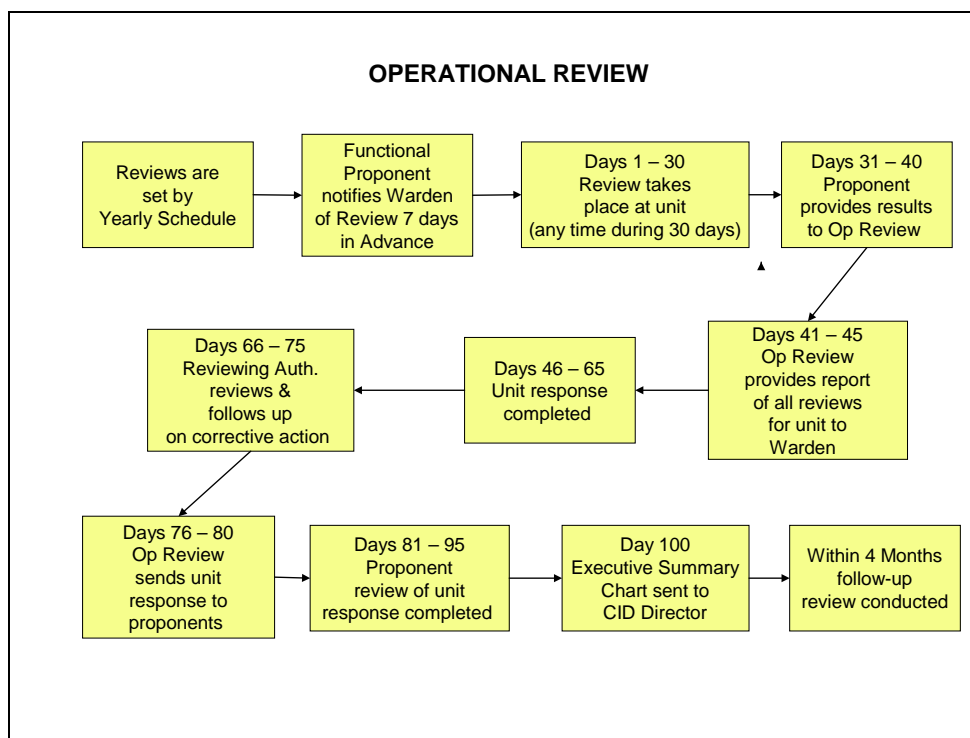
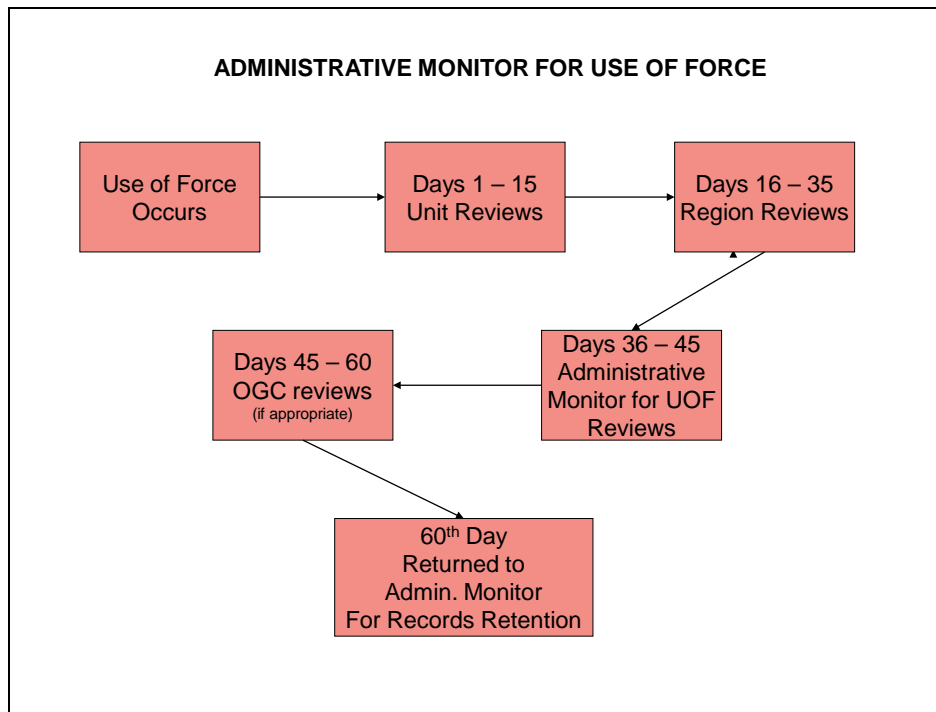
SPU – Special Prosecution Unit

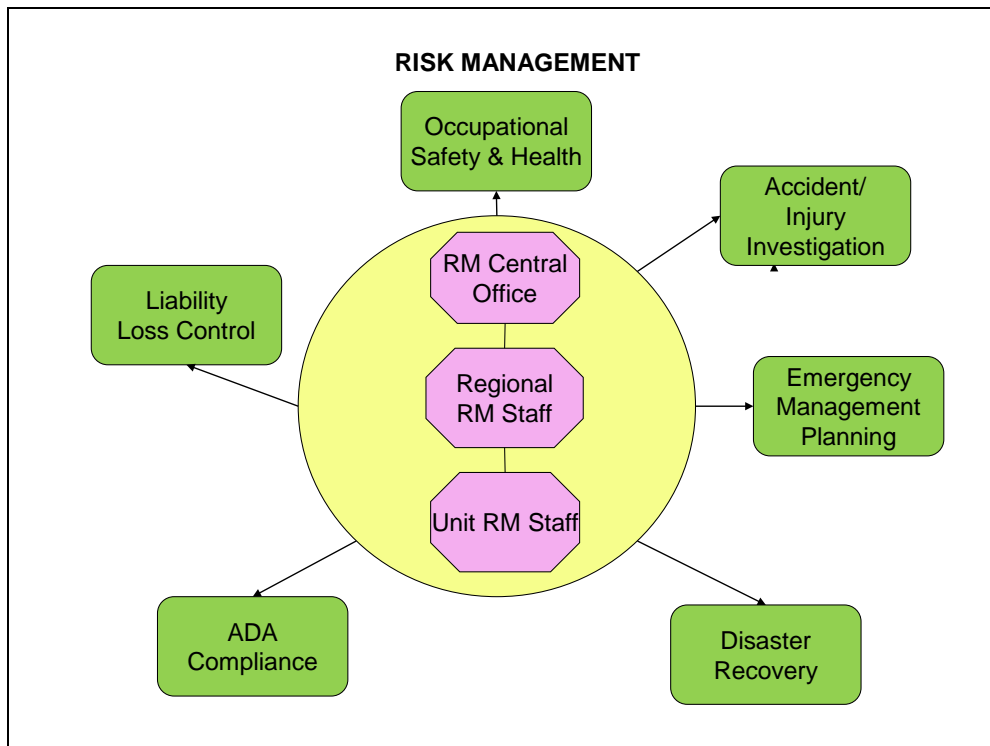
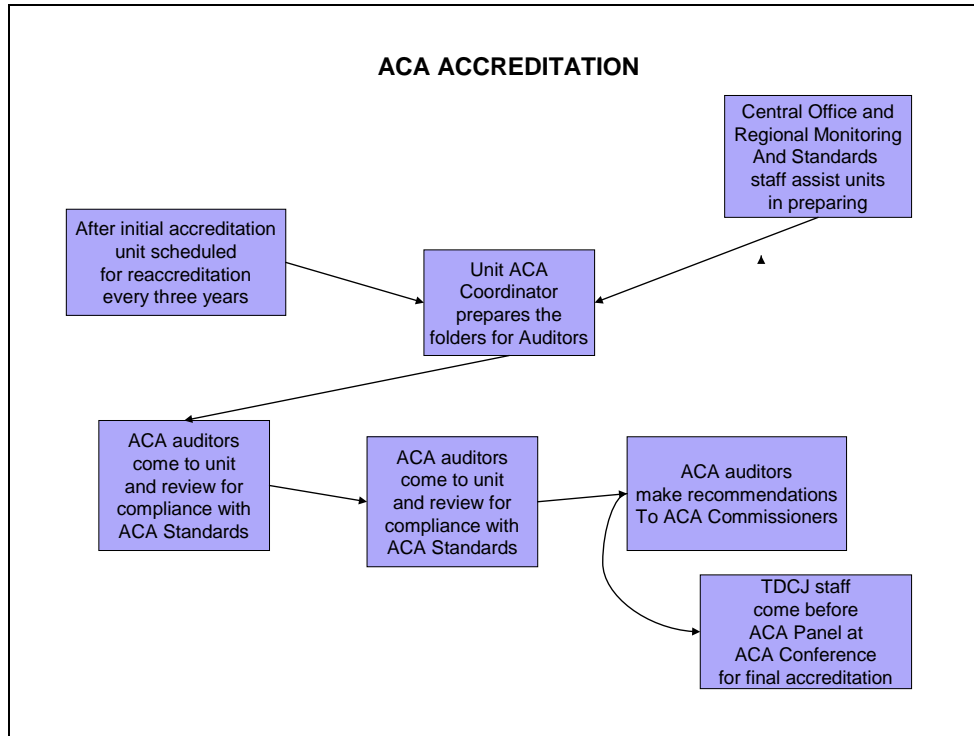
Administrative Review and Risk Management Division

Please see various flow charts on pages 66 - 70









3G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

Method of Finance	Amount
General Revenue Fund	\$ 1,797,358,112
Education and Recreation Program Receipts	\$ 93,009,426
Texas Correctional Industry Receipts	\$ 6,121,758
GR Dedicated - Private Sector Prison Industry Expansion Acct No. 5060	\$ 288,160
American Recovery and Reinvestment Act Acct No. 369	\$ 636,240
Federal Funds	\$ 186,098
Federal Funds for Incarcerated Aliens	\$ 17,890,357
Appropriated Receipts	\$ 12,319,912
Interagency Contracts	\$ 4,239,751
Interagency Contracts - Texas Correctional Industries	\$ 44,859,209
Total	\$ 1,976,909,023

The riders outlined below were included in the General Appropriations Act, Article V, and passed by the 81st Legislature:

- 10. Appropriation: Meals Authorized
- 12. Appropriation: State-owned Housing
- 13. Appropriation: Laundry Service
- 22. Appropriation: Agriculture Receipts
- 23. Appropriation: Acceptance of Grants, Gifts
- 25. Appropriation: Texas Correctional Industries Receipts
- 26. Appropriation: Unexpended Balances for Increased Offender Populations
- 29. Appropriation: Recreational Facility Fees
- 32. Project Rio
- 36. Appropriation: Education and Recreation Program Receipts
- 37. Private Sector Prison Industries Oversight Authority
- 62. Minimum Standards of Contracted Facilities
- 75. Diversion Initiatives
- 84. Salary Increase for Certain Department Employees

3H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions. Describe the similarities and differences.

Correctional Institutions Division

The TYC provides incarceration and rehabilitation services to the juvenile offender population. Agencies like the DSHS, DADS, and Texas Workforce Commission (TWF) provide medical, mental health, substance abuse treatment and job training services to individuals who are not incarcerated.

Private Facility Contract Monitoring/Oversight Division

The ARRM schedules division level operational reviews at each privately operated secure facility every three years, coordinating with specific area proponents who conduct compliance reviews of their specific area of expertise.

The CID conducts security reviews at each privately operated secure facility every two years utilizing correctional professionals who review areas of security compliance throughout each facility with specific security review audit tool checklists. The Division's contract monitors perform follow up reviews to ensure that any items of noncompliance are corrected.

Health Services Division (HS) conducts quarterly access to care reviews, sick call verification reviews, nursing/medical audits, and hand hygiene audits, in addition to the division level operational review, which is conducted every three years. Qualified health care staff are utilized to conduct these reviews/audits on each privately operated secure facility. The division receives copies of the reports issued and updates the issues found on the database.

RPD conducts compliance reviews that focus on the quality of the treatment being provided while PFCMOD focuses on contract delivery requirements. Currently RPD and PFCMOD coordinate schedules at the beginning of each fiscal year. Please refer to Appendix A for more details.

DSHS performs oversight of community-based substance abuse treatment programs regarding compliance with DSHS standards of care which are also monitored by PFCMOD and RPD.

Reentry and Integration Division

From a state perspective, the reentry functions performed within the agency are unique and are not duplicated by other internal divisions or departments. Locally, a number of private and public entities have initiated a variety of reentry activities that are directed to local jail populations or may assist offenders after release from the TDCJ. There is no uniformity among these local providers on who they serve or what service they provide. As a result, there exists no formal entity at the local level to serve as the simple point of contact for the agency to coordinate reentry functions prior to release.

Rehabilitation Programs Division

Internally, the RPD is responsible for the coordination of all treatment programs being delivered by TDCJ, therefore the services are provided in a manner to avoid overlap in services or function. Externally RPD would be unique in the function of providing programs to incarcerated offenders, but there is a great deal of collaboration with multiple entities that provide services which are not identical, but serve to provide a continuity of care for offenders upon release. These entities vary from volunteer groups, peer support groups to community partnership services provided across the state.

3I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

Correctional Institutions Division

The TDCJ and the TYC are responsible for separate and distinct populations. Agencies such as DSHS and DADS do not serve the incarcerated population, so there is no duplication or conflict with these programs. Upon release, TDCJ coordinates with these entities through the continuity of care program administered by the Texas Correctional Office on Offenders with Medical and Mental Impairments, and with the TWF through an interagency contract providing for the joint responsibilities.

Private Facility Contract Monitoring/Oversight Division

PFCMOD works with internal divisions and agency proponents to ensure a coordinated work effort using pre-established defined roles and identified subject matter experts. By doing so, this reduces replication of effort as well as and confusion or misinformation on the part of staff and the contractors.

Reentry and Integration Division

Compared to other agency programs, the reentry program performs different and unique functions. To avoid duplication of effort on a systems level, the agency has implemented a number of internal and external working groups to address reentry challenges at the local and state level.

Rehabilitation Programs Division

The division coordinates its activity to avoid duplication or conflict through community partnership participation and enhanced communication, coordination of wrap around and continuity of care services mitigates the duplication of efforts, while at the same time maximizes the resources available.

3J. If the program or function works with local, regional, or federal units of government include a brief description of these entities and their relationship to the agency.

Correctional Institutions Division

The CID works with county governments to coordinate the intake of convicted felons from county jails into TDCJ facilities. Once an offender is paper-ready, counties are responsible for providing the pen packet to the CID. Upon receiving the pen packet, CID schedules an

admissions date and notifies the county for transportation purposes. By statute, TDCJ has 45 days from the date an offender is paper-ready to accept the offender for admission. Currently the average number of days it takes for the agency to accept an offender is in the mid-twenties. Multiple divisions of the agency coordinate with local agencies, non-profits, and faith based organizations in an effort to facilitate access to community resources for released offenders.

Private Facility Contract Monitoring/Oversight Division

DSHS is the entity responsible for licensing and oversight of all community-based substance abuse programs in Texas. Their staff and are tasked with ensuring compliance with DSHS standards of care and counselor licensure rules. The TDCJ contracts require that community-based substance abuse treatment programs adhere to both DSHS standards of care and counselor licensure rules requirements. Therefore, both the TDCJ and DSHS work to ensure that the programs meet the statutory regulations.

Manufacturing and Logistics Division

Manufacturing & Logistics staff work with the Library of Congress for national Braille certifications.

Reentry and Integration Division

Reentry case managers coordinate their functions with numerous local, state and federal governmental entities and private providers. Some of the key stakeholders include DSHS - Bureau of Vital Statistics, DPS, Veterans Administration, Social Security Administration, TWF, housing authorities, faith-based groups, local health departments and clinics, DARS, and the Health and Human Services Commission (HHSC). In addition to direct services provided by these agencies, several serve on the statewide Reentry Task Force to advise TDCJ on reentry-related issues.

Rehabilitation Programs Division

RPD works with a variety of local, regional and federal units of governments to provide quality evidenced based programs. These entities include but are not limited to the following:

DSHS provides a key role in establishing guidelines for providing substance abuse treatment and serves as a monitoring agent for facilities that contract with TDCJ for transitional treatment services and outpatient services. DSHS serves as the governing body for licensing of Licensed Chemical Dependency Counselors (LCDC) and counselor interns. In addition, RPD works with DSHS to maintain clinical training institute status.

RPD staff serves as a representative of Allied Health Professionals to consult with the Texas Certification Board of Addiction Professionals (TCBAP) for consultation purposes on technical matters. The TCBAP is also the governing body for Certified Criminal Justice Professional

(CCJP) and CCJP intern status certifications. In addition, TCBAP certifies RPD as a continuing education provider.

The RPD Manager of Services is an appointee to the governor's Interagency Coordinating Group (ICG) to represent TDCJ. The group was designated by the governor for the purpose of strengthening the capacity of faith- and community-based organizations and to forge stronger partnerships between those organizations and state government for the legitimate public purpose of providing charitable and social services to persons in this state. The ICG consists of members from numerous state agencies.

The RPD Manager of Operations serves as a member of the Texas Recovery Initiative Criminal Justice Committee. This is a DSHS-led initiative that facilitates a statewide implementation of recovery oriented systems of care (ROSC). The ROSC model emphasizes a coordinated network of community-based services, is person centered and builds on the strengths and resilience of families and communities to achieve abstinence, improved health, wellness and quality of life for those at risk of substance use disorders.

The executive director of TDCJ is required by law to appoint a Risk Assessment Review Committee. The RPD Clinical Manager serves in this capacity. The committee functions in an oversight capacity with the responsibility to: develop or select, from among existing tools or from any tool recommended by the CSOT, a sex offender screening tool to be used in determining the level of risk of a person subject to registration under this chapter; ensure that staff is trained on the use of the screening tool; monitor the use of the screening tool in the state; and analyze other screening tools as they become available and revise or replace the existing screening tool if warranted.

The RPD Clinical Manager serves as the appointee to the Council on Sex Offender Treatment Interagency Advisory Committee for TDCJ.

Administrative Review and Risk Management

Resolution Support

- Access to Courts works with the OAG; foreign consulates; local, state, and federal courts; offices of District Attorneys, Texas State Bar Association; and various licensing entities for professionals such as psychologists, court reporters, and polygraph examiners.
- Risk Management works with the State Fire Marshal's Office; State Office of Risk Management; Texas Department of Insurance Division of Workers Compensation, DPS Division of Emergency Management; Federal Emergency Management Agency (FEMA); DSHS; Texas Animal Health Commission and the Texas Department of Licensing & Regulation.

3K. If contracted expenditures are made through this program please provide:

- the amount of those expenditures in fiscal year 2010;
- the number of contracts accounting for those expenditures;
- a short summary of the general purpose of those contracts overall;
- the methods used to ensure accountability for funding and performance; and
- a short description of any current contracting problems.

- The amount of contracted expenditures in FY 2010: \$211,122,512
- The number of contracts accounting for those expenditures: 302

The Texas Department of Criminal Justice contracts for the operation of more than 15,000 secure beds in privately operated prisons, state jails, pre-parole transfer facilities and intermediate sanction facilities for parole violators as well as on-secure residential beds providing shelter and substance abuse treatment services. PFCMOD is responsible for monitoring contractor performance through the use of contract monitors assigned to privately-operated facilities across the state. The monitors ensure adherence to terms of the contract and report instances of noncompliance, while contract management staff enforce contract provisions by coordinating corrective action and imposing sanctions when appropriate. Compliance reviews include both scheduled and unscheduled site visits.

3L. What statutory changes could be made to assist this program in performing its functions? Explain.

There are no recommended statutory changes at this time.

3M. Provide any additional information needed to gain a preliminary understanding of the program or function.

There is no additional information.

4A. Provide the following information at the beginning of each program description.

Name of Program or Function	Correctional Health Care
Location/Division	Health Services Division
Contact Name	Dr. Lannette Linthicum
Actual Expenditures, FY 2010	\$475,0333,037
Number of FTEs as of August 31, 2010	72.5

4B. What is the objective of this program or function? Describe the major activities performed under this program.

The Correctional Managed Health Care Committee (CMHCC) is charged with overseeing and coordinating the delivery of health care services, including dental and mental health, to offenders incarcerated in TDCJ. Membership of the committee includes representatives of the TDCJ, UTMB and Texas Tech University Health Sciences Center (TTUHSC), as well as public members appointed by the governor. SB 1, First Called Session, 82nd Legislature, changed the structure of the CMHCC by reducing the membership from nine members to five permanent members plus one non-voting member. The bill also transfers the authority for contracting with the different participants in the correctional health care delivery system from the CMHCC to TDCJ.

Currently, UTMB delivers psychiatric services in the eastern half of the state while TTUHSC delivers psychiatric services in the western half of the state. The delivery of medical services is provided by employees of both universities and by private medical providers under contract with the universities. Offenders are provided with those health care services determined to be medically necessary. SB 1, First Called Session, 82nd Legislature changed the structure of the CMHCC by reducing the membership from nine members to five permanent members plus one non-voting member. The bill also transfers the authority for contracting with the different participants in the correctional health care delivery system the CMHCC to TDCJ.

The TDCJ Health Services Division is responsible for monitoring the quality of, and access to, medical care given by the university providers.

4C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? Provide a summary of key statistics and performance measures that best convey the effectiveness and efficiency of this function or program.

Office of Health Services Liaison

The Office of Health Services Liaison OHSL is responsible for ensuring offenders are assigned to units that meet their medical, physical and mental health needs. In 2010, the OHSL worked with CRO to reassign 5,880 offenders throughout the system.

The OHSL also ensures that infirmary and mental health inpatient offenders are transported to specialty clinic appointments and court appearances in a manner that is appropriate for their current health condition. In 2010, the OHSL coordinated transportation for 8,966 offenders in this category.

The OHSL coordinates and schedules the intake into TDCJ of county jail offenders who have significant medical, mental health and/or mobility needs. In 2010, the OHSL provided this service for 641 offenders from 151 counties throughout the state.

Office of Specialty Monitoring

Office of Specialty Monitoring (OSM) has performed numerous quality audits to ensure compliance with policies as well as community standards. One such audit is the intake physical exam audit. Policy states that within seven days of an offender being received to TDCJ, a complete physical exam must be performed. Another important audit was recently conducted to determine if compliance with the initiation of HIV medication was uninterrupted upon transfer of an offender from a CID unit to an intermediate sanction or treatment unit

Office of Health Services Monitoring

The following statistics convey the effectiveness and efficiency of the Office of Health Services Monitoring (OHSM):

- For FY-2010, there were 45 units that had an operational review audit;
- For FY-2011, as of July, there have been 35 units audited;
- There were 1,082 offenders discharged from infirmary back into general population in FY-2010 and 96 interviews were conducted to ensure they were adjusting well to general population. Twelve offenders were found to need a higher level of care than provided by general population. These offenders were moved to a more appropriate unit;
- There were 117 nurse protocol audits performed for FY-2010. Areas of concerns identified were: appropriate use of the nurse protocol, and registered nurse involvement; and
- There were 38 nursing quality of concerns entered in the database for FY-2010. In the quality of care database, concerns are noted into the following categories: Medically Necessary Care, Continuity of Care, Evaluation of Offenders, Medications, Referrals, Special Needs, and Treatments. All quality of concerns were addressed and corrected.

Office of Professional Standards

The following data demonstrates the effectiveness and efficiency in meeting the Office of Professional Standards (OPS) objectives:

- In FY 2010, OPS received 6,395 third party inquiries. This is an increase of 899 (16%) in inquiries. There were 672 requests for corrective actions generated: 452 of the deficiencies involved policy and procedure violations and the remaining 220 deficiencies involved quality of care issues. The Step II medical grievance program received 6,618 medical grievances for appellate review. This is an increase of 505 (8%) in Step II medical grievances. There were 896 requests for corrective action generated: 608 of the deficiencies involved policy and procedure violations, and the remaining 288 deficiencies involved quality of care concerns.
- In October of 2009 (FY 2010), the quality of care concerns database was implemented to improve collection of information on Quality of Care concerns generated from the OPS and Step II medical grievance program.

- In FY 2009 and FY 2010, a sick call request verification audit was conducted at each unit every quarter, in the four disciplines (dental, mental health and nursing/medical) for the nine Access to Care indicators. In FY 2011, the frequency of the audit was changed to once a year for each unit having an average composite score of 80 or above in each discipline for the prior fiscal years.

Director of Quality Monitoring

Chronic Disease Quality of Care Audit—since the second quarter of FY 2010, the following chronic disease audits have been conducted: 1) diabetes; 2) hypertension; 3) seizure disorder; and 4) coronary artery disease.

The results of these audits show that the CMHC system is performing at expected levels with respect to the following: 1) offenders are being seen in chronic care clinics within the previous 12 months; 2) weights are being measured; 3) vital signs are being measured at the last chronic care clinic visit; 4) individualized treatment plans are being documented; and 5) in general, offenders are being educated about their disease processes, with some improvement needed in the seizure and chronic artery diseased care clinics.

Dental Quality and Contract Compliance

As a result of the dental quality clinical reviews performed by Dental Quality Assurance, fewer clinics are now without the mandated equipment such as a thyroid collar, lead apron, and readily available emergency equipment (oxygen, ambu bag, blood pressure cuff, biohazard containers and sharps containers).

Review of urgent care has assisted in defining that urgent care must be treated within 14 days, which is now a standard of treatment for dental urgent care.

Office of Mental Health Monitoring & Liaison

The following summarizes the effectiveness and efficiency of Office of Mental Health Monitoring & Liaison (OMHM&L):

- **Compelled Psychoactive Medication Audit:** this audit began in December 2010. Problems with specific units have been identified and corrective actions taken. However, there is not enough data to determine trends. Problems with documenting all cases of compelled medication through use of force has improved from 40% compliance on the audit conducted in December 2010 to 100% for the audits conducted in April, May, and June 2011.
- **Psychiatric Disorder Management Guideline Audit:** the management of major depressive disorder, anxiety and panic disorder and psychosis has been audited. By combining the data for the six common questions, systemic problems have been identified. In particular, only 21% of the cases reviewed had documented

treatment goals. When treatment goals were not met, the treatment, diagnosis or a clinical rationale were provided in 64% of the cases.

- Access to Care Accuracy Audit: From September 2010 through May 2011, the average score has improved from 18.1% to 88.5%. The staff, on units that fell below 80% compliance, have been required to attend a methodology class provided by HS.

Office of Public Health

- Office of Public Health (OPH) is responsible for monitoring all offenders incarcerated in TDCJ units statewide to ensure that communicable diseases are managed, reported, and controlled.
- Another function of OPH is the Peer Education Program. As previously stated, these programs are currently available at 98 of the 112 units housing CID offenders. Some of the classes currently being offered include curriculum aimed at increasing compliance with HIV medications, improving parenting skills post release from incarceration, increasing awareness of issues affecting women's health, and mechanisms to decrease the risk of contracting HIV. In calendar year 2010, there were 74,672 offenders who participated in peer education and 1,841 peer educators trained.
- OPH also works with TDCJ's Safe Prisons Program by employing a sexual assault coordinator who is a SANE. This position plays a key role in the agency's strategy for addressing the problem of prison rape by training unit medical staff in the proper medical and forensic techniques for the medical evaluation and treatment of both the victim and the perpetrator. In addition, the SANE coordinator audits medical records to ensure quality of care and requires corrective action when indicated. All reported cases of sexual assault are audited.

4D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent.

Office of Health Services Liaison

The OHSL is currently comprised of three registered nurses and one licensed vocational nurse who serve offenders on all prison units throughout the state.

In recent years the agency has seen an increase in older and sicker offenders entering the system. As such, the OHSL's workload has expanded to meet the demands of this sector of the population. Specifically, these offenders are pregnant females, patients who are on dialysis, those who are blind, deaf, and/or mobility-impaired (including wheelchair-dependent), aging, frail and those with chronic medical and/or physical conditions that require special housing consideration. The OHSL nursing staff collects and evaluates assessment data and ensures offenders are housed on units where they have access to all medically necessary services.

Office of Health Services Monitoring

The U.S. Supreme Court established in *Estelle v. Gamble*, 1976, that it is unconstitutional to be “deliberately indifferent” to an offender’s health care needs. The Supreme Court further categorized an offender’s right to health care into three general rights: the right to access medical care services; the right to a professional medical opinion; and the right to receive the care ordered as a result of the exercise of professional medical judgment. These rights are monitored through operational review audits, quality assurance nurse site visit audits, and access to care monitoring.

Office of Professional Standards

First operated as the Risk Management Program, the OPS was created in 1981. It responded to offenders by directing the medical department to review complaints by having the offender contact the unit medical department, or by requiring the medical department to investigate and provide a written response to Risk Management. In 1988, the OPS began the Patient Liaison Program (PLP), Step II Medical Grievance Program and the Quality Improvement/Management Program. At that time, HS policy required offenders to attempt resolution of all medical issues at the unit level first but also provided for complaint resolution through the PLP and division level grievance review.

Beginning September 1, 2004, the OPS discontinued its PLP complaint process for offenders in response to a recommendation by the TDCJ IAUD. The offenders were instructed to use the unit based informal complaint process and the offender grievance process. In 2008, the OPS began monitoring the processing of Step I Offender Medical Grievances, and in 2010, the sick call request verification audit schedule was changed after determining that many TDCJ units consistently scored greater than 80% compliance for the previous three years.

Director of Quality Monitoring

The number of aging offenders continues to rise with a demonstrated impact on the resources of the health care system. Offenders age 55 and older access the health care delivery system at a rate of almost three times higher than younger offenders. In terms of hospitalization, the older offenders were utilizing health care resources at a rate of more than four times higher than the younger offenders. The 55 and older offenders comprise about 6.8% of the overall service population and yet account for more than 30.5% of the hospitalizations. The resulting healthcare demands from the aging TDCJ offender population, especially in the current economic climate, increases the challenges of providing quality health care. Advances in the field of medicine compounds the challenge of providing up-to-date treatment, technology and medicine which meets community standards of care.

Dental Quality and Contract Compliance

This program originated as a part of operational review audits to review the dental aspects of healthcare provided at TDCJ units. In 2009 the Office of Dental Quality and Contract

Compliance (ODQCM) was created to facilitate the dental aspect of operational review audits. A licensed dentist was appointed as the department director and was charged with interacting directly with the contracted care provider dental directors and with reviewing the quality of dental health care for TDCJ Units.

Office of Mental Health Monitoring & Liaison

When the OMHM&L was established in 2004, it initially took on services and functions that other divisions and agencies could not perform at the time, e.g., review of the MHMR data base for all incoming offenders, auditing the Texas Uniform Health Status Update forms provided by the counties, screening all offenders sentenced to the TDCJ boot camp and offenders at high risk of mental health needs. Those functions have been returned to the divisions and agencies with primary responsibility to allow OMHM&L to become more focused on monitoring quality of care.

4E. Describe who or what this program or function affects. List any qualifications or eligibility requirements for persons or entities affected. Provide a statistical breakdown of persons or entities affected.

Office of Health Services Liaison

The OHSL affects all offenders by ensuring that they are assigned to units that meet their medical, physical and mental health needs. In 2010, the OHSL worked with CRO to appropriately reassign 5,880 offenders throughout the system.

The OHSL also affects infirm and mental health inpatient offenders by ensuring they are transported to specialty clinic appointments and court appearances. In 2010, the OHSL coordinated transportation for 8,966 offenders in this category.

The OHSL affects county jail offenders by ensuring they are quickly scheduled to intake into TDCJ who have significant medical, mental health and/or mobility needs. In 2010, the OHSL provided this service for 641 offenders from 151 counties throughout the state.

Another major function of OHSL is providing assistance to offenders being released from TDCJ by assessing their medical, physical and mental health needs and arranging medical transportation if needed. In 2010, there were 1,628 offenders who were released from TDCJ with the assistance of this department.

Office of Health Services Monitoring

All incarcerated offenders in the TDCJ units statewide are directly impacted by the services provided through the correctional health care programs. TDCJ offenders generally have health problems associated with persons ten years older than the general population caused by general lack of preventive care. TDCJ offenders have a higher rate of chronic and infectious disease and have more extensive dental problems and are at high risk of having mental health issues.

Office of Professional Standards

OPS' programs affect all offenders incarcerated in the TDCJ system, families, advocacy groups, elected officials, interagency employees, attorneys and the public.

Director of Quality Monitoring

Quality monitoring affects the more than 150,000 TDCJ adult incarcerated offenders statewide to ensure their constitutional right to quality health care.

Dental Quality and Contract Compliance

Adult offenders incarcerated in TDCJ units statewide are the persons directly impacted by the services provided.

Office of Mental Health Monitoring & Liaison

The following is a summary of OMHM&L activities and the offender population that they affect:

- **Compelled Psychoactive Medication Audit:** All cases of compelled psychoactive medication in TDCJ are reviewed every month. There are four TDCJ units where psychoactive medication, when appropriate, is compelled. There are the three psychiatric hospitals within TDCJ: Jester IV, Montford, and Skyview. A crisis management unit is located at the Clements Unit.
- **Psychiatric Disorder Management Guideline Audit:** This audit monitors the quality of treatment for offenders with a diagnosis of major depressive disorder, anxiety/panic disorder, psychosis, post-traumatic stress disorder (PTSD), bipolar disorder, or impulse control disorder on TDCJ units served by CMHC.
- **Access to Care Accuracy Audit:** This audit is conducted for all TDCJ units.

Office of Public Health

OPH is responsible for monitoring all offenders incarcerated in TDCJ units statewide to ensure that communicable diseases are managed, reported, and controlled. These offenders may be housed in CID units.

4F. Describe how your program or function is administered. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. List any field or regional services.

Office of Health Services Liaison

Unit medical staff contacts the OHSL when a general population offender requires reassignment to another unit within the system due to medical, physical or mental health needs. Some

offenders are moved the same day the OHSL is notified about them. Usually these are offenders who arrive on an intake unit that cannot meet their needs. Examples of offenders in this category include those who are blind, deaf, wheelchair-dependent, undergoing dialysis, require benzodiazepine detoxification or are late-term or complicated pregnancy. In these cases, the OHSL notifies the CRO and requests immediate reassignment to a unit that meets their needs. The department receives, on average, between 10 and 15 expedited reassignment requests each week.

Each week the department receives approximately 114 routine requests to reassign an offender from one unit to another in order to meet their medical, physical or mental health needs. These requests are processed within two business days of receipt and e-mailed to CRO. CRO processes the requests and reassigns the offender, usually within three business days of receiving it.

Office of Specialty Monitoring

Statistics are received monthly from the universities and private vendors detailing performance with quality measures. Staff reviews [these statistics](#) for trends or poor compliance. When problems are identified, corrective action is requested from the specific unit (or units) affected.

Office of Health Services Monitoring

The correctional health care program is administered through a series of contractual arrangements between the CMHCC, TDCJ, UTMB and TTUHSC.

Office of Professional Standards

Overview of PLP Administration

The PLP cases are received in the OPS by U.S. mail, fax, email, or telephone. All cases received are screened by OPS staff for priority handling which is based on the inquirer and the nature of the complaint. Cases requiring special handling are reviewed by an OPS supervisor for assignment of a priority due date. These cases include those received from the CID Office of Ombudsman, complaints involving suicidal ideation, self-harm, or potential harm to others. If the correspondence is from an offender about a problem he/she is having, that correspondence is reviewed by OPS staff for potential quality of care issues. If such issues are identified, then a case will be generated and assigned to an OPS nurse for investigation. A letter is generated to the offender informing the offender of their need to utilize the established offender grievance process.

To begin processing a case, OPS support staff generates a Case Reference Number from the TDCJ mainframe. The new case is then entered into the OPS database using the Case Reference Number. Support staff enters initial database information to include initial coding, investigator assignment, inquirers, and any other relevant information.

OPS support staff then scans the case to create a digital format. The case is then forwarded to the PLP field supervisor for assignment of the case to an investigator. The supervisor then enters the case into the OPS database and the information is then hand-delivered to the investigator or forwarded in digital format.

Where hand-delivery is not possible, PLP Investigators in the field monitor email for notification of a new case assignment. The assigned investigator reviews the case to identify the issues to be investigated and verifies the offender's unit of assignment on the TDCJ mainframe. The investigator reviews the Electronic Medical Record (EMR) for a current Authorization for Use and Disclosure of Protected Health Information signed by the offender giving the third party inquirer access to his protected health information. The assigned investigator reviews the unit Grievance Log for documentation of previous attempts to respond to the issues being investigated by unit medical staff.

If not previously available, the assigned investigator faxes an Authorization for Use and Disclosure of Protected Health Information to the offender's unit medical staff for signature and scanning into the EMR. The investigator reviews the current open case log for the offender's unit of assignment and schedules the offender for interview where possible.

The assigned investigator makes an initial OPS database entry to include: 1) issues to be investigated, 2) problem codes assigned to each issue, 3) date of receipt of the case, and 4) use by the offender of the unit medical department's informal complaint process.

In the event that the case was generated via telephone, the assigned investigator makes initial contact with the inquirer via telephone to confirm the issues reported.

In investigating the case issues, the investigator may then interview the offender, interview unit medical staff, consult with an OPS nurse regarding quality of care issues, review the EMR, and review any other pertinent documentation. All consults/interviews are documented on applicable forms for the case packet and in the OPS database.

Upon completion of the investigation, the assigned investigator prepares a draft response. In a telephone case, the inquirer is contacted and a final report given via telephone. A report is generated by the investigator regarding the content of that telephone call. In the case of a written correspondence from the inquirer, a draft response letter is prepared by the assigned investigator. In both types of investigations, a full report of the investigation and findings is entered into the OPS database.

In the event a violation of CMHC policy is identified related to the issues under investigation, an Action Request draft is prepared by the investigator. If the policy violation was unrelated to the issues investigated, then a Unit Action Referral is prepared by the investigator and forwarded to the unit Practice Manager/Health Administrator.

The assigned investigator then closes out the investigation on the OPS database and completes all required entries into the database (findings, method of closure, outcome code,

records reviewed, date of closure, date case is shipped to the assigned field office, signature date of the Authorization for Use and Disclosure of Protected Health Information) interviews, and consultations.

The assigned investigator organizes the case packet for shipment to their assigned PLP field office. Response documentation (letter, Telephone Findings Form, Action Request, Unit Action Referral, Inter Office Communications, case worksheets) is uploaded to the OPS database. The assigned investigator ships the completed case packet to their PLP field office.

Upon receipt, the supervisor reviews/edits all response letters and Action Requests. These documents are then forwarded to the field office clerk for review and generating of the final form. The supervisor initials the Action Request or signs the response letter for the assigned investigator, depending on the availability of the investigator. Response letters are mailed out to the inquirer and any other entities requiring a copy in the response.

Action Requests are coded and entered into the OPS database by the field supervisor. They are then mailed out by the field office clerk to the appropriate addressees and other entities requiring a copy. The clerk then enters final closure information into the database and the final case packet, including copies of response letters, telephone findings, action requests, etc., is shipped to the Huntsville OPS office.

At the Huntsville OPS office, the assigned clerk then reviews the final case packet for correct order and to be sure that all required documentation is present. That clerk then makes sure that all original documentation, such as the original correspondence from the inquirer, is put into the packet and all copies removed from the packet for shredding. The case packet is then filed in the OPS archive.

Overview of Step II Offender Medical Grievance Tasks

The Step II Offender Grievances are received and reviewed at grievance headquarters. Grievances that contain health related issues are identified as specialty grievances and forwarded to HS for investigation and response.

Staff from the OPS pick up these grievances each morning and provide them to the support staff for data entry and initial processing. The processing includes verifying the grievance identification numbers with the “GR00” program on the TDCJ mainframe. The information is then entered into the OPS database, the assessment questions are initiated and routing slips are printed. Once this has been completed the grievances are provided to a supervisor for review.

The supervisor screens the grievance to determine if it has been identified as an “Emergency”, “Multiple Issue” or “Routine” grievance. Grievances that have been identified as an emergency grievance will be reviewed to ensure that the issues presented are an emergency and if not, the emergency checklist is completed and attached to the grievance.

The Offender Grievance Office (OGO) is then notified of the change.

The supervisor then assigns grievances and returns them to the support staff to complete data entry. Upon completion of the data entry, the support staff distributes the grievances to the assigned investigator/nurse.

Upon receipt, the assigned staff reviews the grievance, adjusts the codes, if necessary, identifies and enters the offender's complaint(s) on the Health Services Grievance Worksheet. The staff will review the EMR and Hospital Galveston's Electronic Privacy Information Center documentation as well as all other pertinent documents and staff statements.

If an offender needs to be interviewed, the unit will be notified and arrangements made. Once the interview is completed this information is entered onto the HS grievance worksheet.

A synopsis of the documents reviewed, interviews with staff and the findings are transcribed into the Health Services worksheet. The worksheet is completed and a draft response is formulated. Upon completion of the draft, response the investigator will enter their closure date and outcome code. The grievance and the suggested response are forwarded to the Chief of Professional Standards or the Program Supervisor II for review and approval. Once approved, the grievance is returned to the support staff for printing onto the original grievance form.

Once this process is completed, the grievance is returned to the signing authority (Chief of Professional Standards/Program Supervisor II) for final review and signature. The grievance is then sent to the support staff for copying and subsequently returned to the grievance office. Completed grievances are taken to the TDCJ OGO daily.

In the event the investigation reveals a policy violation, clinical/quality of care issue, possible validity of a complaint involving staff, documentation issues, or a need for additional evaluation, an Action Request (AR) is written by the investigative staff and reviewed by supervisory staff. Once approved and signed by the supervisory staff, the support staff enters the information into the database, a copy is prepared for the file and the original is sent to the appropriate university or private non-university staff for response.

Upon receipt of the response to the AR, the information is reviewed by OPS supervisory staff to ensure that the issues were addressed and any actions taken were appropriate. If the answer is considered appropriate the AR is closed in the AR database. If there are additional questions, the AR response is sent to case review and assessed by the quality monitoring physician. In the event that the response is determined to be inadequate, another AR is submitted and the process repeats itself.

Director of Quality Monitoring

The duties and responsibilities of the Director of Quality Monitoring (DQM) are administered as

an employee of the OHSM. Performance of these responsibilities helps the TDCJ to fulfill a contractual obligation with the CMHCC and complies with applicable federal and state laws, CMHC policies and national standards.

The OPS receives reports of Step II offender grievances, and third party complaints pertaining to health care on a daily basis. Each of these cases requires an investigation and a response, sometimes within five days. These cases and responses are reviewed, revised, if necessary, and approved by the DQM. If a case is determined to require physician intervention, such as a call to a University Medical Director, then the physician DQM will make the necessary physician-to-physician communications.

Offender deaths are reported within a few days to the DQM. The deceased offenders' medical records are reviewed for compliance with medical standards of care. A summary report form is submitted within 48-72 hours of receipt of the death report. If any urgent or significant concerns are identified, then an immediate request for administrative review is sent to the relevant university or private vendor medical or nursing director. Every month up to five offender death cases are assigned for extensive medical record review. A summary report is completed and presented at the monthly Joint Mortality and Morbidity Committee Meeting. Cases referred for provider peer review are followed at the university peer review meetings.

Dental Quality and Contract Compliance

Unit Dental Quality of Care Audit

A schedule of audits is created by the DDQCC for a two year period to include all TDCJ Units.

Approximately 40 days prior to a scheduled audit, audit documentation and preparation begins. six months of urgent care data is extracted and audit folders, binders and documentation are prepared. No more than 30 days prior to the audit, notification is sent to the unit warden concerning the scheduled audit.

Approximately 20 days prior to the audit, reports are printed for sampling audit tests. Audit worksheets are prepared from selected samples. Sample selections for radiographic/extraction charts are sent to the unit for audit preparation.

The audit is performed by the Director of Dental Quality and Contract Compliance (DDQCC). The audit is performed utilizing the forty question audit program and is completed by direct observation, inspection of documentation, and corroborative inquiry of unit staff and management.

After the audit is performed, scores are entered and draft reports are generated by an administrative assistant. Reports are reviewed by the DDQCC.

Approximately 12 days after the audit, reports are reviewed and approved by the DDQCC.

They are then distributed to the unit and the related health services provider. Audits receiving an overall score of less than 80 percent are required to submit a corrective action plan to improve services provided to meet standards. Findings are also included in the Division Quality Assurance Report.

Corrective action plans are due within 30 days of receipt of notification. Corrective action plans are reviewed by the TDCJ Health Services DDQCC. If a corrective action plan is not considered sufficient, an additional request for a supplemental corrective action plan that is due within 14 days of receipt.

Review of Provider Monthly Dental Reports

Reports of monthly dental statistics are received from the contracted dental health care providers. These reports consist of information concerning requests for care, delays in scheduling, services rendered, number of providers and staffing, ratios of staffing to services provided, and access to care.

The monthly dental activity reports are reviewed by the DDQCC and are compared against historical information and standards of care expectations. A report of select information from the reports detailing significant variances from historical trends or standards of care expectations is prepared on a quarterly basis by the DDQCC. The report is reviewed and approved by the HS director and deputy division director prior to distribution. Approved reports are distributed to CHMCC and dental directors of the contracted care providers and are utilized to communicate deficiencies noted in quality and access to care.

Office of Mental Health Monitoring & Liaison

The administration of the OMHM&L program is summarized below:

- **Compelled Psychoactive Medication Audit:** The OMHM&L receives the logs for compelled psychoactive medication from the university providers and the security logs of all instances of Use of Force to compel medical treatment. Each month, the OMHM&L monitors to ensure that all occurrences of Use of Force to compel psychoactive medication are included on the university providers log and that in each instance the criteria for compelling psychoactive medication is documented in the medical record.
- **Psychiatric Disorder Management Guideline Audit:** Each quarter the quality of outpatient psychiatric care for one of the six disorders for which treatment guidelines have been established by the CMHC Pharmacy & Therapeutics Committee is audited. A sample is chosen from the caseloads of each of the psychiatric providers who provide outpatient care to offenders in the CMHC system. A healthcare professional audits the medical records to ensure that the treatment guidelines are followed or a clinical rationale for not doing so has been documented.

- Access to Care Accuracy Audit: Bachelor level staff audits all TDCJ units in CHMC to determine the accuracy of the monthly access to care reports that each unit submits monthly. Each month an access to care audit is conducted by OMHM&L staff for those units that have been identified for re-audit due to poor accuracy on previous audits and those units that are scheduled for an operational review audit in the month.

Office of Public Health

Through contracts with UTMB and TTUHSC, HS provides testing, treatment, monitoring and reporting of all communicable diseases that fall within state and federal guidelines as specified in the CMHC Infection Control Manual. This is performed at intake on all offenders entering TDCJ and certain groups of offenders pre-release. Testing for communicable diseases is also performed by request of the offender or when symptoms suggest a need during their incarceration.

Upon identification of communicable diseases of a chronic or acute nature, OPH is notified by unit medical staff. Recommendations based on CMHC policy for treatment or control are then reviewed with unit staff to ensure that the disease is managed and contained. This includes medication, isolation, and follow-up when applicable. OPH staff then completes disease reports as required by applicable laws and submits them within the required timeframe to DSHS.

OPH staff are required to make a good faith effort to obtain all required information within the reporting period. Reporting information that is obtained after the required deadline will be submitted to DSHS as soon as practical. Additional information may be requested by DSHS to assist with completing disease specific investigating and surveillance. These reports are submitted on the forms specified by DSHS unless a written agreement is made with DSHS to report in a different manner. This information is then recorded in the OPH surveillance database to assist with required monitoring and follow-up based on the requirements of the specific disease.

OPH staff, as previously stated, also play key roles in education of unit staff. At least annually and when new CID staff are hired, training is performed to ensure that unit staff are knowledgeable about current infection control policies and practices. In addition, when high risk issues such as outbreaks occur, units are educated by OPH staff, upon the proper measures to institute to contain the spread of the infection, and to treat the condition.

4G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

Method of Finance	Amount
General Revenue Fund	\$ 471,185,051
Appropriated Receipts	\$ 1,196
General Obligation Bonds	\$ 3,846,790
Total*	\$ 475,033,037

* Includes C.1.9., Health Services

The riders outlined below were included in the General Appropriations Act, Article V, and passed by the 81st Legislature:

- 41. Managed Health Care - Reporting Requirements
- 42. Managed Health Care Operational Shortfalls
- 61. Correctional Managed Healthcare: Limitations of Expenditures
- 72. Marlin Correctional Mental Health Facility
- 82. Managed Health Care Staff Loan Repayment

4H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions. Describe the similarities and differences.

None identified.

4I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

Not applicable.

4J. If the program or function works with local, regional, or federal units of government include a brief description of these entities and their relationship to the agency.

Office of Health Services Liaison

The OHSL works with county jails throughout the state when coordinating intake of offenders with medical, mental health or physical impairments. The department is the liaison between contracted university health care providers, non-university privately contracted providers and divisions within the Agency.

Resource Management/Operational Support

Resource Management/Operational Support works with CMHC in reporting psychiatric performance measures, which are incorporated into the Legislative Appropriations Requests submitted by the Financial Services Division.

Office of Public Health

The OPH serves as the central point of contact for the universities and private vendors as it relates to communicable diseases that require reporting to the DSHS. State law specifies which conditions must be reported and in what timeframe. OPH staff may also be asked by DSHS to perform additional surveillance or reporting after initial report of disease is made.

4K. If contracted expenditures are made through this program please provide:

- the amount of those expenditures in fiscal year 2010;
- the number of contracts accounting for those expenditures;
- a short summary of the general purpose of those contracts overall;
- the methods used to ensure accountability for funding and performance; and
- a short description of any current contracting problems.

- The amount of contracted expenditures in FY 2010: \$470,360,179
- The number of contracts accounting for those expenditures: 2

The UTMB and TTUHSC provide medical services for offenders incarcerated within TDCJ correctional facilities. The TDCJ Health Services Division is responsible for monitoring the quality of and access to medical care provided through the universities to ensure that offenders are receiving timely access to care. Additionally, the CMHCC provides statewide policies and guidance through its offender health services plan.

4L. What statutory changes could be made to assist this program in performing its functions? Explain.

There are no statutory changes recommended at this time.

4M. Provide any additional information needed to gain a preliminary understanding of the program or function.

There is no additional information.

5A. Provide the following information at the beginning of each program description.

Name of Program or Function	Ensure and Maintain Adequate Facilities
Location/Division	Facilities Division
Contact Name	Frank Inmon
Actual Expenditures, FY 2010	\$42,622,472

Number of FTEs as of August 31, 2010	82.0
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5B. What is the objective of this program or function? Describe the major activities performed under this program.

The primary functions of this division include planning, design, construction and maintenance of facilities through five major departments: Engineering, Program Administration, Program Analysis, Project Administration and Maintenance.

The essential function of the Engineering Department includes providing design solutions for agency repair and rehabilitation projects. Engineering also provides assistance/analysis to departments within the division and units/facilities within the agency. Additionally under this departments purview is compliance with energy certifications to ensure the most efficient and economical equipment is installed and sizing equipment to meet the demands for each function of Facilities Division (FAC).

The Program Administration Department performs several functions to include planning and programming for agency repair and rehabilitation projects. This department processes, coordinates and tracks the progress of existing and future projects. Additionally this department is responsible for utility and energy management and management of agency environmental affairs.

The Program Analysis Department supports the division in all financial and administrative support phases of the agency's construction and maintenance programs.

The Project Administration Department provides oversight of repair and rehabilitation projects undertaken by contract construction contractors or maintenance department forces. Additionally this department assists project engineers in design development and provides quality assurance inspections.

The Maintenance Department is responsible for performing preventive and corrective maintenance, and repair and renovations of unit buildings, equipment, and infrastructure, including limited and minor construction projects. The function of this department also includes operation of facility infrastructure equipment and providing technical oversight of staff and operations at the unit and regional levels. Additionally the department performs reviews of unit building and equipment condition and unit compliance with agency policy and procedures.

5C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? Provide a summary of key statistics and performance measures that best convey the effectiveness and efficiency of this function or program.

During FY 2010: 43 maintenance assessments were completed; 755 major work requests were completed; 415,872 preventive maintenance work orders and 418,287 corrective maintenance work orders were completed.

5D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent.

Not applicable.

5E. Describe who or what this program or function affects. List any qualifications or eligibility requirements for persons or entities affected. Provide a statistical breakdown of persons or entities affected.

This program affects the safe and secure operations of all TDCJ correctional facilities and the 156,000 offenders incarcerated in those institutions, as well as the nearly 40,000 employees of the agency.

5F. Describe how your program or function is administered. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. List any field or regional services.

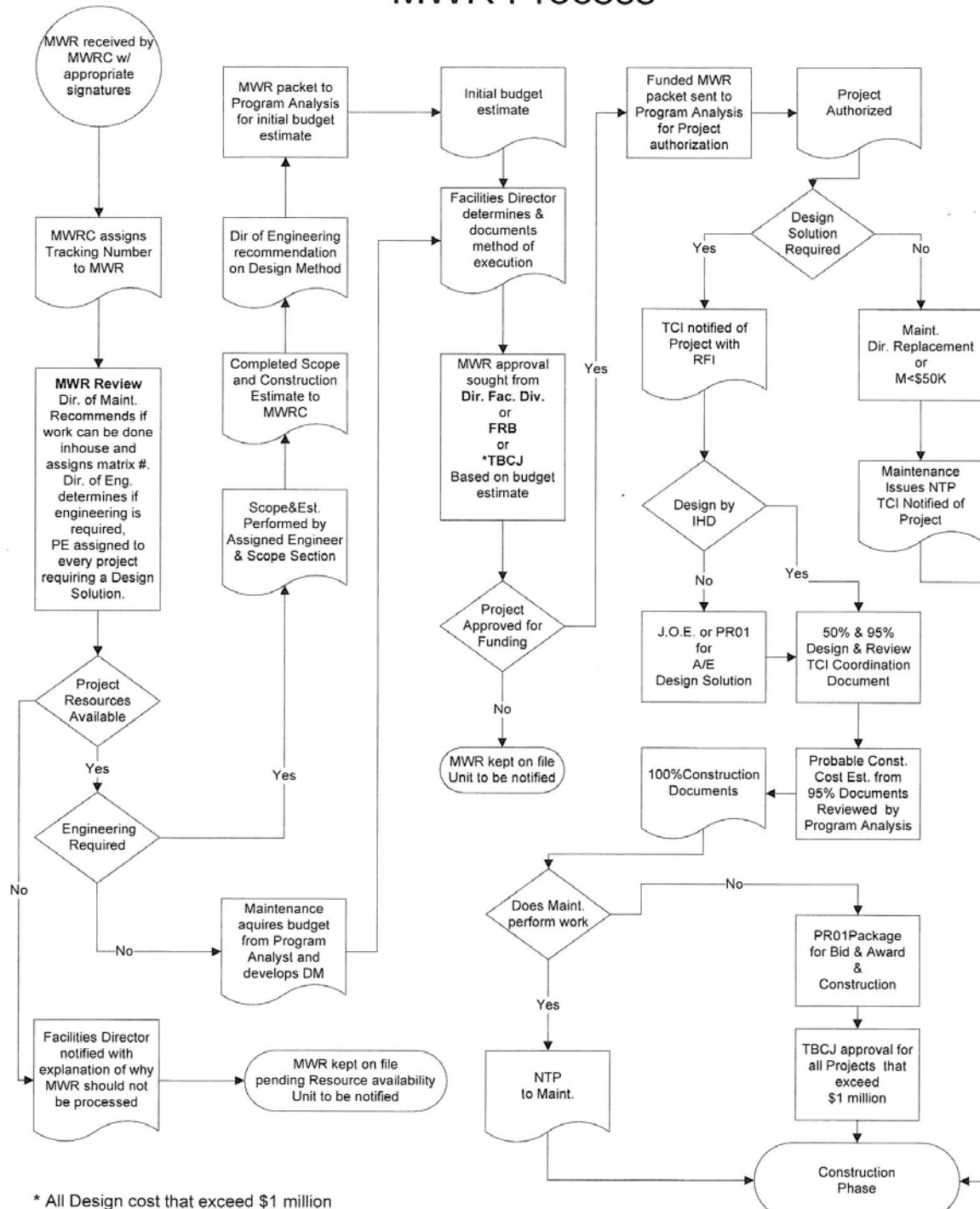
The customer departments identify and define a statement of need by submitting a major work request to FAC. An initial review is conducted by the Maintenance, Engineering, Program Administration and Program Analysis Departments and the FAC director to determine whether to proceed with the major work request or defer to prioritization.

Projects not requiring a design solution are accomplished by the maintenance department or by a contractor with maintenance oversight. Projects requiring a design solution are accomplished either by in-house design staff or contracts with an architect and engineering firm, with in-house oversight.

Projects are then tracked until the construction phase is complete. The construction phase can likewise either be achieved via contract or in-house resources. Timelines will vary from project to project and can take more than a year to complete through the design and construction phases. In all cases, projects are overseen by engineering, project administration and/or maintenance from the time the statement of need is identified through the construction phase.

Please see the major work request (MWR) flowchart on page 95.

MWR Process



8/19/05

5G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

Method of Finance	Amount
General Revenue Fund *	\$ 12,985,788
General Obligation Bonds	\$ 29,636,684
Total	\$ 42,622,472

* General revenue funds appropriated in Strategy D.1.2., Lease Purchase of Facilities, are paid to the Texas Public Finance Authority for correctional facilities financed with state revenue bonds, which will be paid off in FY 2015.

The riders outlined below were included in the General Appropriations Act, Article V, and passed by the 81st Legislature:

- 52. Appropriation: Unexpended Balances of Construction Bonds
- 72. Marlin Correctional Mental Health Facility
- 79. Appropriation Authority for General Obligation Bond Proceeds

5H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions. Describe the similarities and differences.

Similar construction and maintenance services are provided by the Texas Department of Transportation, the Texas Parks and Wildlife and institutions of higher education.

5I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

There is no duplication with other agency programs due to the Legislature's clear assignment of responsibility for the TDCJ construction and maintenance programs.

5J. If the program or function works with local, regional, or federal units of government include a brief description of these entities and their relationship to the agency.

The Environmental Protection Agency, The Texas Commission on Environmental Quality, the Texas Department of Licensing and Regulation and DSHS provide oversight and guidelines for compliance of maintenance, utility and environmental operations.

5K. If contracted expenditures are made through this program please provide:

- the amount of those expenditures in fiscal year 2010;
- the number of contracts accounting for those expenditures;
- a short summary of the general purpose of those contracts overall;
- the methods used to ensure accountability for funding and performance; and
- a short description of any current contracting problems.

- The amount of contracted expenditures in FY 2010: \$3,393,891
- The number of contracts accounting for those expenditures: 25

The FAC provides construction and maintenance services utilizing both “in-house” agency staff, offender labor and contract vendors, depending on which represents the best value for the state. Contract services may include architectural and engineering work, construction, and systems maintenance, monitoring, sampling and testing. The FAC also monitors the performance of all of these contracts on an individual basis, utilizing periodic inspections of to assess the quality of labor, service and materials.

5L. What statutory changes could be made to assist this program in performing its functions? Explain.

No statutory changes are recommended at this time.

5M. Provide any additional information needed to gain a preliminary understanding of the program or function.

There is no additional information.

6A. Provide the following information at the beginning of each program description.

Name of Program or Function	Operate Parole System
Location/Division	Parole Division
Contact Name	Stuart Jenkins
Actual Expenditures, FY 2010	\$158,420,826
Number of FTEs as of August 31, 2010	2,171.0

6B. What is the objective of this program or function? Describe the major activities performed under this program.

There are several primary objectives of this function: supervising and assisting parolees in adjusting to community life; and when necessary, applying appropriate sanctions to those who fail to comply with conditions of release.

The PD Review and Release Processing section reviews offender files for compliance with statutory criteria, verifies the imposition of special conditions, notifies trial officials of pending releases and prepares and issues certificates of release and releases offenders to supervision or to discharge. The section also responds to public inquiries regarding an offender's release status.

Approximately 1,300 field officers in 66 district offices monitor the activities of roughly 81,000 releasees under active supervision to ensure their compliance with the conditions of release. The typical caseload ratio is 75 parolees to one officer; however, there are smaller caseloads for higher risk offenders to include: sex offenders, mentally impaired offenders, releasees subject to electronic monitoring or global positioning system (GPS) monitoring and certain substance abusers. Parole officers also investigate proposed release plans, coordinate the delivery of services once an offender is under supervision and make recommendations regarding parole revocation or the modification of release conditions.

The PD has the authority to issue warrants for the arrest of a releasee who has committed technical violations, violated state law, been released in error or who constitutes a danger to the community. The Warrants section processes all actions related to the issuing, monitoring and withdrawal of warrants.

The PD, in conjunction with the CID, utilizes contracts for approximately 1,600 beds to provide releasees and inmates released to parole and mandatory supervision with temporary housing. The residential reentry program is made available to releasees with no place to reside and no financial resources to obtain housing. Releasees are subject to curfews and other restrictions on their movements, but can leave the facility for specified reasons such as to work or to seek employment. Substance abuse education, job training and education programming are provided at the residential reentry centers. Since residential reentry centers are not located in all areas of the state and may not be suitable for certain types of offenders, contracts for a small number of beds in county jails are also utilized. Under the terms of these contracts, releasees may participate in the jail's work release program in order to earn funds necessary for independent living. In addition to the residential reentry program, the PD utilizes the Temporary Housing Assistance Program for releasees and offenders who have no place to reside. Releasees are placed with a provider in their county of residence for the purpose of re-establishing themselves in the community. The focus within the program is to secure employment and obtain independent living.

The PD, in conjunction with CID and PFCMOD, utilizes contracts for approximately 2,000 secure ISF beds (additional ISF beds are operated by CID) and approximately 400 SAFPF "slots" to provide an alternative sanction in lieu of revocation for releasees who have committed technical violations of their parole or mandatory supervision release. Releasees usually stay about 75 - 90 days in ISFs and six months in SAFPFs.

6C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? Provide a summary of key statistics and performance measures that best convey the effectiveness and efficiency of this function or program.

Key performance measures include the number of parole cases considered, the number of parole cases processed, the releasee annual revocation rate, the number of pre-revocation warrants issued, and the average number of releasees in Intermediate Sanction Facilities. The agency generally met or exceeded the target for each of these key measures during FY 2010. However, it should be noted that while the releasee revocation rate and the number of pre-revocation warrants issued were lower than targeted, this reflects positively on efforts to successfully reintegrate offenders into the community.

6D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent.

The evolution of the BPP, a separate state agency administratively housed within the TDCJ, is not fully discussed in the agency history. As noted in the agency history, the BPP was created in 1936, and the division of parole supervision established in 1957. In 1989 the Texas Legislature merged the parole supervision function into the newly created TDCJ. The BPP became an eighteen member body responsible for determining who is released to parole and the conditions of release to parole and mandatory supervision, making recommendations to the governor regarding acts of executive clemency, making revocation decisions, and managing the revocation hearing process. In 1997 a seven member policy board was created to focus on matters of policy and oversight of administration, then in 2001 the eighteen member board was abolished and replaced with a seven member BPP. The board members may employ parole commissioners to assist them in their responsibilities to vote cases.

6E. Describe who or what this program or function affects. List any qualifications or eligibility requirements for persons or entities affected. Provide a statistical breakdown of persons or entities affected.

Offenders released via parole or mandatory release remain under the supervision of the PD until such time as they have discharged their sentence.

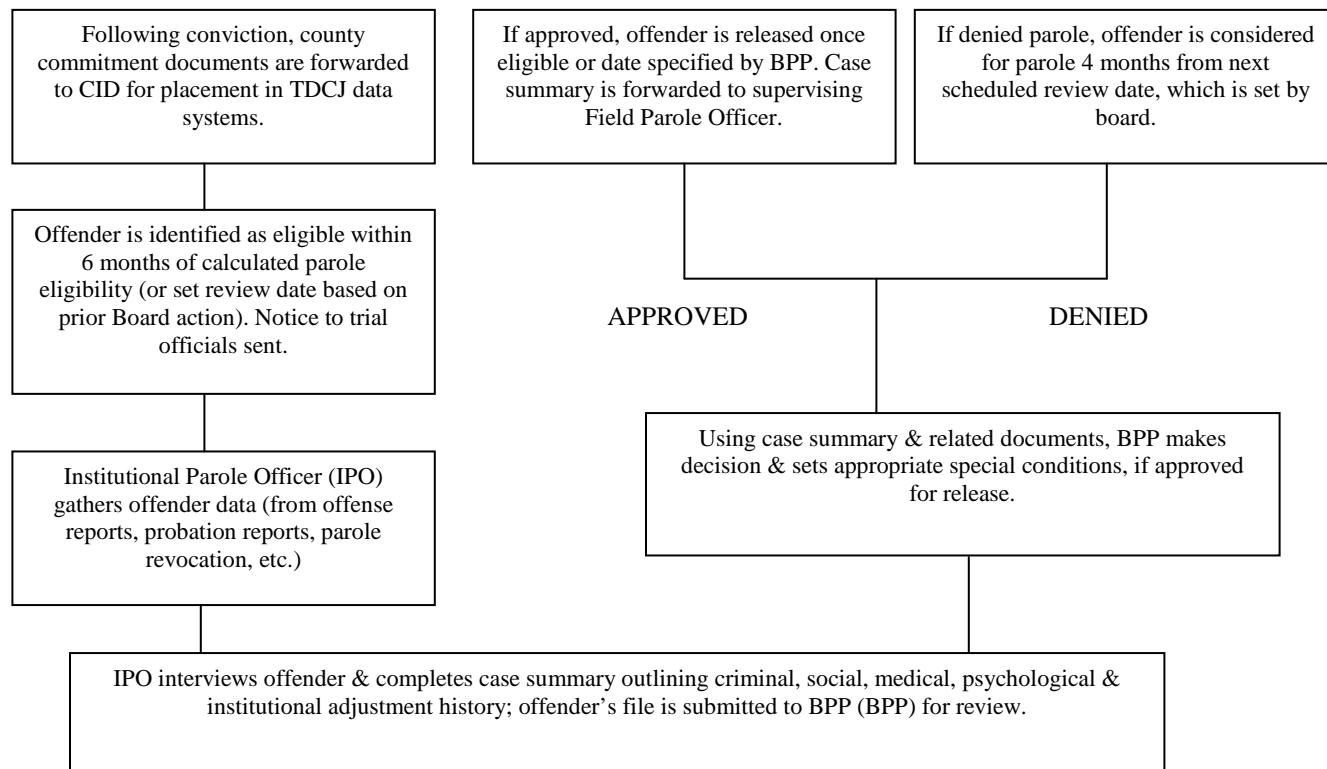
**STATE WIDE TOTALS OF RELEASEES
AS OF May 2011**

Active Cases (Under Officer Supervision)	Status Total
Normal Reporting	67,432
In Custody - Not Revoked	9,297
Quarterly Report Status	3,459
Pending Arrival	45
TOTAL	80,233

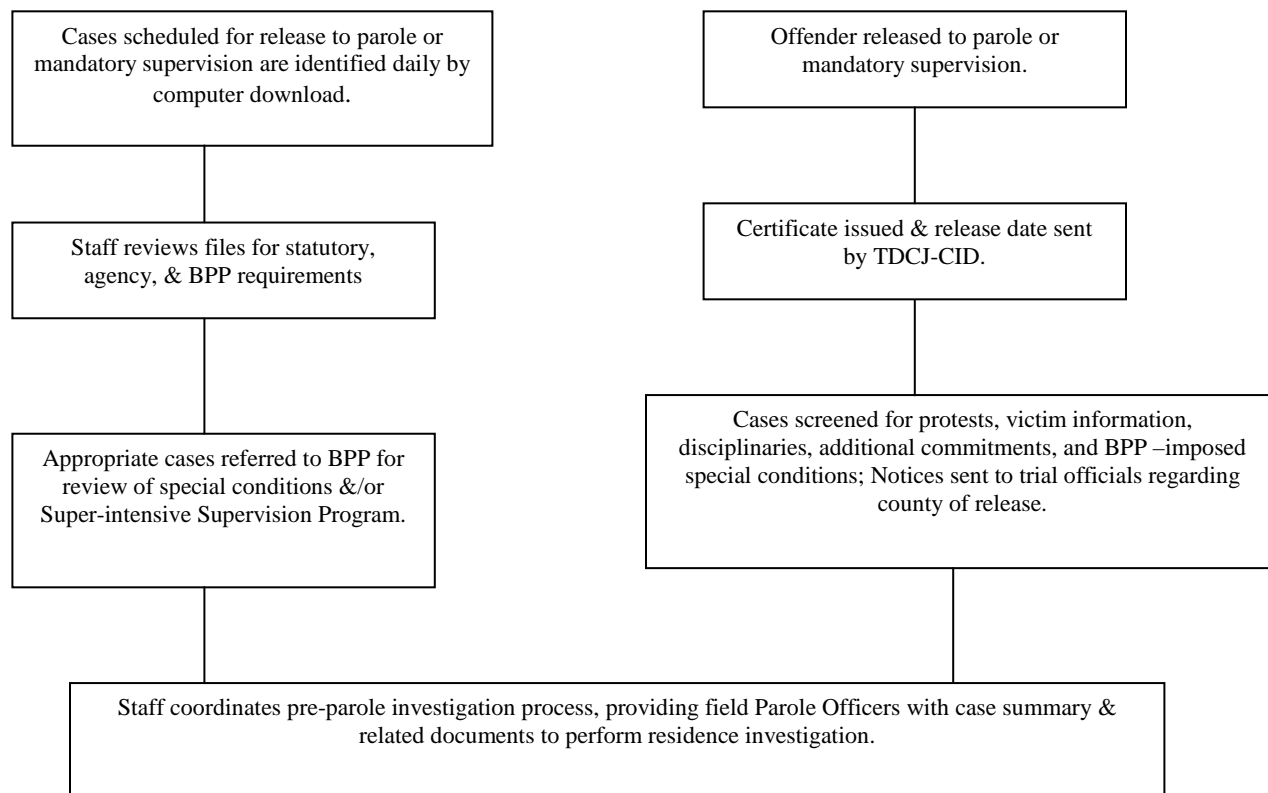
Inactive Cases (Under PPD Jurisdiction)	Status Total
Declared Absconder	10,661
Annual Report Status	386
Supervised Out-Of-State	3,187
Released to Detainer/Deported	10,454
Death Reported	41
TOTAL	24,729

6F. Describe how your program or function is administered. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. List any field or regional services.

Parole Review Process



Parole Release Process



6G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

Method of Finance	Amount
General Revenue Fund	\$ 158,049,977
Federal Funds	\$ 81,973
Appropriated Receipts	\$ 288,876
Total	\$ 158,420,826

The riders outlined below were included in the General Appropriations Act, Article V, and passed by the 81st Legislature:

- 31. Parole Supervision Ratio
- 38. Appropriation: Sex Offender Notification Fees
- 39. Appropriation: Parole Supervision Fees
- 46. Parole Transitional Support Program
- 74. Annual Parole Supervision
- 75. Diversion Initiatives

6H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions. Describe the similarities and differences.

The TJPC provides similar services to juvenile offenders on probation. Local CSCDs provide similar services to adult offenders sentenced to probation by the courts. However, the offenders supervised by the PD are not subject to the jurisdiction of the sentencing court, but are instead subject to the terms of condition of release determined by the BPP. Decisions regarding the modification and revocation of supervision for probationers are made by judges, whereas such decisions regarding prison releasees are made by the BPP.

6I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

Approximately 1% of the probationer population is also on parole supervision as well. These dual supervision cases are identified and information is shared between the respective probation and parole officers in order to facilitate appropriate supervision of the offender.

6J. If the program or function works with local, regional, or federal units of government include a brief description of these entities and their relationship to the agency.

Parole officers work with local officials representing law enforcement, county jails, and service organizations as appropriate to assure proper supervision, processing of sanctions and services to the offender population.

6K. If contracted expenditures are made through this program please provide:

- the amount of those expenditures in fiscal year 2010;
- the number of contracts accounting for those expenditures;
- a short summary of the general purpose of those contracts overall;
- the methods used to ensure accountability for funding and performance; and
- a short description of any current contracting problems.

- The amount of contracted expenditures in FY 2010: \$64,273,883
- The number of contracts accounting for those expenditures: 160

On behalf of the Parole Division, the PFCMOD contracts for electronic monitoring services to include global positioning satellite monitoring equipment. The division monitors these contracts within the Specialized Programs Section which is responsible for the tracking of equipment inventory, monitoring contract provisions and ensuring contract compliance. The section also conducts the training of staff assigned to work with electronic monitoring equipment. The Parole Division also contracts for sex offender treatment services. The division monitors these

contracts within the Specialized Programs Section which is responsible for the billing and monitoring contract compliance. Each contracted therapist is registered by the Council on Sex Offender Treatment which is responsible for issues related to the registration.

6L. What statutory changes could be made to assist this program in performing its functions? Explain.

No statutory changes relating to this function are recommended at this time.

6M. Provide any additional information needed to gain a preliminary understanding of the program or function.

There is no additional information.

7A. Provide the following information at the beginning of each program description.

Name of Program or Function	Indirect Administration – Office of the Inspector General Victim Services Division
Location/Division	Office of the Inspector General, Victim Services Division
Contact Name	John Moriarty; Angela McCown
Actual Expenditures, FY 2010	\$11,947,766
Number of FTEs as of August 31, 2010	209.0

7B. What is the objective of this program or function? Describe the major activities performed under this program.

Office of the Inspector General

The object of OIG is to provide law enforcement support through administrative and criminal investigations for all correctional facilities and parole offices throughout the state.

In addition, to law enforcement support to all TDCJ facilities and TDCJ interests, OIG has investigators assigned specifically as task force officers that specialize in fugitive and gang investigations. There is also a department that is dedicated to gathering criminal intelligence, analyzing the intelligence gathered and reporting the intelligence to the appropriate agencies or sections within the state.

Victim Services Division

The primary function of VS is to provide mandated services to crime victims. VS accomplishes

this by serving as the point of contact for crime victims or witnesses to obtain information and notification regarding their offender's status and other services.

Victim notification is one of the fundamental rights mandated in the Texas Constitution, the Code of Criminal Procedure and the Government Code. Notifications include information on the pending parole review, pending release of an offender, and in some cases an extension of an expired protective order.

The parole process is one of the points in the criminal justice system where a victim can have an impact on the outcome in the criminal justice system. VS coordinates these mandated services by maintaining a confidential Victim Notification System. VS operates a toll-free hotline that provides victims with offender status information, information about the criminal justice system, and information about additional services available to victims through VS. VS provides information to victims about appearing in person before the BPP, seeking special parole conditions, and explaining the process for protesting the parole release of an offender. In addition to written victim notification letters and the toll-free hotline, victims and their families can retrieve limited offender status information via telephone 24 hours a day through the VINE system.

The Texas Crime Victims Clearinghouse (CVC) develops the Victim Impact Statement (VIS) form, with the participation of the CJAD and the BPP. The CVC also develops crime victim assistance standards and distributes them to law enforcement offices and attorneys representing the state. The CVC is authorized to conduct an annual conference for the purpose of providing training on crime victim rights. The CVC also provides technical assistance, information and referrals to victims, victim service providers, law enforcement and criminal justice professionals via an online statewide victim assistance resource directory. Informational brochures and a quarterly newsletter, *The Victim's Informer*, are produced by CVC and are available online.

Crime victims have the right to request victim-offender mediation/dialogue (VOM/D), coordinated by VS. The VOM/D program provides an opportunity for a structured person-to-person meeting between the victim and offender, provided the offender is willing and deemed appropriate for such direct interaction with the victim. Through VOM/D, the victim is able to describe the impact of their victimization and receive answers to questions, which may facilitate their healing and recovery. It fosters empathy and allows offenders to accept responsibility for the harm they have caused.

Victim witnesses are authorized to attend executions, as are close relatives of the victim, a spiritual advisor and an individual who had a close relationship with the victim, upon the recommendation of VS and the with approval of the director of the CID. The (Victim Support and Community Education (VSCE) program facilitates the execution viewing process for victims. The VSCE also provides training on crime victim rights for criminal justice professionals who require continuing education units in that area and for new parole officers during the Parole Officer Training Academy. Often a victim impact panel is used in trainings.

7C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? Provide a summary of key statistics and performance measures that best convey the effectiveness and efficiency of this function or program.

Office of the Inspector General

Based on the environment, OIG is reactive in nature, as such statistics do not necessarily reflect the effectiveness or efficiency of the division. However, since 2006, there have been 33 escapes to date, 31 of which were captured shortly after their escape. OIG knows the two outstanding fugitives are in Mexico and coordination is ongoing between OIG, the Mexican Consulate, and the Mexican government in order to affect their arrest and return to Texas.

Victim Services Division

VS published its first annual report in FY 2010 and every year provides statistics for inclusion in the TDCJ annual review. Both documents, including all pertinent statistics, can be viewed on the TDCJ website.

As of July 18, 2011, there were 159,164 individuals who have registered with the Victim Notification System. During FY 2010, Victim Services processed 155,296 pieces of correspondence, including notifications or emails sent and letters or emails received.

There were also 41,908 telephone calls processed in FY 2010. In addition, 851 calls pertaining to protective orders were processed and referred to the Texas Advocacy Project.

7D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent.

Office of the Inspector General

1982 Internal Affairs Division was formed as a result of Ruiz lawsuit to investigate allegations of unnecessary and excessive uses of force, with primary focus on administrative violations.

1999 Internal Affairs Division was renamed the OIG, with primary focus on criminal investigations effecting the safety and security of the institution and the welfare of the citizens of Texas.

Victim Services Division

Crime victims' rights were created by statute with the passage of HB 235 during the 69th Regular Session of the Texas Legislature, which included notification for crime victims. Before the VS section was established in 1993, designated staff was assigned the responsibility for providing notification during an offender's parole review. In 1997, the Victim Services section was

elevated to division status. The original focus of VS was centered on information and notification and has not changed, but VS's programs and services have evolved based on the passage of additional statutes and identified needs of crime victims. This is reflected in the number of notifications provided by the Victim Notification System, mandated programs and services, and facilitating the viewing of executions by victims and other witnesses.

7E. Describe who or what this program or function affects. List any qualifications or eligibility requirements for persons or entities affected. Provide a statistical breakdown of persons or entities affected.

Office of the Inspector General

OIG provides independent, unbiased investigations and support for the TDCJ. During calendar year 2010 (CY 2010), OIG initiated 5,247 investigations into criminal activity, staff misconduct, and/or information. As a result of OIG's criminal investigations, there were 1,308 convictions in CY 2010.

Below is a breakdown of the criminal investigations opened for calendar year 2010.

Type	Total Cases Opened
Homicide	9
Sexual Assault	354
Aggravated Sexual Assault	33
Assault	132
Aggravated Assault	98
Bribery	51
Prohibited Substance (Cell phones/Components 1059)	902
Other Felony Crimes	1632
Total Criminal Investigations	4092

Victim Services Division

VS is guided by statute to provide services to crime victims, close relatives of a deceased victim, and guardians of a victim VS also provides notification services for a representative of a crime victim, including a provision for notifications to witnesses who testified at trial against the defendant. Services are also provided to concerned citizens, victim advocates, and criminal justice professionals.

VS collaborates with the BPP regarding a crime victim's rights during the parole review process. VS also utilizes the Victim Notification System to provide notification, information, and indicates if a Victim Notification System registrant has requested to meet with the BPP.

The CVC, in participation with the BPP and CJAD, develops the VIS to be used by law enforcement agencies, prosecutors, and other participants in the criminal justice system. They also develop a victims' informational booklet (*It's Your Voice*) that provides a general

explanation of the criminal justice system to victims of an offense, guardians of victims and relatives of deceased victims. The victim assistance coordinator sends victims, guardians of a victim or close relatives of a deceased victim a VIS and a victims' information booklet. In addition the CVC, in participation with the BPP and the CJAD, develops a survey plan to maintain statistics on the numbers and types of person to whom state and local agencies provide victim impact statements during each year. The VIS Activity Report is provided to each victim assistance coordinator to complete and submit to the CVC on a quarterly basis. VS coordinates with the Texas District and County Attorneys Association to obtain contact information for victim assistance coordinators in each Texas judicial district, district attorney's offices and county attorney's offices.

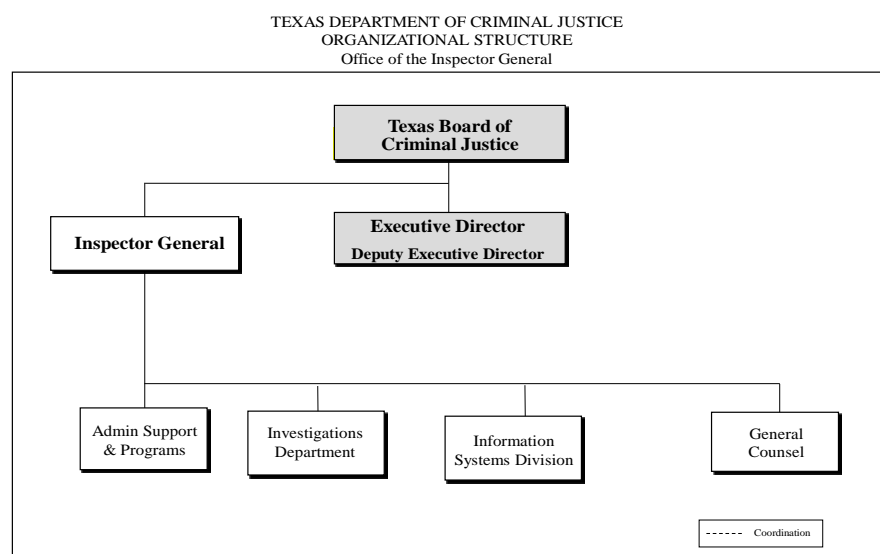
During FY 2010, Victim Services processed 155,296 pieces of correspondence, including notifications or emails sent and letters or emails received.

There were also 41,908 telephone calls processed in FY 2010. In addition, 851 calls pertaining to protective orders were processed and referred to the Texas Advocacy Project.

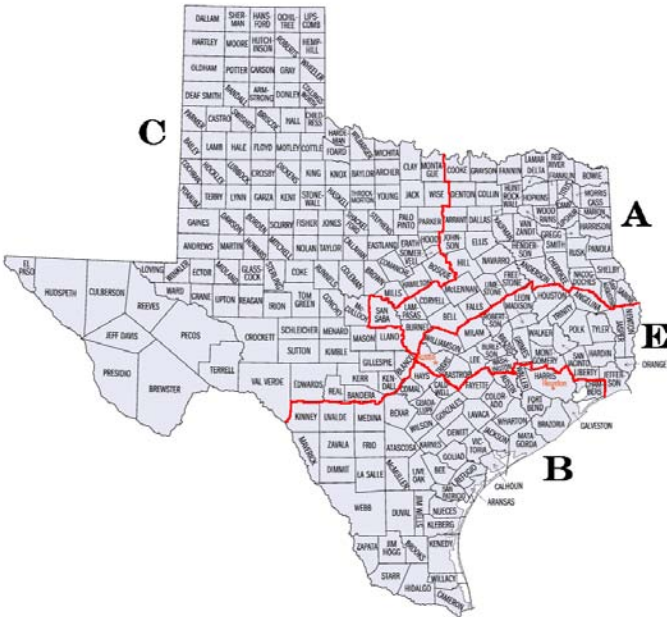
7F. Describe how your program or function is administered. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. List any field or regional services.

Office of the Inspector General

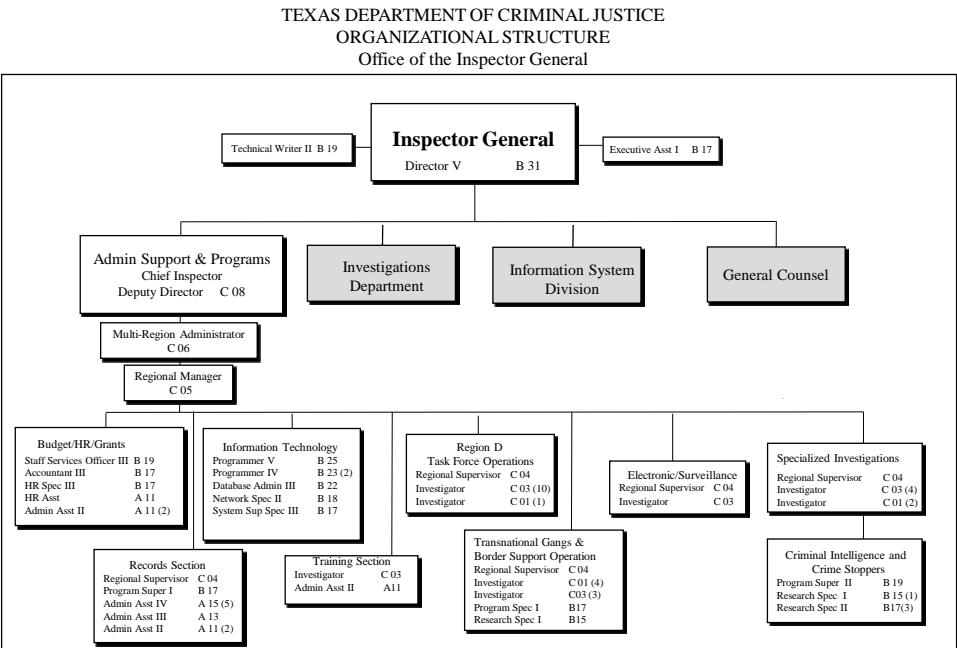
The OIG, while providing support to the TDCJ, reports directly to the TBCJ, as reflected in the organizational structure chart below. This ensures OIG has the ability to investigate any and all allegations in a fair and impartial manner.



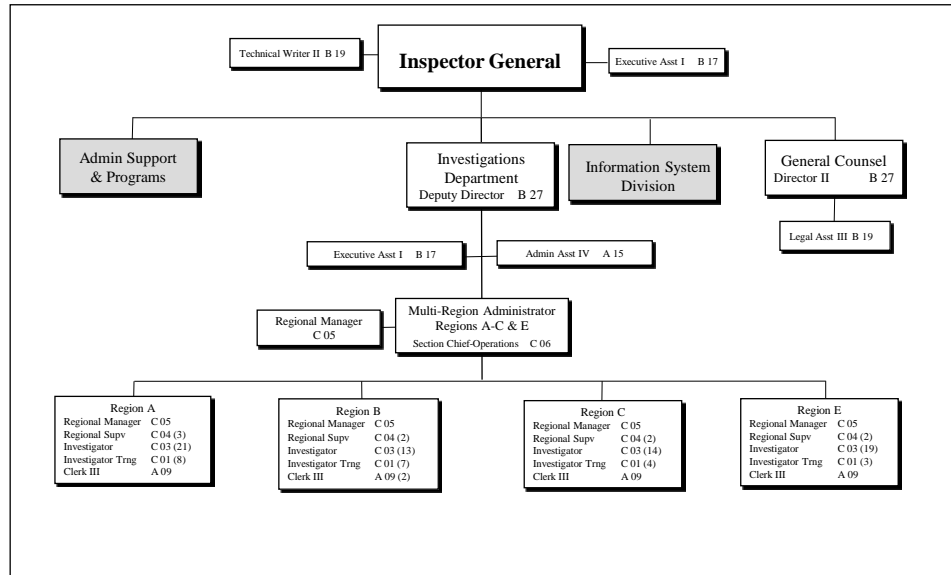
OIG’s Investigations Department is broken down into four regions to ensure both adequate supervision and coverage of the state as reflected below.



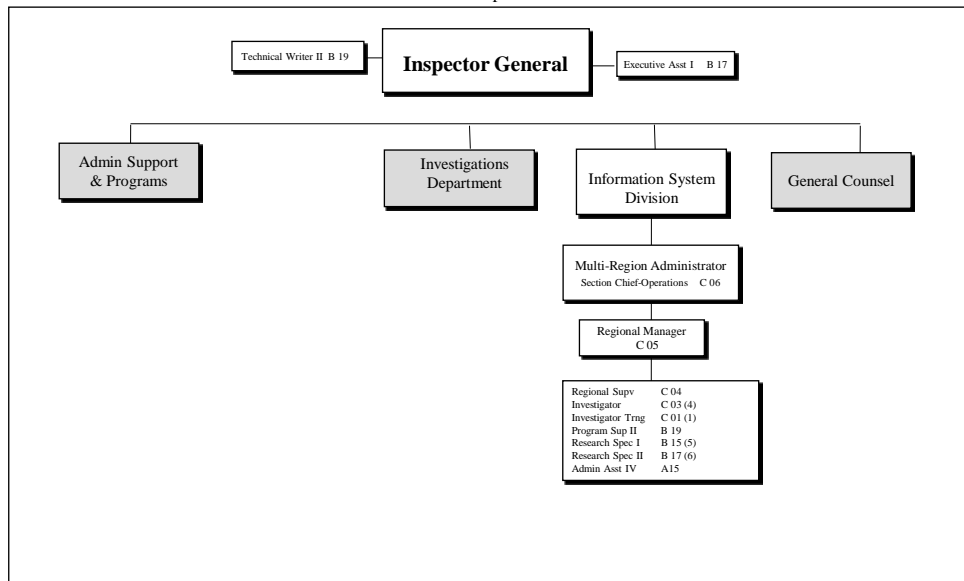
The following is a specific breakdown of positions within OIG:



TEXAS DEPARTMENT OF CRIMINAL JUSTICE
ORGANIZATIONAL STRUCTURE
Office of the Inspector General



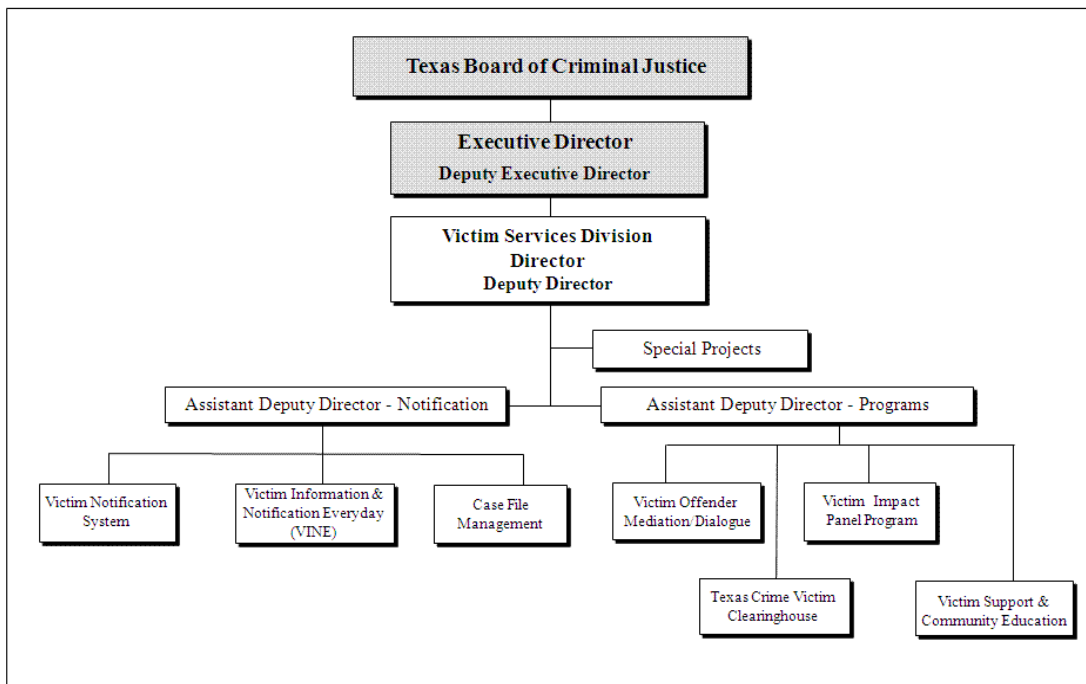
TEXAS DEPARTMENT OF CRIMINAL JUSTICE
ORGANIZATIONAL STRUCTURE
Office of the Inspector General



Victim Services Division

VS is headquartered in Austin with a satellite office in Huntsville

TEXAS DEPARTMENT OF CRIMINAL JUSTICE ORGANIZATIONAL STRUCTURE Victim Services Division



Prepared by Executive Services. Information current as of October 2010

22

7G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

Method of Finance	Amount
General Revenue Fund	\$ 79,373,442
GR Dedicated - Operators and Chauffeurs License Acct No. 099	\$ 28,398
GR Dedicated - Compensation to Victims of Crime Acct No. 469	\$ 1,514,007
Federal Funds	\$ 157,131
Appropriated Receipts	\$ 502,960
Interagency Contracts	\$ 455,604
Total	\$ 82,031,542

7H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions. Describe the similarities and differences.

Office of the Inspector General

There are no other agencies that provide this type of support to TDCJ.

Victim Services Division

There are a multitude of external organizations (municipal, local, regional, state, and national) that provide services for victims throughout the criminal justice system. This includes victim liaisons in law enforcement agencies (investigative phase), victim assistance coordinators in district and county attorney's offices (trial phase) and non-profit organizations that may provide support services (e.g. support groups, court accompaniment, direct assistance). While these entities provide services for crime victims, VS is the central point of contact for victims regarding their post-conviction rights once their offender(s) are sentenced and received by the CID.

In addition, all TDCJ divisions and programs are encouraged to refer crime victims to VS for all victim-related issues and services. VS routinely coordinates with the OIG, BF Restitution and Fees, CJAD, PD, CID and the BPP to ensure crime victims are afforded their rights and provided a more efficient delivery of services.

7I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

Office of the Inspector General

The only area this question pertains to is the OIG Gang Section. They constantly collaborate with the TDCJ Gang Section to ensure that there is no duplication of efforts before all pertinent information is disseminated by the OIG Information Systems Division.

Victim Services Division

VS routinely networks with internal and external entities to increase knowledge of crime victims' rights, specifically post-conviction, and how the division's services provide these crime victims with an opportunity to exercise those rights. This includes conducting various trainings, meeting with county or region-based coalition groups, and meeting with internal divisions and programs. VS realizes collaboration is essential when providing crime victims with the necessary notification, information and assistance.

For instance, certain crime victims are eligible for an extension of their protective orders once

their offenders have been released from confinement or incarceration. VS has a Memorandum of Understanding with the Texas Advocacy Project, a statewide nonprofit organization, to provide crime victims with referrals regarding the extension of their protective orders. VS provides notification and information regarding the extension, while the Texas Advocacy Project provides assistance to crime victims and courts to file motions to obtain protective orders with the new expiration dates.

7J. If the program or function works with local, regional, or federal units of government include a brief description of these entities and their relationship to the agency.

Office of the Inspector General

OIG has members assigned to several different federal task forces throughout the state that assist in fugitive arrests and gang investigations, including the FBI Violent Crimes Task Force, which investigates violent crimes, gangs, and fugitives from justice.

The United States Marshal Service conducts fugitive investigations for violent offenders throughout the state.

The Drug Enforcement Agency conducts drug/gang investigations.

Victim Services Division

VS works with local, regional or federal units of government that provide services for victims throughout the criminal justice system. This includes victim liaisons in law enforcement agencies (investigative phase) and victim assistance coordinators in district and county attorney's offices (trial phase). While these entities provide services for crime victims, VS is the central point of contact for victims regarding their post conviction rights once their offender is sentenced and received by CID. The collaboration among all entities that serve crime victims ensures a more seamless delivery of services.

7K. If contracted expenditures are made through this program please provide:

- the amount of those expenditures in FY 2010;
- the number of contracts accounting for those expenditures;
- a short summary of the general purpose of those contracts overall;
- the methods used to ensure accountability for funding and performance; and
- a short description of any current contracting problems.

- The amount of contracted expenditures in FY 2010: \$23,986,175
- The number of contracts accounting for those expenditures: 79

The largest of these contracts within Indirect Administration is with the Department of Information Resources (DIR) for statewide data center services. In 2006, DIR executed a state

contract with International Business Machines Corporation (IBM) to provide data center services for 27 Texas state agencies. TDCJ Information Technology Division (ITD) staff work in coordination with DIR to monitor the effectiveness of the IBM contract. In addition, ITD staff also monitor other contracted information technology services to ensure compliance with contract specifications.

7L. What statutory changes could be made to assist this program in performing its functions? Explain.

Office of the Inspector General

No statutory changes relating to this function are recommended at this time.

Victim Services Division

There are no statutory changes recommended at this time.

7M. Provide any additional information needed to gain a preliminary understanding of the program or function.

There is no additional information.

VIII. Statutory Authority and Recent Legislation

A. Fill in the following chart, listing citations for all state and federal statutes that grant authority to or otherwise significantly impact your agency. Do not include general state statutes that apply to all agencies, such as the Public Information Act, the Open Meetings Act, or the Administrative Procedure Act. Provide information on Attorney General opinions from FY 2007 – 2011, or earlier significant Attorney General opinions, that affect your agency's operations.

Texas Department of Criminal Justice Statutes/Attorney General Opinions	
Statutes	
Citation/Title	Authority/Impact on Agency (e.g., provides authority to license and regulate nursing home administrators)
GOVERNMENT CODE	
CHAPTER 411, SUBCHAPTER G DNA DATABASE SYSTEM	
§ 411.148. Mandatory DNA Records	The TDCJ shall obtain a DNA sample from an

	individual during the diagnostic process, or any other time. An individual who refuses to provide a sample may not be held past a statutory release date. The TDCJ may use necessary force to collect the sample.
CHAPTER 491, TEXAS BOARD OF CRIMINAL JUSTICE, TEXAS DEPARTMENT OF CRIMINAL JUSTICE: GENERAL PROVISIONS	
§ 491.001. Definitions	Provides definitions of Board, Community Justice Assistance Division, Department, Executive director, ID, Internal Audit division, Pardons and Paroles Division, SJD, BPP, probation department or adult probation department, Texas Adult Probation Commission, Texas Board of Corrections, and Texas Department of Corrections applicable to Chapters 491 through 501, and 507 through 510.
CHAPTER 492, TEXAS BOARD OF CRIMINAL JUSTICE: DUTIES AND MEMBERSHIP	
§ 492.001. Control Over Department	The TBCJ governs the TDCJ.
§ 492.0011 Private Sector Prison Industries Program Management	The board shall approve, certify, and supervise private sector prison industries programs operated by the TDCJ.
§ 492.002. Composition of Board; Compensation of Members	Lists composition of the board, number of members, and terms; board is not entitled to compensation other than reimbursement for actual necessary expenses as provided by the General Appropriations Act (GAA).
§ 492.003. Eligibility for Membership; Removal	Provides that a person is ineligible to be a board member if the person or the person's spouse has specified business, financial interests or contracts regarding a private sector prison industries program with TDCJ or Texas trade associations (defined) in the field of criminal justice, or the person is a registered lobbyist; provides grounds for removal and procedure for notification to the governor and the attorney general.
§ 492.0031. Training Program for Members	Requires the listed training be completed before the board appointee may vote, deliberate, or be counted as attending. The appointee is entitled to reimbursement for travel expenses.

§ 492.004. Notice of Qualifications, Responsibilities	The executive director or designee shall provide information to TBCJ members and TDCJ employees regarding requirements for office or employment under this subtitle, including information on state officer and employee responsibilities relating to standards of conduct (Codes Chapters 491 to 511, Subtitle G. Corrections, Title 4. Executive Branch, Tex. Gov't Code).
§ 492.005. Organization of Board	Governor appoints the chairman, the board elects a vice-chairman, committees to accomplish board duties may be appointed by the board, and necessary clerical assistance may be employed.
§ 492.006. Board Meetings	The board shall meet at least once quarterly with items requiring the board's consideration presented by the BPP and the chairman of the JAC.
§ 492.007. Opportunity for Public to Appear Before Board	Board rule shall provide the public a reasonable opportunity to appear and speak on any issue under the board's jurisdiction.
§ 492.008. Oaths; Examination of Witnesses; Inquiries	Board members and the executive director may administer oaths, summon and examine witnesses, and take other necessary actions in inquiries into the truth of matters into which they are entitled to inquire.
§ 492.009. Seal	Board's seal attesting to official acts: Texas Board of Criminal Justice around the margin of an engraved five-pointed star.
§ 492.010. Suits by Board	Board represented by attorney general may sue on TDCJ's behalf in Travis County. In suits against the board or a member for official acts (other than suits brought by the state) no form of security bond may be required; executive director is the only person authorized to receive service for TBCJ, TDCJ or any division of TDCJ. This section does not authorize civil suits against the board or a member, but does not prohibit offset or counter claims in suits brought by the board.
§ 492.011. Annual Fiscal Report	The TBCJ must file with the governor and each house of the legislature an annual fiscal report. The BPP is required to file under § 508.036(b)(4). Both Sections reference the GAA [Article IX, Part 7] for reporting requirements (form/time).
§ 492.012. Sunset Provision	TBCJ, TDCJ, (and the Board of Pardons and Paroles under Chapter 508, Subchapter B.

	§508.051) are subject to the Texas Sunset Act.
§ 492.013. General Powers and Duties of Board	The board may adopt its own rules as needed and may apply for and accept gifts or grants. The board's duties: must employ and supervise a TDCJ executive director; must approve the budget and appropriations requests; must appoint the members of any advisory committees to TDCJ; and must develop policies that separate TBCJ and TDCJ responsibilities.
§ 492.0131. Parole Rules, Policies, Procedures	The board and the presiding officer of the BPP must jointly review all rules, policies and procedures, identify areas of inconsistency between TDCJ and the BPP, and amend or change as necessary for consistent parole process operation.
§ 492.014. Headquarters	TBCJ must maintain headquarters in Austin; TDCJ shall maintain dual headquarters in Austin and Huntsville. The CID must have its headquarters in Huntsville; but it may assign not more than 15 personnel to Austin. TBCJ must try to locate all Austin offices (TBCJ, TDCJ, and CID if their 15 people or less are in a separate office) in one building or in buildings in close proximity to one another.
§ 492.015. Use of Technology	The board shall have a policy which requires the TDCJ to use appropriate technology to perform its functions and ensure the public may contact the TDCJ through the internet.
§ 492.016. Negotiated Rulemaking; Alternative Dispute Resolution	The board shall develop and implement a policy to encourage the TDCJ to use the procedures in the Negotiated Rulemaking Act and the Governmental Dispute Resolution Act. The board shall designate a person to coordinate the implementation of the policy, serve as a resource for any needed training, and collect data concerning the effectiveness of the procedures.
CHAPTER 493 TEXAS DEPARTMENT OF CRIMINAL JUSTICE: ORGANIZATION	
§ 493.001. Department Mission	The TDCJ mission is to provide public safety, positive change in offender behavior, reintegration of offenders into society, and crime victim assistance.
§ 493.002. Divisions	Lists the divisions in the department, provides that the board may establish additional divisions

	and the executive director hires the directors for each division except the IAUD.
§ 493.0021. Organizational Flexibility	Notwithstanding §§ 493.002- 493.0051 and both §§ 493.0052 (one renumbered as § 493.0053), the executive director, with the approval of the board, may create new TDCJ divisions not listed in § 493.002, eliminate any or all divisions listed or created, and reorganize the distribution of duties and powers. Actions that potentially impact community corrections or CSCDs may not be taken until comments have been requested and considered from the SCFO to the CJAD of the TDCJ.
§ 493.003. Community Justice Assistance Division	Provides standards and funds to CSCDs. Lists the composition of the JAC, number of members and terms; council is not entitled to compensation but is entitled to actual necessary expenses as provided by the General Appropriations Act.
§ 493.004. Institutional Division	The Institutional Division operates and manages the state prison system.
§ 493.005. Pardons and Paroles Division	Supervises and reintegrates felons into society after release from confinement.
§ 493.0051. State Jail Division	Operates and manages state jails.
§ 493.0052. Internal Audit Division	Director hired by the board and reports directly to the board. Conducts internal audits, contract audits, CSCD audits, and recommends improvements in management and programs. The director shall send reports to the board and the executive director.
§ 493.0053. Programs and Services Division	Allows the PSD to administer the rehabilitation and reintegration programs.
§ 493.006. Executive Director	Establishes minimum qualifications for the executive director. Responsible for the administration and enforcement of all laws relating to department including department rules; but may delegate as permitted by board rule or general law.
§ 493.007. Personnel	Requirements for the executive director to develop an interagency career ladder; a system of annual performance ratings; and a written EEO policy statement that must be updated annually, reviewed by the Civil Rights Division of the TWF, and filed with the governor.
§ 493.0071. Employee Exit Interviews	TDCJ must conduct voluntary exit interviews of CID employees who voluntarily end TDCJ

	employment, and analyze the responses by age, gender, race or ethnicity, years of service, rank, and duty location.
§ 493.008. Audit by State Auditor	The state auditor may audit TDCJ's financial transactions and employee nepotism policies.
§ 493.0082. Disposition of Certain Financial Assets	TDCJ must deposit financial assets into the general revenue fund, with the comptroller, or into a local bank approved by the comptroller. This includes an asset held outside the treasury or an asset held in trust, such as inmate or employee trust account or an education and recreation account.
§ 493.0083. Program Evaluation Capability	TDCJ must maintain a program evaluation capability separate from the PSD to determine the effectiveness of rehabilitation and reintegration programs and services provided to inmates and other offenders under TDCJ's jurisdiction.
§ 493.009. Substance Abuse Felony Punishment Facilities	Governs operation of facilities; TBCJ adopts criteria to determine suitability of candidates; program must be 3 to 12 months; program must contain highly structured work, education and treatment. A participant does not earn rewards of time for good conduct. TDCJ may employ or contract with qualified professionals to implement the program.
§ 493.010. Contracts for Miscellaneous Housing	The board may lease or contract with public or private jails or alternative housing facilities for temporary or permanent offender housing.
§ 493.011. Consultant Contracts for Prison Construction	The board is prohibited from contracting for construction-related consulting services from an individual or firm that is under contract with TDCJ to manage prison unit construction.
§ 493.012. Historically Underutilized Businesses	The board and TDCJ shall make good faith efforts for historically underutilized businesses to receive at least 30 percent of TDCJ's business and annually report the results of their efforts to the legislature and governor.
§ 493.013. Federal Funds Committee	Identification, application, and reporting to the board on federal grants and entitlements in order to maximize use of federal funds.
§ 493.014. Applicability of Certain Grievance Procedures	A grievance procedure of TDCJ (§ 501.008) or a division [State Jails, 37 TAC Rule 157.39(11)] applies to a grievance, relating to rules or internal procedures of TBCJ or TDCJ, by an inmate or other "person under the custody" or control of TDCJ. § 499.002(a) and § 499.0021(a) allow PPD

	to assume custody of inmates and § 499.003(b) states, “A person transferred under this section is considered to be in the physical custody of the pardons and parole division.” Although PPD is a division of TDCJ there is clear statutory intent that under the custody of PPD is not under the custody of TDCJ. § 499.052. State Boot Camp Program is the source of other “persons” that certain grievance procedures apply to [uses person(s) twice in each of subsections (a), (b) and (c); and 10 times in (d). CID (then ID) must confine “persons,” make “persons” do strenuous labor, educate the “person” as to the conditions under which inmates in the division live, adopt rules of conduct for “persons, and must do other things regarding a “person” based upon what the “person” or a court does.
§ 493.0145. Identification of Inmates Subject to Arrest Warrant	TDCJ must conduct a criminal history record check for arrest warrants within sufficient time before an inmate’s release to allow proper authorities to be notified and a demand for extradition of the inmate to be processed.
§ 493.015. Identification of Deportable Aliens	TDCJ shall assist in and request identification of criminal aliens by the Institutional Removal Program of the United States Immigration and Customs Enforcement (ICE, previously INS).
§ 493.0151. Dynamic Risk Assessment of Sex Offenders	The TDCJ shall use the dynamic risk assessment tool developed by the Council on Sex Offender Treatment (CSOT) prior to an offender serving a sentence for a sexual offense being discharged or released on parole or mandatory supervision.
§ 493.0155. Proper Identification of Inmates Using Alias	After notice from the Department of Public Safety (DPS), TDCJ must make a reasonable effort to identify the actual identity of any offender who used another person’s identifying information and ensure its records and files reflect the offender’s use of a stolen alias and any information found as to actual identity.
§ 493.016. Information of Public Interest; Complaints	TDCJ’s Ombudsman Program was established as a central point of contact to assist in public communication with the department. Files of written complaints that relate to the operations of TDCJ must include the person’s name, date, and subject matter of the complaint; name of each person contacted, results summary, and an explanation if the file was closed. TDCJ will

	notify the person who made the complaint of its status unless such notice would jeopardize an undercover investigation.
§ 493.017. Reports on Sex Offender Treatment	Treatment providers of child sex offenders given community supervision report the number of counseling sessions attended by the offender during the preceding month, and if the offender stops attending, the reason to the CSCD officer not later than the 15 th of each month; providers to parole sex offenders report the same to parole officers; providers to juveniles given probation report to the local juvenile probation department; and providers to juveniles released from the TYC report to TYC.
§ 493.018. Care of Terminally Ill Patients	Hospice services for terminally ill inmates.
§ 493.019. Enforcement Officers	The inspector general may appoint employees who are certified by the Texas Commission on Law Enforcement Officer Standards and Education (TCLEOSE) as peace officers to assist in performing the enforcement duties of the department.
§ 493.0191. Administrative Subpoenas	The inspector general may issue an administrative subpoena to a communications carrier or service provider for records which are material to a criminal investigation regarding an escape, a potential escape, or certain contraband inside a correctional facility.
§ 493.020. Seal of Department	To certify commitment documents (i.e. pen packet), TDCJ's seal must have TDCJ around the margin of an engraved five-pointed star.
§ 493.021. Electronic Creation and Transmission of Documents	Documents required by statute may be created, maintained, transmitted, received, receipted for and receipted by electronic means and identifiers.
§ 493.022. Polygraph Examination	No suspension, discharge, or any form of employment discrimination for an employee's refusal to take a polygraph examination.
§ 493.023. Charitable Fund-Raising	Employees may fund-raise on TDCJ property on their own time under TDCJ policies.
§ 493.024. Application of Law Relating to Free Exercise of Religion	Ordinances, rules, orders, decisions, and practices of jails and other facilities operated by or contracted by TDCJ further a compelling governmental interest and are the least restrictive means to further that interest (standards of Tex.Civ. Prac. & Rem. Code, Chapter 110. § 110.003). This may be cited by the agency to a court without any factual evidence and the court

	will accept it as fact unless the other side has sufficient factual evidence to overcome the court's acceptance.
§ 493.025. Notification of Court of Release	TDCJ must notify the clerk of the court in which an inmate was convicted on discharge or release on parole or mandatory supervision.
§ 493.026. Certain Interagency Communications Prohibited	TDCJ may not prohibit a parole panel from, or request a parole panel to refrain from, requiring an inmate to participate in and complete a treatment program before the inmate is released on parole.
§ 493.027. Management-Employee Meetings	The executive director may meet with representatives of state employee organizations to identify policies and procedures that impair the effective operation of the TDCJ, and issues that could undermine retention and recruitment of employees. An annual report regarding any meetings held shall be submitted to the Criminal Justice Legislative Oversight Committee.
§ 493.028. Inspector General Report on Criminal Offenses	The inspector general shall give the board of directors of the special prosecution unit (defined) a quarterly report regarding any alleged criminal offense concerning the TDCJ.
§ 493.029. Local and Regional Release and Discharge Procedure	The TDCJ shall designate 6 or more regional release facilities and release an inmate from the regional release facility that is nearest to the inmate's facility unless releasing the inmate from such a facility is not in the best interest of the inmate or would endanger the public safety.
CHAPTER 494. INSTITUTIONAL DIVISION: POLICY, DIRECTOR, AND STAFF	
§494.001. Institutional Division Mission	The mission is to appropriately confine, supervise, rehabilitate, and reintegrate felons, as well as manage correctional facilities based on constitutional and statutory standards.
§494.002. Director	The director of the ID may adopt policies that govern the inmate's treatment, training, education, rehabilitation, and discipline. The director may separate the inmates according to sex, age, health, corrigibility, and offense.
§494.003. Director's Accounts	The director shall keep a correct and accurate accounting of all financial transactions involving the ID.

§494.004. Director's Reports	The director shall make a report at each board meeting describing the department's fiscal condition. Every year on January 1, the board shall require an inventory of all property that shall be available to the public.
§494.007. Employees' Salaries, Room and board, Medical Care	The General Appropriations Act provides the salaries for employees and the lodging budget policies, including policies for rent/rent-free housing. Employees injured in the line of duty are entitled to free medical care.
§494.008. Department Employees: Limited Law Enforcement Powers	An employee may, under express authorization by the executive director or designee, have the same powers of a peace officer to assist municipal, city, state or federal law enforcement officers if assistance is requested for an emergency situation, including apprehending an escapee of a municipal or county jail or privately operated or federal correctional facility.
§494.010. Employees' Possession and Use of Tobacco Products	Employees may use tobacco products during work hours only at board designated locations which ensure the comfort and safety to employees and inmates.
§494.011. Assessment of Unit Design and Security Systems	At least once every three years, the long-term administrative segregation and maximum security needs of the division must be assessed. The results of this assessment must be provided to the Legislative Criminal Justice Board no later than one year after completion.
§494.012. Maintenance Staff	The division shall evaluate the efficiency of the maintenance staff for each unit. Such staff members may be assigned to more than one unit if it increases efficiency and shall be assigned to two or more units if it cost effective.
CHAPTER 495. CONTRACTS FOR CORRECTIONAL FACILITIES AND SERVICES SUBCHAPTER A. CONTRACTS WITH PRIVATE VENDORS AND COMMISSIONERS COURTS	
§ 495.001. Authority to Contract	The board may contract with private vendors or the commissioners court of a county for financing, construction, operation, maintenance, or management of a correctional facility. A facility under this subchapter must hold not more

	than an average daily population of 1,150 inmates.
§ 495.002. Inmates	Only minimum or medium security inmates may be confined in a contract facility.
§ 495.003. Contract Proposals; Qualifications and Standards	The board can only award a contract if the board requests proposals and receives a proposal that meets or exceeds the requirements specified in the request for proposal and additional requirements. The additional requirements include that a person proposing to enter a contract must demonstrate the qualifications and experience to carry out the terms of the contract, as well as the ability to comply with ACA standards. Additionally, a proposal must provide other requirements including but not limited to regular on-site monitoring, acknowledgement that payment by the state depends on availability of appropriations, provide for payment of a maximum amount per biennium, offer a level and quality of programs at least equal to those provided by state operated facilities that incarcerate similar inmates, permit the state to terminate for cause, have an initial contract term of not more than 3 years, and provide for an adequate plan of insurance.
§ 495.004. Limitation on Authority Over Inmates	A private vendor or county operating under contract may not compute inmate release or parole eligibility dates and may not award good conduct time. A private vendor or county under contract may not approve an inmate for furlough or preparole transfer or place/classify an inmate in a less restrictive custody.
§ 495.005. Civil Liability	A private vendor operating under a contract may not claim sovereign immunity in a suit arising from services performed under the contract. This does not deprive the private vendor's ability to limit liability exposure, set a limit on damages, or establish a defense to liability.
§ 495.006. Conversion of Facility	The board may not convert a facility into a correctional facility operated by a private vendor or by a county if, before April 14, 1987, the facility was: (1) operated as a correctional facility by the board; or (2) being constructed by the board for use as a correctional facility.

§ 495.007. Limitation	The board cannot enter into contracts under this ubchapter for more than 5,580 beds.
§ 495.008. Auditing and Monitoring Contracts	A comprehensive methodology for enhanced auditing and monitoring of all facilities operated under contract to house inmates shall be developed by the department. All new and renewed contracts shall include the following: a provision that the department may conduct periodic contract compliance reviews, minimum acceptable standards of performance, a provision that if a vendor is not in compliance, the department may withhold the vendor's per diem compensation, a provision that requires a vendor not in compliance to implement a corrective action plan, and an indemnification provision for the state's costs of litigation. The TDCJ shall complete at least one enhanced audit for each described facility. An appeals process shall be built in to all new and renewed contracts.
SUBCHAPTER B. MISCELLANEOUS CONTRACTS FOR CORRECTIONAL FACILITIES AND SERVICES	
§ 495.021. Lease-Purchase, Installment Contracts	The board may contract with the commissioners court of a county to use lease-purchase, purchase on installment, or any other manner to acquire a correctional facility. Contracts under this section are subject to review by the Bond Review Board.
§ 495.022. Contracts with Federal Government	The board may contract with the federal government to lease any military base or federal facility not being used by the federal government, so that the division can house minimum security inmates. A contract under this section can only be made if funds are appropriated specifically for this sections purpose. The facility lease must comply with federal constitutional standards.
§ 495.023. Contracts for Diagnostic and Evaluation Services	Contracts, for not longer than 2 years, may be awarded to a private vendor or community supervision and corrections department to screen and diagnose persons who may be transferred to the division. A contract shall be awarded if it is determined that the person proposing to enter the contract can provide psychiatric, psychological, or social evaluations. Also, the services provided will reduce the chances of misdiagnosis of the

	mentally ill, the quality of the services equals or exceeds those already provided by the division, and the state will assume no additional liability by entering into the contract.
§ 495.024. Release of Out-Of-State Inmates	Any county, city, or private vendor, who operates a correctional facility and enters into a contract to house in this state inmates convicted of offenses under the laws of another state, must require each inmate to be released from custody in the sending state.
§ 495.025. Certain Commissary Contracts; Taste Tests	For the purchase of commissary food goods, the TDCJ may use taste tests if the department contracts with an independent organization experienced in food evaluation and taste tests to conduct the test. The department may use the results of a taste test as not more than 30 percent of the criteria used for the bid award. The contract must require the organization to annually re-conduct the taste test.
§ 495.026. Product Bundling, Bulk Purchasing, and Vendor Discounts	The department may bundle products into categories to ensure savings through bulk purchasing, discounts for advanced invoice payments, and online ordering.
§ 495.027. Inmate Pay Telephone Service	The board must request contract proposals from private vendors to provide pay telephone service to offenders, and must award the contract to a single private vendor. The minimum requirements of the contract vendor, and the minimum length of the contract, are detailed. Subject to board approval, the department shall adopt policies governing the use of the pay telephone system. The first 10 million dollars and 50% of all commissions shall be transferred to the victims of crime fund and 50% shall be transferred to the general revenue fund.
§ 495.028. Implementation of Reentry and Reintegration Plan	The department may contract and coordinate with private vendors, units of local government, or other entities to implement the reentry and reintegration plan for offenders required by § 501.092.
CHAPTER 496. LAND AND PROPERTY	
SUBCHAPTER A. LAND	
§ 496.001. Acquisition of Real Property	The board has the authority to acquire real property through purchase, or acceptance of a

	grant, gift, or donation of property for the department.
§ 496.002. Eminent Domain	The board has eminent domain authority to condemn and acquire land necessary to eliminate security hazards, protect life and property, or improve the efficiency, management or operations of the TDCJ.
§ 496.0021. Sale of Department Real Property	The board may sell real property at the property's fair market value. The General Land Office shall negotiate and close a transaction on behalf of the board. Proceeds shall be deposited in the Texas Capital trust fund. Provisions for sale of real property to a local government or municipality are detailed.
§ 496.003. Lease of Real Property	The board may lease property at the property's fair market value. The provisions are detailed.
§ 496.0031. Transfer of Facilities	With agreement of the board and the governing body of the receiving agency, the TDCJ may transfer a correctional facility to another state agency, and the agency subsequently may transfer the facility back to the TDCJ.
§ 496.0032. Agricultural Lease	The board may lease property for the TDCJ to use for agricultural purposes.
§ 496.004. Easements	The board may grant or lease easements on TDCJ land for specific purposes upon receipt of fair and adequate consideration, except the board may grant a state highway easement to the Texas Department of Transportation without receiving consideration in return.
§ 496.005. Tax Exemption	Specific properties associated with department facilities, which are used exclusively by the department, are exempt from taxation.
§ 496.006. Road Maintenance	The TDCJ and the Texas Department of Transportation may enter into an agreement or contract for the maintenance of roads in or adjacent to facilities of the department.
§ 496.007. Location of New Facilities	When determining the location of a new facility, the department must consider the specified issues.
SUBCHAPTER B. PURCHASING PROCEDURES; PROPERTY INSURANCE	
§ 496.051. Purchasing Procedures	The TDCJ shall comply with any competitive review procedures and test the goods and services it purchases and enter into a contract with a private or public entity to assist with testing.

§ 496.0515. Hazardous Waste Management Contracts	The TDCJ may enter into contract with public or private entities to do testing for hazardous materials. Competitive bidding procedures do not apply to contracts awarded for testing solid waste or other substances to determine if they are hazardous or for the transport, storage, treatment or disposal of hazardous waste.
§ 496.052. Insurance	The board may purchase insurance to protect the department from damage, loss, theft, or destruction of department aircraft and must be approved by the State Board of Insurance.
SUBCHAPTER C. MANAGEMENT OF PROPERTY	
§ 496.101. Automated Inventory and Maintenance System	The TDCJ shall establish for each facility an automated inventory and maintenance system that works with the central computer system of the department. The system must keep record of parts and supplies, monitor preventative maintenance, warranty schedules, estimate time standards for maintenance jobs, and organize a work order control process.

Texas Department of Criminal Justice Statutes/Attorney General Opinions	
Statutes	
Citation/Title	Authority/Impact on Agency (e.g., provides authority to license and regulate nursing home administrators)
CHAPTER 497. INDUSTRY AND AGRICULTURE; LABOR OF INMATES SUBCHAPTER A. TEXAS CORRECTIONAL INDUSTRIES	
§ 497.001. Texas Correctional Industries; Definitions	Definitions of "Office," "Articles and products" and "Work program participant."
§ 497.002. Purpose; Implementation	The purposes of the office are to implement this subchapter and Subchapter B to provide work program participants with marketable job skills to help reduce recidivism.

§ 497.003. Advisory Committee	The board may establish a prison industries advisory committee. If the board establishes a prison industries advisory committee, the advisory committee must be composed of nine members appointed by the board. In appointing members under this subsection, the board shall appoint persons who represent business and industry.
§ 497.004. Labor, Pay	The board may develop by rule and the department may administer an incentive pay scale for work program participants consistent with rules adopted by the Board under Subchapter C. Prison industries may be financed through contributions donated for this purpose by private businesses contracting with the department.
§ 497.005. Industrial Receipts	The office may use money appropriated to the office in amounts corresponding to receipts from the sale of articles and products under this subchapter and Subchapter B to purchase real property, erect buildings, improve facilities, buy equipment and tools, install or replace equipment, buy industrial raw materials and supplies, and pay for other necessary expenses for the administration of this subchapter and Subchapter B.
§ 497.006. Contracts with Private Business	To encourage the development and expansion of prison industries, the prison industries office may enter into necessary contracts related to the prison industries program. With the approval of the board, the office may enter into a contract with a private business to conduct a program on or off property operated by the department.
§ 497.007. Grants	The office may accept any grant designated for work program participant vocational rehabilitation. The office shall maintain records relating to the receipt and disbursement of grant funds and shall annually report to the board on the administration of grant funds.
§ 497.008. Lease of Land	To further the expansion and development of prison industries, the department may lease prison land to a private business. A lease under this section may not exceed a term of 50 years. The business must lease the land at a mutually agreed upon price and may construct or convert plant

	facilities on the land.
§ 497.010. Offense: Sale or Offer of Sale of Prison-Produced Articles or Products	A person commits an offense if the person intentionally sells or offers to sell on the open market in this state an article or product the person knows was manufactured in whole or in part by an inmate of the department or an offender in any correctional facility or reformatory institution in this state or in any other state, other than an offender.
§ 497.011. Certain Contracts Prohibited	The department may not enter into a contract with a private business or public entity that requires or permits an offender confined in a correctional facility operated by or for the department to have access to personal information about persons who are not confined in facilities operated by or for the department.
§ 497.012. Repair and Resale of Surplus Data Processing Equipment	The department may receive surplus or salvage data processing equipment from a state agency or any political subdivision. If the department determines that it is economically feasible, the department shall repair or refurbish the surplus or salvage data processing equipment. The department shall sell the repaired or refurbished data processing equipment to a school district, a state agency, or a political subdivision of the state in that relative order of preference.
SUBCHAPTER B. SALES OF PRISON-MADE ARTICLES OR PRODUCTS	
§ 497.021. Authority	This subchapter governs the sale of prison-made products to governmental agencies.
§ 497.0211. Exception: Institutions of Higher Education	This subchapter does not apply to an institution of higher education, as defined by Section 61.003, Education Code.
§ 497.022. Contracts	The department may contract with: another state, the federal government, a foreign government, or an agency of any of those governments to manufacture for or sell to those governments prison-made articles or products; a private or independent institution of higher education to manufacture for or sell to that school or institution prison-made articles or products; or a private school or a visually handicapped person in

	this state to manufacture Braille textbooks or other instructional aids for the education of visually handicapped persons.
§ 497.023. Priorities	Under this subchapter and Subchapter A, the office shall produce products and articles first to fulfill the needs of agencies of the state and second to fulfill the needs of political subdivisions or other purchasers.
§ 497.024. Agencies and Political Subdivisions: Duties to Purchase	If the office produces an article or product under this subchapter, an agency of the state or a political subdivision may purchase the article or product only from the office. If the comptroller determines the article does not meet the requirements of an agency, the agency may purchase it from another source.
§ 497.025. Purchasing Procedure	An agency of the state that purchases articles and products under this subchapter must requisition the purchase through the comptroller except for purchases of articles or products not included in an established contract. The purchase of articles or products not included in an established contract and that do not exceed the dollar limits established under Section 2155.132 may be acquired directly from the office on the agency's obtaining an informal or a formal quotation for the item and issuing a proper purchase order to the office. The comptroller and the department shall enter into an agreement to expedite the process by which agencies are required to requisition purchases through the comptroller.
§ 497.026. Prices	The office and the comptroller shall determine the sales price of articles and products produced under this subchapter.
§ 497.027. Specifications	The comptroller shall establish specifications for articles and products produced under this subchapter. An article or product produced under this subchapter must meet specifications established under this subsection in effect when the article or product is produced.
§ 497.028. Catalogs	The office shall prepare catalogs that accurately and completely describe articles and products produced under this subchapter. The office shall send copies of the catalogs to all state agencies and make the catalogs available to political

	subdivisions.
§ 497.029. New Articles and Products	The comptroller may request the office to produce additional articles or products under this subchapter.
§ 497.030. Comptroller Reports	Not later than the 31st day before the first day of each fiscal year, the comptroller shall submit to the office a report that summarizes the types and amounts of articles and products sold under this subchapter in the preceding nine months.
§ 497.031. Sale of State Flags to State Agency	The department shall sell state flags to the Commission on Law Enforcement Officer Standards and Education at a price that does not exceed the department's cost in producing or obtaining the state flags.
SUBCHAPTER C. PRIVATE SECTOR PRISON INDUSTRIES OVERSIGHT AUTHORITY	
§ 497.051. Purpose; Definitions	The Board shall approve, certify and supervise the operation of private sector prison industry programs in the department, the TYC, and in county correctional facilities. The Board may use Board and department employees to provide clerical and technical support. The Board shall ensure the programs are operated to avoid the loss of existing jobs in the state. Provides definitions for “Governmental entity” and “Participant.”
§ 497.0527. Complaints	The Board shall maintain a file on each written complaint filed with the authority.
§ 497.056. Private Sector Prison Industries Expansion Account	The department shall forward money collected under Section 497.0581 to the comptroller. The comptroller shall deposit the money in the general revenue fund.
§ 497.057. Rules	The Board shall adopt rules as necessary to ensure that the private sector prison industries program authorized by this subchapter is in compliance with the federal prison enhancement certification program established under 18 U.S.C. 1761.
§ 497.058. PIECP Wage	The Board by rule shall require that participants at each private sector prison industries program be paid not less than the prison industry enhancement certification program (PIECP) wage.

§ 497.0581. Participant Contributions; Assistance Account	The Board by rule shall determine the amount of deductions to be taken from wages received by the participant under this subchapter. The Board may establish deductions for participants committed to the TYC that are different than deductions established for other participants in the program. In determining the amount of deductions under this section, the Board shall ensure that the deductions do not place the private sector prison industries programs in the department in noncompliance with the federal prison enhancement certification program.
§ 497.059. Limiting Impact of Certification on Non-Prison Industry	The Board may not grant initial certification to a private sector prison industries program if the board determines that the operation of the Board would result in the loss of existing jobs provided by an employer in this state.
§ 497.0595. Limitation on Contracts	A governmental entity may not enter into a contract or renew a contract with an employer for a private sector prison industries program if the Board determines that the contract has, or would, negatively affect any employer in the state.
§ 497.0596. Notice Concerning Certain Contracts	Within 60 days of the date a governmental entity intends to enter into a contract with an employer for a private sector prison industries program, the governmental entity shall provide notice to certain entities, which includes a specific description of any product that will be manufactured under the contract.
§ 497.060. Workers' Compensation	The Board by rule shall require private sector prison industries program employers to meet or exceed all federal requirements for providing compensation to participants injured while working.
§ 497.061. Recidivism Studies	The Board shall gather data to determine whether participation in a private sector prison industries program is a factor that reduces recidivism among participants.
§ 497.062. Limitation on Number of Participants; Goals	The Board may certify private sector prison industries programs that meet or exceed the requirements of federal law and the rules of the Board. The Board may not allow more than 750 participants in the program or authorize the operation of more than 11 cost accounting centers

	at any one time unless the Board determines good cause exists.
§ 497.063. Contract Requirements	The Board shall adopt rules for contracts entered into by governmental entities regarding a private sector prison industries program.
§ 497.064. Availability of Certain Information on Internet	The Board shall make certain information available on any publically accessible website that is maintained by the Board and contains any information concerning the private sector prison industries program.
SUBCHAPTER D. TRUSTIES	
§ 497.081. Appointment	Only TDCJ may appoint an inmate to serve as a trusty. Qualifications of a trustee: 1) have a good record, 2) no disciplinary record serving three or more years, and has served more than half his sentence, 3) not attempted an escape in which a deadly weapon was used or wounded a person in trying to escape.
§ 497.082. Use of Regular Inmates as Trustees Prohibited	Inmates may only be used as trustees when appointed as a trusty. In the case of an extreme emergency, as determined by a farm manager, a vacancy may be filled in a position formerly held by a trusty by appointing an inmate to that position for no more than 10 days.
§ 497.083. Restrictions on Trustees	A trusty may not be permitted to leave the location where the ID has assigned the trusty unless the trusty is on division business
§ 497.084. Honor Farms	This subchapter does not apply to an ID farm established by the Board as an honor farm.
§ 497.085. Failure to Enforce; Removal	A member of the Board or employee of the ID who is required to enforce this subchapter and fails or refuses to do so is subject to removal from the Board or from employment.
SUBCHAPTER E. GENERAL PROVISIONS RELATED TO INMATE LABOR	
§ 497.091. Contracts for Inmate Labor	TDCJ shall seek contracts with agencies and local governments to provide inmate labor to those agencies and governments, with the department giving priority to seeking contracts for the use of inmate labor for service projects that benefit the

	public.
§ 497.092. Highway Improvement	The Board and the Texas Transportation Commission may enter into and perform an agreement or contract for the use of inmate labor for a state highway improvement project.
§ 497.093. Inmate Labor at Sam Houston State University	The ID may provide trustees to work at Sam Houston State University. The ID shall maintain control over the trustees at all times. Time spent by a trusty working at the university is considered time spent by the inmate in custody.
§ 497.094. Job Training Programs	The department shall implement a job training program for each job performed by an inmate confined in a facility operated by or under contract with the department or a defendant or releasee housed in a facility operated by or under contract with the department and monitor the success of those programs. The department shall also establish a permanent record for each inmate, defendant, or releasee.
§ 497.095. Inmate's Work Record	The department shall establish a permanent record for each inmate confined, and for each defendant or releasee housed, in a facility operated by or under contract with the department who participates in a department work program.
§ 497.096. Liability Protections	An employee of the TDCJ is not liable for damages arising from an act or failure to act in connection with community service performed by an inmate imprisoned in a facility operated by the department or in connection with an inmate or inmate programmatic or non-programmatic activity, including work, community service, educational, and treatment activities, if the act or failure to act was not intentional, will-fully or wantonly negligent, or performed with conscious indifference or reckless disregard for the safety of others.
§ 497.097. Use of State Jail Felons	The department may use the labor of defendants confined in a state jail felony facility in any work or community service program or project performed by the ID.
§ 497.099. Participation in Work Program Required	TDCJ shall require each inmate and each defendant or releasee housed in a facility operated by or under contract with the department to work

	in an agricultural, industrial, or other work program to the extent that the inmate, defendant, or releasee is physically and mentally capable of working. The department may waive the work requirement for an inmate, defendant, or releasee as necessary to maintain security or to permit the inmate, defendant, or releasee to participate in rehabilitative programming.
SUBCHAPTER F. AGRICULTURE	
§ 497.111. Advisory Committee on Agriculture	The advisory committee consists of five members. One member must be a member of the Board, with knowledge of agriculture if possible. One member must be a member of the faculty at Texas A&M University with expertise in agriculture. The other members must be citizens of the state with knowledge of agriculture. The Board shall appoint the Board member, the faculty member from Texas A&M University, and two of the citizen members. The commissioner of agriculture shall appoint the remaining citizen member.
§ 497.112. Agricultural Efficiency and Economy	The ID shall review annually the agricultural operations of the division to ensure a cost-effectiveness analysis of all agricultural programs.
§ 497.113. Surplus Agricultural Property and Products	The Board may authorize the sale or disposal of surplus agricultural products and personal property owned by the department, other than products or property produced for sale by the department.
CHAPTER 498. INMATE CLASSIFICATION AND GOOD TIME	
§498.001. Definitions	Defines inmate to be a person imprisoned by court order. Defines term to mean the term of confinement stated in the convicting court's sentence if serving a single sentence, the term of confinement found in §508.150 if serving two or more consecutive sentences, or the term of confinement stated in the convicting court if serving two or more consecutive sentences.
§498.002. Classification and	Each inmate shall be classified according to

Reclassification	conduct, obedience, and industry as soon as possible after the inmate's arrival. The inmate may be reclassified as the circumstances warrant.
§498.003. Accrual of Good Conduct Time	Good conduct time is a privilege that applies only to eligibility for parole or mandatory supervision. Diligent participation good conduct time may be rewarded if the inmate is actively involved in an agricultural, vocational, or education endeavor, in an industrial program, or other work program, unless unable to participate. Trusty inmates receive 20 days for each 30 days served, with up to an extra 10 days. Class I inmates receive 20 days for each 30 days served and Class II inmates receive 10 days for each 30 days served.
§498.004. Forfeiture and Restoration of Good Conduct Time	If an inmate commits an offense or violates a rule of the department during a term of imprisonment, then the department may forfeit all or any accrued good conduct time, which cannot be restored, or may suspend all or any part of the inmate's accrued good time. On revocation of an offender's parole or mandatory supervision, accrued good conduct time is also forfeited. On return to the TDCJ, the inmate may accrue new good conduct time. The TDCJ may restore good conduct time forfeited subject to policies established by the division.
§498.0042. Forfeiture for Contacting Victims	Inmates are prohibited from directly or indirectly contacting the victim of their offense for which the inmate is serving a sentence, if the victim was younger than 17 at the time of the offense, and the department has not received written consent before the inmate makes contact. Any violation of the above prohibition will cause all or any of the inmate's good conduct time to be forfeited.
§498.0045. Forfeiture of Good Conduct Time: Frivolous Lawsuits	On the receipt of a final order that dismisses a lawsuit filed by an inmate as frivolous or malicious, including an application for writ of habeas corpus, that inmate shall have 60 days forfeited if the department has received one previous final order, 120 days if the department has received two previous final orders, and 180 days if the department has received three or more previous final orders.

§498.005. Annual Review of Classification; Retroactive Award of Good Time	The Board must annually review the CID classification and good time policies.
CHAPTER 499. POPULATION MANAGEMENT; SPECIAL PROGRAMS SUBCHAPTER A. PRE-PAROLE TRANSFER	
§ 499.001. Definitions	Defines “community residential facility,” “eligible inmate,” “pre-parolee” and “presumptive parole date.”
§ 499.002. Transfer to Community Residential Facility	An inmate becomes a pre-parolee on the date the PD assumes custody. The division may not assume custody until one year before the inmate’s presumptive parole date or mandatory supervision release date. The division shall designate a community residential facility as the pre-parolee’s assigned unit of confinement.
§ 499.0021. Transfer of Revoked Defendants	An inmate is eligible for transfer if the inmate is confined in the ID or county jail after a revocation of community supervision, except when due to the commission of a subsequent felony.
§ 499.003. Transfer From Jail or Other Correctional Facility	Person is eligible for transfer from a jail or correctional institution to a community residential facility if sentenced to confinement in the ID, the person has not been delivered to custody of the division, and a presumptive parole date or mandatory supervision release date has been established. The transfer cannot occur earlier than one year before the presumptive parole date.
§ 499.004. Rules; Supervision of Pre-Parolees	On transfer, pre-parolees are subject to supervision by the PD. Any violations shall be reported to the PD in writing immediately by the facility director. The division may require a hearing to be conducted.
§ 499.005. Transfer to Parole Status	If a transferred pre-parolee satisfactorily serves a term in a community residential facility until the presumptive parole date, then the pre-parolee may be transferred to the parole status. That person may be issued a certificate of release to

	conditional freedom.
§ 499.007. Legislative Intent	The legislature did not intend this chapter to create an expectation of release on the part of any individual.
SUBCHAPTER B. POPULATION MANAGEMENT	
§ 499.021. Definitions	Defines “Capacity,” “Intensive supervision parole,” and “Objective parole criteria.”
§ 499.022. Purpose	The purpose of the subchapter is to allow the ID to house inmates and determine the amount of available housing, as well as allow the executive branch alternatives to balance the population if the division reaches 95 percent capacity or there is a backlog of felons in county jails. This subchapter does not create a right for an inmate to serve a sentence in a department below 95 percent or to be released if the division reaches 95 percent, or require a population below 95 percent of capacity, or require the Board to take action because a backlog of convicted felons exists in the county jails.
§ 499.023. Inapplicability	This subchapter does not apply to emergency overcrowding as a direct result of destruction of a division facility.
§ 499.024. Calculation of Available Space	The computation of space available for inmate housing does not include temporary housing.
§ 499.025. Award of Administrative Good Conduct Time; Advancement of Parole Eligibility Date	If the inmate population reaches 99 percent or more, the director shall notify the executive director and the Board in writing. Until the population decreases below 99 percent, the director shall make a weekly written report of the population. If the population reaches 100 percent, then the Board shall immediately certify that an emergency overcrowding situation exists. If an emergency overcrowding situation exists, then the BPP shall immediately review and consider inmates for release. No inmate, who would increase the likelihood of harm to the public, will be released.
§ 499.026. Release Procedure	The inmate, to the extent practicable, will be placed in a residential treatment center, or otherwise under intensive supervision parole. The release actions shall continue until the Board

	receives certification from the Office of the Attorney General (OAG) or the Commission on Jail Standards that the emergency overcrowding no longer exists. Notice shall be given to the sheriff, attorney for the state, and district judge in the county of conviction no later than 10 days before release.
§ 499.027. Eligible Inmates	An inmate is eligible for release if the inmate is awaiting transfer to the ID following conviction of a felony or probation revocation and for whom processing has been completed or is classified as Trusty I, II, III, or IV, and is serving a 10 year sentence with no history of violent behavior and will not increase the likelihood of harm to the public. This section also includes a long list of those inmates not eligible for release under this subchapter.
§ 499.028. Facilities Expansion and Improvement Report	A facilities expansion and improvement report shall be submitted to the governor and LBB at least every 60 days, including addition/removal of any beds and projected completion dates.
SUBCHAPTER C. MISCELLANEOUS PROGRAMS	
§ 499.051. Notification of Release of Gang Member	When an inmate who is a member of a security threat group is released, notice must be given to the sheriff of the county and the police chief if a municipality. The notice must include the date released and the fact that the inmate was determined to be part of a security threat group.
§ 499.052. State Boot Camp Program	A state boot camp program shall be established. These persons may not be required to undergo diagnostic processes. These persons shall be required to participate in strenuous labor. If the person does not comply with the program rules or is unsuitable for the program, the division shall end the person's participation and request the sentencing court to reassume custody. If custody is not reassumed, then the person can be transferred to any unit for the rest of the sentence.
§ 499.053. Transfers From Texas Youth Commission	The ID shall accept persons transferred from the TYC, and those persons are entitled to time credits on the sentence. All laws relating to good

	conduct time and parole eligibility apply.
§ 499.054. Sex Offender Treatment Program	The department shall establish a SOTP to treat inmates who are serving sentences for sexual offenses or aggravated sexual assault. An inmate serving such a sentence is required to participate in and complete the program prior to being released. The department may establish a SOTP to treat other inmates.
SUBCHAPTER D. ALLOCATION FORMULAS	
§ 499.071. Scheduled Admissions Policy	An admissions policy shall be adopted such that allows inmates to be accepted within 45 days of achieving paper ready status.
§ 499.072. Location of Central Prison Unit	The department shall conduct a feasibility study of relocating the Central Prison Unit and adjoining housing to a location that more appropriately addresses the needs of the correctional system.
SUBCHAPTER E. UNIT AND SYSTEM CAPACITY	
§ 499.101. Existing Units	Lists the maximum capacities of all of the ID units.
§ 499.102. Staff Determinations and Recommendations	The ID staff may recommend that the maximum capacity be increased if the staff, through written findings, determines that the division can provide: proper classification and housing; housing flexibility; adequate space in dayrooms; reasonable time for meals; hygiene facilities; laundry; sufficient staff; medical, dental and psychiatric care; a fair disciplinary system; work, academic and vocational programs; nonprogrammatic and recreational activities; adequate assistance in the law library; contact and noncontact visits; adequate maintenance, and space.
§ 499.103. Notice to Inmates	The director shall provide notice to all inmates of an increase in capacity. The inmates shall also be able to comment on recommendations. Those comments are to be provided to the entity or person that makes a determination.
§ 499.104. Officer's Review and	The executive director, director of the ID, deputy

Recommendation	director for operations, deputy director for finance, the deputy director of HS, and the assistant director for classification and treatment shall independently review staff recommendations for an increase in capacity. Within 30 days, if the executive director agrees increasing maximum capacity is supported by the findings, the executive director shall forward the recommendation and findings to the board.
§ 499.105. Board Review and Recommendation	The Board has 60 days from the receipt of the recommendations to review and either reject, accept or modify the recommendation and then forward the recommendation to the governor.
§ 499.106. Governor's Review and Recommendation	The governor shall review and determine if the population pressures make an increase necessary or if there are other measures that can be taken. The governor shall reject or accept the recommendation and forward it to the attorney general within 30 days of receipt.
§ 499.107. Attorney General Review; Board Decision	The OAG reviews the recommendation and findings, and during this process may request more information from the ID or make on-site inspections. The attorney general has 30 days to approve or disapprove the recommendation. If approval is given, the attorney general shall notify the Board, who can then increase capacity of the unit.
§ 499.108. Capacity for New Units	Any unit not approved for construction before January 1, 1991 must have the maximum capacity established, in the same manner as is used for increasing the capacity under 499.102, 499.103, 499.105 -.107, except no time limits apply. This section does not apply to a 2,250 bed or a 1,012 bed unit, unless the design is significantly altered.
§ 499.109. System Capacity	The ID offender population may not exceed 100 percent of the combined capacities of all units in the division. The attorney general may authorize the division to increase above 100 percent only if an increase does not limit the ability to transfer offenders between units for various reasons, and the administration, the Board and the governor approve the increase. If the increase in population is authorized, the additional admissions shall be distributed in the same manner as regular

	admissions are distributed.
§ 499.110. Administrative Procedure Act	The Administrative Procedure Act applies to this section.
SUBCHAPTER F. PROCEDURES FOR REDUCING COUNTY JAIL BACKLOG	
§ 499.121. Legislative Declaration; Mandamus	Until September 1, 1995, the ID shall continue to perform its duty only as provided under the scheduled admissions policy. Until September 1, 1995, a county shall continue to perform its duty to confine and maintain suitable conditions. On and after September 1, 1995, the ID has a duty to accept within 45 days that court paperwork has been completed. Mandamus may be used to enforce this subchapter's duties.
§ 499.122. Inmate Count	The Commission on Jail Standards shall analyze each month the population of each jail in the state to determine the number of offenders awaiting transfer to the ID.
§ 499.123. Payment	The Commission on Jail Standards shall determine for each jail for a qualifying county the number of offenders awaiting transfer. A qualifying county is entitled to payment from the commission for confining inmates ready for transfer at an amount per inmate determined by \$11.5 million divided by the number of inmates.
§ 499.124. Emergency Overcrowding Relief	Provides for the payment of additional funds to jails that were overcrowded because of offenders awaiting transfer to TDCJ. This section only applied between 1991 – 1995.
§ 499.125. Transfer of Felony Backlog	If a state of federal court determines that the conditions of a county jail are unconstitutional, and the percentage of offenders awaiting transfer in that jail is greater than or equal to 20 percent, then the commission shall transfer the offenders to an appropriate jail. The commission is liable to counties for paying for the cost of transportation and maintenance of the offenders.
§ 499.126. Definition	Defines a qualifying county as a county that 1) is not a party to a suit against the state for reimbursement for the confinement of offenders in county jail awaiting transfer to the ID; and 2) if before the effective date of this subchapter, the

	county was a party to a suit, has before the 31st day after the effective date of this subchapter had the suit vacated or dismissed, had the suit abated, or had the suit settled by written agreement.
SUBCHAPTER G. TRANSFER FACILITIES	
§ 499.151. Authority to Operate or Contract for Transfer Facilities	The ID may operate, maintain, and manage transfer facilities to confine offenders, and the board may finance and construct those facilities. The institutional division, with board approval, may contract with private vendors or commissioners courts for construction, operation, etc. of transfer facilities. Transfer facilities may be on state, federal, or private land and the board can accept land on which to build one.
§ 499.152. Eligible Inmates	An offender may be confined in a transfer facility only if the required paperwork and processing is complete and only during a period in which the offender would otherwise be confined in a county jail awaiting transfer to the division.
§ 499.153. Admissions Policy	The board shall develop, adopt, and enforce an admissions policy to accept eligible offenders from county jails to transfer facilities, as well as a transfer policy.
§ 499.154. Custody Status; Good Conduct Time	An inmate in a transfer facility earns good conduct time the same and subject to the same rules as if confined in the ID.
§ 499.155. Duration of Confinement	An inmate cannot be confined in a transfer facility longer than a state jail felon can be confined. This maximum period does not apply to inmates released from or transferred from the transfer facility and is convicted of a subsequent offense, is returned from the convicting county, or is the subject of a revocation of parole.

Texas Department of Criminal Justice Statutes/Attorney General Opinions	
Statutes	
Citation/Title	Authority/Impact on Agency (e.g., provides authority to license and regulate nursing home administrators)

CHAPTER 500. MISCELLANEOUS DISCIPLINARY MATTERS	
§ 500.001. Supervisory or Disciplinary Authority of Inmates	Inmates may not act in a supervisory or administrative nature over other inmates and may not administer disciplinary action over other inmates.
§ 500.002. Destruction of Property	Inmates may be held jointly and severally liable for intentional damage to state property up to the value of the property damaged. The inmate must be provided a hearing. If found liable, inmate trust funds can be seized. An appeal of a final decision by the district court where the damage occurred must be filed within 30 days of exhausting administrative remedies or it is barred.
§ 500.003. Gambling Prohibited	Gambling is not allowed any place where inmates are housed or worked. Any employee who engages in or knowingly permits such gambling is subject to immediate dismissal.
§ 500.004. Participation in Treatment Program	Inmates required by law or policy to participate in a treatment program shall do so.
§ 500.005. Rewards on Escape	The director of the ID may offer an award for the apprehension of an escaped inmate and may determine its amount and payment terms.
§ 500.006. Transportation of Inmates	The department shall establish policies to provide safe transfer of offenders and shall pay for associated costs. If just as economical, a sheriff may transport offenders. Offenders may only be transported from a county jail to a diagnostic unit or transfer facility.
§ 500.007. Testing for Controlled Substances	The department shall implement a program to randomly test at least 5% of inmates annually for controlled substances using the most cost-effective means possible. If the test is positive, the department may in return for the inmate's cooperation in identifying the deliverer, defer or dismiss punitive actions and criminal prosecution.
§ 500.008. Detection and Monitoring of Cellular Phones	The department may own and the OIG may possess and use a monitoring device, as defined by Article 18.20, CCP. The inspector general shall designate the commissioned officers and other law enforcement officers who are authorized to use the equipment.

CHAPTER 501. INMATE WELFARE SUBCHAPTER A. GENERAL WELFARE PROVISIONS	
§ 501.001. Discrimination Against Inmates Prohibited	Inmates may not be discriminated against on the basis of sex, race, color, creed, or national origin.
§ 501.002. Assault by Employee on Inmate	If an employee assaults an inmate, the executor director shall file a complaint in the county in which the offense occurred. If the employee is charged with assault, then the inmate may testify in the prosecution.
§ 501.003. Food	Inmates shall be fed good and wholesome food that is prepared under sanitary conditions and provided in sufficient quantity and with reasonable variety. Employees shall be trained to accomplish this.
§ 501.004. Clothing	Inmates shall be provided suitable uniforms and substantial and comfortable footwear. Personal clothing may only be worn by inmates as a reward for good conduct. Inmates may wear free-world underwear of their own choice.
§ 501.005. Literacy Programs	The agency shall create a program to teach reading to functionally illiterate offenders. Illiterate offenders must receive at least 5 and not more than 8 hours per week of reading instruction. Offenders may tutor each other. Parole shall be notified when an illiterate offender about to be released needs continuing education.
§ 501.0051. Receipt of Books by Mail	The department shall permit offenders to receive reference books and other educational materials by mail from a volunteer organization. The department may adopt rules to provide for screening of packages, to prohibit offenders from receiving books that might assist them in committing crimes.
§ 501.006. Emergency Absence	The ID may grant an emergency absence to an inmate to obtain medical or mental health treatment, or attend a funeral or visit a critically ill relative. The inmate must be under physical guard while absent. Those convicted of stalking are not eligible for this program.
§ 501.007. Inmate Claims for Lost or Damaged Property	The department may pay inmates up to \$500 per claim for property damaged or lost by the division from miscellaneous funds.

§ 501.008. Inmate Grievance System	The department shall develop and maintain a certified system for the resolution of grievances by inmates. The features of the grievance system are detailed including rights, procedure for filing in state court, state immunity and the statute of limitations for claims.
§ 501.0081. Dispute Resolution: Time-Served Credits	The department shall develop a system for the administrative resolution of time served calculation errors.
§ 501.009. Volunteer Organizations	Volunteer organizations shall be encouraged to provide programs to inmates including: literacy and education, life and job skills, parent training, drug and alcohol rehabilitation, support groups, and arts and crafts.
§ 501.010. Visitors	The governor, members of the legislature, and officials of the executive and judicial branches may enter any part of a facility during business hours to observe operations. The facility shall have a visitation policy that allows inmates to receive visitors.
§ 501.011. Zero-Tolerance Policy	The department shall adopt a zero-tolerance policy regarding sexual abuse, including consensual sexual conduct among inmates. The department shall establish standards for reporting and collecting data, a procedure for inmates to report sexual abuse, and notices of the policy shall be conspicuously posted.
§ 501.012. Family Liaison Officer	One family liaison officer shall be designated for each facility to facilitate the maintenance of ties between inmates and their families. Each officer shall provide the families with information about the inmate's status, provide the inmate with information about family emergencies, and assist relatives with visitation issues.
§ 501.013. Materials Used for Arts and Crafts	The division may purchase materials to be used by inmates for arts and crafts. Those inmates may sell those arts and crafts to the general public. If materials were purchased by the division, proceeds first pay for the cost of the materials, and the remainder goes to the inmate.
§ 501.014. Inmate Money	The department shall take possession of each inmate's money which shall be placed into an account created for the inmate. If an inmate dies, notice is given to any known beneficiaries, and if unclaimed after 2 years, the money is sent to the comptroller. If an inmate escapes or attempts to escape, the inmate forfeits all money in the inmate's

	account. The section prioritizes withdrawals from an inmate's account.
§ 501.015. Providing Discharged or Released Inmate With Clothing and Money; Burial Expenses	When an inmate is discharged or released on parole, mandatory supervision, or conditional pardon, the inmate shall be given clothes, money held in the inmate's trust account, cash of up to \$100, and some form of identification. The department cannot spend more than \$200 for any expenses related to burial of an inmate who dies in custody. Banking funding is detailed.
§ 501.016. Discharge or Release Papers; Release Date	The department shall prepare discharge or release papers with specific information. If an inmate's release date is a Saturday, Sunday, or holiday, then the inmate may be released on the previous workday.
§ 501.0165. State-Issued Identification; Necessary Documentation.	Before discharge or release, the agency must determine if the inmate has a valid driver's license or state identification card, and if not, request a form of acceptable identification from the DPS. The procedure is explained. The agency must reimburse other agencies involved in the I.D. procurement process.
§ 501.017. Cost of Confinement as Claim	The agency may establish a claim or lien against the estate of an inmate who dies while confined for the cost of confinement unless the inmate has a surviving spouse, dependant, or disabled child.
§ 501.019. Cost of Confinement as Claim; Setoff	The state may deduct the cost of incarceration from any monetary obligation owed to an inmate. The section provides for the calculation of amount.
§ 501.021. Use of Inmates in Training Prohibited	Inmates cannot be used to train dogs to attack humans without the inmate's permission.
§ 501.022. Infant Care and Parenting	The agency must implement a residential infant care and parenting program for inmate mothers.
SUBCHAPTER B. GENERAL MEDICAL AND MENTAL HEALTH CARE PROVISIONS	
§ 501.051. Medical Facilities at University of Texas Medical Branch	The UTMB at Galveston shall treat inmate patients. The agency will provide security, and the level of medical care for inmates will be no different than for any non-inmate patient. An overnight holding facility will house inmate outpatients. A joint peer review committee will ensure the facility is being run safely and under proper medical standards.
§ 501.052. Medical Residencies	A residency or rotation program may be established

	to employ or train physicians to treat inmates.
§ 501.053. Reports of Physician Misconduct	Allegations received by the agency that a physician employed or under contract with the department has committed an act that is a ground for denial or revocation of the physician's license shall be reported to the State Board of Medical Examiners.
§ 501.054. AIDS and HIV Education; Testing	AIDS and HIV programs shall be established to educate inmates and employees. Each employee shall attend such a program at least annually. The department must have a policy for handling inmates who are infected with AIDS or HIV. Any inmate found to test positive for HIV may be kept separate from other inmates. Infection control supplies will be available at all times. The department may test an inmate for HIV at any time, but must test during the diagnostic process if no record is on file, and upon release. Positive results will be reported to DSHS. Test results shall remain confidential after an inmate's discharge. The department shall report to the Legislature the participation of inmates and employees in education programs.
§ 501.055. Report of Inmate Death	A justice of the peace must be notified of an inmate's death unless the inmate died of natural causes with a medical provider present or is executed. The justice shall inquire as to cause of death, and make a written copy of the evidence. If warranted, the grand jury shall investigate wrongdoing. When an inmate dies of natural causes, the next of kin will be immediately notified and told that an autopsy will be performed on the inmate unless the next of kin objects within 8 hours.
§ 501.0551. Anatomical Gifts	During the diagnostic process, an inmate may elect to become an organ donor while in the custody of the department. The inmate shall be given forms to designate intent to become an eye, tissue, or organ donor.
§ 501.056. Contract for Care of Mentally Ill and Mentally Retarded Inmates	The department shall contract with the Texas Department of Mental Health and Mental Retardation (TDMHMR) to provide facilities, treatment, and habilitation for inmates. Security responsibilities remain with the department.
§ 501.057. Civil Commitment Before Parole	A system to identify mentally ill inmates shall be established when they near release or parole. Court ordered mental health services shall be pursued if state law criteria for civil commitment is met.

§ 501.058. Compensation of Psychiatrists	The amount of money paid to psychiatrists should be the same as the amount paid to psychiatrists employed by the TDMHMR.
§501.059. Screening for and Education Concerning Fetal Alcohol Exposure During Pregnancy	Upon discharge or release, the agency must screen female inmates aged 18-44 with sentences of two years or less who are at risk for alcohol-affected pregnancies and offer brief substance abuse intervention and educational brochures describing the risks of alcohol on pregnancies.
§ 501.060. Tuberculosis Screening	Employees and volunteers of the ID, and medical services shall be screened for tuberculosis if the employee or volunteer requests it.
§ 501.061. Orchiectomy for Certain Sex Offenders	An orchiectomy (surgical castration) may be performed on certain sex offenders who request the procedure in writing and sign a statement admitting guilt for the qualifying offenses. An extensive counseling and review process, evaluation of the inmate, and informed consent is required before the procedure may be performed. The inmate may withdraw his request at any time.
§ 501.062. Study of Rate of Recidivism Among Sex Offenders	A long-term study that lasts at least 10 years after the date of an Orchiectomy, shall be conducted on inmates who undergo the procedure. A report must be given to the legislature at each regular session comparing the recidivism of released offenders who have undergone the procedure, to those who have not.
§ 501.063. Inmate Fee for Health Care	Inmates shall annually pay \$100 for certain medical visits to health care providers. Care cannot be denied because of failure or inability to pay. Full or partial payment may be deducted from an inmate's trust fund account until payment is made.
§ 501.064. Availability of Correctional Health Care Information to Inmates	The agency must make available to inmates: 1) description of health care services available; 2) the formulary used to prescribe medication; 3) the correctional managed care policies and procedures; and 4) the medical grievance process.
§ 501.065. Consent to Medical, Dental, Psychological, and Surgical Treatment	An inmate under 18 years of age can consent to lawful medical treatment by a licensed health care practitioner or someone under the direction of a practitioner.
§ 501.066. Restraint of Pregnant Inmate or Defendant	A female inmate in labor or recovering from labor or delivery shall not be put in restraints unless necessary to ensure the safety of the inmate, child, or others, or to prevent a substantial risk of escape.

§ 501.067. Availability of Certain Medication	The agency must make “over the counter” medication available to inmates in the commissary, and cannot deny inmates the medication for inability to pay.
SUBCHAPTER C. CONTINUITY OF CARE PROGRAMS; REENTRY PROGRAM	
§ 501.091. Definitions	Defines “offender,” “wrongfully imprisoned person,” and “correctional facility,” and requires the department to set up a reentry program for wrongfully imprisoned persons. Documents, financial assistance, and compensation shall be provided as specified.
§ 501.092. Comprehensive Reentry and Reintegration Plan for Offenders	The agency must develop a plan to reduce recidivism and ensure the successful reentry and reintegration of offenders into the community. The section includes certain services that the plan must provide.
§ 501.093. Inmates Suffering From Drug or Alcohol Abuse	An MOU establishing a program for inmates with drug or alcohol abuse shall be executed and establish methods to identify inmates with a history of substance abuse, notify the pardons and paroles division, identify services needed, and determine how information can be shared. The ID shall establish and fund a full service drug and alcohol counseling program for chemically dependent inmates.
§ 501.0931. In-Prison Therapeutic Communities	The department must operate structured in-prison therapeutic communities to provide substance abuse treatment for inmates with space for at least 800 participants. The programs shall not exceed twelve months in length. Inmates who participate shall be housed separately from the general population, and are subject to a series of rewards and sanctions based upon program completion.
§ 501.095. Inmates With History of Chronic Unemployment	An MOU establishing a program for inmates with a history of chronic unemployment shall be executed. The MOU shall establish methods for identifying inmates with a history of chronic unemployment, notifying the pardons and paroles division, identifying appropriate services needed, and determining how information can be shared.

§ 501.096. Reentry Program for Long-Term Inmates	Inmates who served a 30 year long sentence or greater, who are within one year of release and who volunteer and are approved, can participate in a program that provides education, employment counseling, and therapy to assist with the transition to release.
§ 501.097. Reintegration Services	The TWF and the agency shall adopt an MOU to provide inmates who are released on parole or conditional release with a one-stop network of centers to provide employment, education, and other support services.
§ 501.098. Reentry Task Force	A reentry task force including listed entities shall identify gaps in services for released or discharged offenders and make recommendations for comprehensive post-release services.
§ 501.099. Family Unity and Participation	The department shall adopt and implement policies that encourage family unity while an offender is confined and family participation in an offender's post-release transition to the community. When housing an offender, the best interests of the offender's family may be considered, and if possible, the offender may be housed near the county where the offender's family lives. The department shall research the impact of an offender's confinement on the well-being of the offender's child.
§ 501.100. Recidivism Study; Report	The agency must conduct research to determine whether the comprehensive reentry and reintegration plan under §501.092 and the family unity policies adopted under § 501.099 reduce recidivism, and report the findings to designated legislative authorities every even number year.
§ 501.101. Programs and Services for Wrongfully Imprisoned Person Who are Discharged	The agency must ensure that the same programs and services available to or mandatory for inmates released to parole or mandatory supervision are available to wrongly convicted persons upon discharge. (formerly § 501.091)
§ 501.102. Reentry and Reintegration Services for Wrongfully Imprisoned Persons	The agency must develop a plan to ensure successful reentry and reintegration of wrongly imprisoned persons. The section includes requirements of the plan. (formerly § 501.091)
SUBCHAPTER D. INMATE HOUSING	
§ 501.111. Temporary Housing	Inmates may not be housed in cellblock runs, hallways, laundry facilities, converted dayroom space, gymnasiums, or any other facility not built

	for housing. Temporary housing may be used in emergency situations. Inmates may be housed in tents unless prohibited by federal law or court order.
§ 501.112. Mixing Classifications Prohibited	Inmates of different custody classifications shall not be housed together without separation, unless the unit classification committee appropriately justifies such need until sufficient beds become available, but in no event for more than 30 days.
§ 501.113. Triple-Celling Prohibited; Single-Celling Required for Certain Inmates	No more than two inmates may be confined to any cell designed for one or two inmates. Inmates on death row and administrative segregation must be single celled, as well as the mentally retarded, psychiatrically ill if recommended by a treatment team, or whose medical plan recommends it.
SUBCHAPTER E. MANAGED HEALTH CARE	
§ 501.131. Definition	“Committee” means the CMHCC.
§ 501.132. Application of Sunset Act	The CMHCC is subject to the Texas Sunset Act and reviewed at the same time as the TDCJ.
§ 501.133. Committee Membership	The section provides for the committee composition and terms.
§ 501.134. Public Member Eligibility	The section defines conflicts of interest that disqualify persons from being a public member of the committee.
§ 501.135. Membership and Employee Restrictions	This section provides membership requirements and limits those who may have conflicts of interest.
§ 501.136. Terms of Office	Committee members are appointed by the governor to serve staggered 6 year terms, with one term expiring February 1 of each odd year. Other members serve at the will of the appointing official or until termination of the member’s employment with the entity.
§ 501.137. Presiding Officer	The governor shall designate a public member of the committee who is licensed to practice medicine in this state as presiding officer, who serves at the will of the governor.
§ 501.138. Grounds for Removal	A committee member shall be removed if lacking the statutory qualifications; is ineligible under other provisions of law; cannot discharge member’s duties due to illness or disability for a substantial part of the term; or has unexcused absences for more than half of the regularly scheduled committee meetings. Procedures for removal are detailed.

§ 501.139. Meetings	The committee shall meet at least quarterly and may use telephone or video broadcast technology.
§ 501.140. Training	A person, appointed as a committee member, may not vote, deliberate, or be counted as a member until completing a training program that encompasses specific information relating to legislation, programs, duties, and the law.
§ 501.141. Compensation; Reimbursement	Committee members serve without compensation but can be reimbursed for actual and necessary expenses incurred in performance of duties.
§ 501.142. Administration; Personnel	A health care administrator may be hired by the committee. All costs for the committee operations shall be paid from funds appropriated by the legislature to the department of correctional health.
§ 501.143. Division of Responsibilities	The committee shall develop and implement policies that separate the policy-making responsibilities of the administrator from the management responsibilities of the staff.
§ 501.144. Qualifications and Standards of Conduct Information	The administrator shall provide to the committee members, information regarding requirements for office or employment.
§ 501.145. Equal Employment Opportunity Policy	The administrator shall maintain a written policy statement implementing an equal employment opportunity program, updated yearly.
§ 501.146. Managed Health Care Plan	The committee shall develop a managed healthcare plan for all persons confined by the department. This section includes requirements of the plan.
§ 501.147. Department Authority to Contract	The department can enter into a contract to implement the managed health care plan. The department may also contract with other governmental entities for similar health care services and integrate those services. The department can contract with a firm to review and report expenditures.
§ 501.148. General Powers and Duties of Committee	The committee may develop policies for statewide managed health care; communicate with the TDCJ and the legislature regarding the financial needs of the system, along with the agency, monitor general quality of care, monitor expenditures of providers; and act as dispute resolution forum to solve disputes between department, health care providers, and hospitals.

§ 501.1485 Corrections Medications Aides	The department, in cooperation with UTMB and the TTUHSC, shall develop and implement a training program for corrections medication aides that uses a curriculum specific to administering medication in a correctional setting.
§ 501.149. Disease Management Services	A managed health care plan must provide disease management services, including patient self management education, provider education, minimum standards of care, standardized protocols, and physician-directed or supervised care.
§ 501.150. Quality of Care Monitoring by the Department and Health Care Providers	The committee shall establish a procedure for monitoring the quality of care delivered by the health care providers including investigating grievances, ensuring access to medical care, and conducting operational reviews of medical care.
§ 501.151. Complaints	The committee shall maintain a file on each written complaint filed with the committee by a member of the general public. The section sets out the requirements of the file.
§ 501.152. Public Participation	The public shall be provided reasonable opportunity to appear before the committee to speak on any issue within the committee's jurisdiction.
§ 501.153. Alternative Dispute Resolution	The committee shall develop and implement a policy to encourage the use of appropriate alternative dispute resolution procedures under Chapter 2009 to assist in the resolution of internal and external disputes under the committee's jurisdiction.
§ 501.154. Use of Technology	The committee shall implement a policy requiring the committee to use technological solutions to improve functions, and to ensure the public can interact with the committee on the Internet.
§ 501.155 Availability of Correctional Health Care Information to the Public	A list of all items the committee must make available to the public is provided.
§ 501.156. Student Loan Repayment Assistance.	From funds appropriated for CMHC, the committee may provide student loan repayment assistance for medical and mental health care physicians and staff who provide CMHC for any student loans acquired for education in the United States.
CHAPTER 507. STATE JAIL DIVISION SUBCHAPTER A. STATE JAIL FELONY FACILITIES	

§ 507.001. Authority to Operate or Contract for State Jail Felony Facilities	The SJD may operate, maintain, and manage state jail felony facilities, and the department may finance and construct those facilities. The division may contract with the ID, a private vendor, CSCD, or the commissioners court of a county for construction, operation, maintenance, or management of a facility.
§ 507.002. Eligible Defendants	This division may confine a defendant in a state jail felony facility if required by a judge following conviction of an offense punishable as a state jail felony or following a grant of deferred adjudication for such an offense.
§ 507.003. Regions	The board shall designate at least 9 regions in the state for the purpose of providing regional state jail felony facilities. Rules for designating regions are specified.
§ 507.004. Allocation Policies	The board shall adopt and enforce a regional allocation policy to allocate the number of facilities and beds to each region, and an intra-regional allocation policy for each region to allocate the number of facilities and beds.
§ 507.006. Use of Facility for Other Inmates	The SJD may designate one or more facilities to treat inmates eligible for confinement in a SAFPF or house inmates eligible for confinement in a transfer facility, but only if the placement does not deny placement of defendants required to serve terms of confinement following conviction of a state jail felony, and there is no history of violence in a correctional facility, or increased likelihood of harm to the public.
SUBCHAPTER B. MISCELLANEOUS PROVISIONS	Provides for the payment of state jail employee salaries and lists requirements for various state jail offender programs.
§ 507.022. Employees' Salaries, Room and Board, and Medical Care	The General Appropriations Act provides provisions dealing with the salaries, lodging, and uniforms of employees of the SJD. Employees of the SJD who are injured in the line of duty are entitled to free medical care and hospitalization in the ID's hospital.
§ 507.023. AIDS and HIV Education; Testing	The SJD shall provide education programs for employees and defendants about HIV and AIDS as in the ID. A policy for handling defendants with AIDS or HIV shall be adopted, including testing defendants for AIDS or HIV in the same manner as the ID.

§ 507.024. Transportation of Defendants	Rules shall be adopted for the safe transfer of defendants from counties to state jail felony facilities. If it is just as economical, a sheriff may transport a defendant. Defendants may be transported with others in custody if security precautions are taken. The SJD is responsible for costs of transfer.
§ 507.025. Medical Care	SJD may contract with the ID, a private vendor, or any public health care provider for the provision of medical care to defendants.
§ 507.026. Change in Designation of Facility	The board may designate any facility under its control as a state jail felony facility.
§ 507.027. Inspections	Rules shall be adopted related to inspections of state jail felony facilities.
§ 507.028. Screening for and Education Concerning Fetal Alcohol Exposure During Pregnancy	A screening program shall be developed and used that is similar to the one in § 501.029. All female defendants shall be given a brochure describing the risks and dangers of consuming alcohol during pregnancy.
§ 507.029. Use of Inmate Labor	Inmate labor of the ID may be used for any work or community service program performed by the SJD.
§ 507.030. Visitation	The governor, members of the legislature, and officials of the executive and judicial branches may enter any part of a facility during business hours to observe operations. The facility shall establish a visitation policy for those confined in the facility.
§ 507.031. Furlough Program	The director of a state jail felony facility may grant a defendant a furlough so the defendant may obtain medical treatment, obtain treatment at a TDMHMR facility, attend a funeral or visit a critically ill relative, or participate in a programmatic activity sanctioned by the SJD. A defendant is considered in custody, even if not under physical guard.
§ 507.032. Identification of Defendants Subject to Arrest Warrant	Before a defendant is released from a state jail felony facility, a criminal history record check is conducted to determine if the defendant is subject to an arrest warrant.
§ 507.033. Rehabilitation Programs	A defendant, who is capable, may be allowed to tutor illiterate defendants. Those tutors may only act as a teacher and may not exercise supervisory authority over the defendant. The following volunteer programs shall be encouraged by the SJD: literacy and education, life skills, job skills, parent training, drug and alcohol rehabilitation, support groups, arts and crafts, and other programs to reduce recidivism.

Texas Department of Criminal Justice Statutes/Attorney General Opinions	
Statutes	
Citation/Title	Authority/Impact on Agency (e.g., provides authority to license and regulate nursing home administrators)
CHAPTER 508. PAROLE AND MANDATORY SUPERVISION.	
SUBCHAPTER A. GENERAL PROVISIONS	
§ 508.001. Definitions	Definitions of terms related to parole.
§ 508.002. Clemency, Commutation Distinguished	Neither parole nor mandatory supervision is a sentence commutation or form of clemency.
§ 508.003. Inapplicable to Juveniles and Certain Inmates	This chapter does not apply to emergency inmate absences under Section 501.006 or to juveniles except for provisions that are not in conflict with section 508.156 that apply to parole of TYC offenders.
SUBCHAPTER B. BOARD OF PARDONS AND PAROLES	
§ 508.031. Composition of Board	Provides the composition of the BPP , and number of Board members.
§ 508.032. Requirements and Membership	Provides the requirements of board membership.
§ 508.033. Disqualifications	Provides for the disqualifications of persons for board membership based on potential conflicts of interest.
§ 508.034. Grounds for Removal	Provides the grounds for removal of board members.
§ 508.035. Presiding Officer	Provides the nature and powers of the presiding board officer. A presiding officer serves at the pleasure of the governor. The presiding officer is the administrative head of the BPP.
§ 508.036. General Administrative Duties	The duties of the presiding officer and board are outlined. The BPP is subject to the open meetings law and the administrative procedure law.
§ 508.0362. Training Required	This section requires board members to complete a course of training, the requirements of which are provided in the section.
§ 508.037. Terms; Removal	Board members hold six- year terms. The terms of one-third of the members expire on February 1 of each odd-numbered year. The governor may

	remove a member, other than a member appointed by another governor at any time and for any reason.
§ 508.038. Vacancies	The governor may appoint a person to serve an unexpired term in the same manner as other appointments are made.
§ 508.039. Compensation	BPP members are paid the salary determined by the legislature in the General Appropriations Act.
§ 508.040. Personnel	This section provides for the personnel employed and supervised by the presiding officer and the functions and duties of each.
§ 508.041. Designee Training; Handbook	The board must develop a training program for new BPP employees designated to conduct hearings; a procedural manual that includes decisions determined by the BPP to have value as precedent for subsequent hearings; and a handbook for hearings participants.
§ 508.042. Training Program for Members and Parole Commissioners	The board must develop a mandatory training and education program for board members and parole commissioners. A new member may not participate in a vote, deliberate, or be counted as a member in attendance until the member completes the training. A new parole commissioner may not participate in a vote until the commissioner completes the training.
§ 508.043. Gifts and Grants	The BPP may apply for and accept gifts and grants from any public or private source for any lawful board purpose.
§ 508.044. Powers and Duties of Board	A board member must give full time to board member duties.
§ 508.0441. Release and Revocation Duties	This section provides for the duties of board members and parole commissioners and the requirement that the board implement a policy regarding the circumstances leading to disqualification from voting.
§ 508.045. Parole Panels	BPP members and parole commissioners act in three member panels to decide whether to grant, deny or revoke mandatory supervision or parole and conduct hearings.
§ 508.046. Extraordinary Vote Required	All members of the BPP must vote on release on parole inmates convicted of certain crimes and two thirds must vote in favor of release for the inmate to be released. BPP members may not vote until they receive information from TDCJ on the offender's probability to commit an offense after release.
§ 508.047 Meetings	Board members must meet at least once every quarter. They are not required to meet as a body regarding clemency or to perform their duties,

	except to conduct a hearing under Section 508.281.
§ 508.048. Subpoenas	A parole panel may issue subpoenas in the same manner as a court subpoena and those subpoenas have the same powers as court subpoenas.
§ 508.0481. Victim's Right to Representation	If a victim, close relative of a deceased victim, or guardian of a victim is subpoenaed to appear, they are entitled to representation, but the state does not have to provide counsel.
§ 508.049. Mission Statement	The BPP must adopt a mission statement.
§ 508.050. Report to Governor	The governor can ask the BPP to investigate a person being considered by the governor for pardon, commutation of sentence, reprieve, remission of fines or forfeiture. The BPP shall report on the investigation and make recommendations.
§ 508.051. Sunset Provision	The BPP is subject to Sunset review, but is not abolished. The BPP is reviewed during the time that the TDCJ is reviewed.
§ 508.052. Computers; Office Space; Other Equipment	The TDCJ by interagency agreement may provide computer equipment and access to records, office space, utilities and communications equipment to the board.
§ 508.053. Use of Technology	The board shall implement a policy requiring the board to use appropriate technological solutions to improve the board's ability to perform its functions. The policy must ensure that the public is able to interact with the board on the Internet.
§ 508.054. Records of Complaints	The board shall maintain a system to act on complaints filed with the board and shall maintain information about parties to the complaint, the subject matter of the complaint, a summary of the results of the review or investigation of the complaint, and its disposition. The procedures for complaint investigation must be made available.
§ 508.055. Negotiated Rulemaking and Alternative Dispute Resolution	The board must implement a policy regarding negotiated rulemaking and alternative dispute resolution for internal disputes under the board's jurisdiction. The section provides the requirements for the policy.
SUBCHAPTER C. REPRESENTATION OF INMATES	
§ 508.081. Definitions	Definitions of terms relating to inmate representation.

§ 508.082. Rules	The board must adopt rules relating to the submission of information to and contacts with the board.
§ 508.083. Eligibility to Represent Inmates	A person representing an inmate for compensation must be a licensed attorney in Texas and register with the division. Board members or employees and employees of the TDCJ cannot represent an inmate before the board for compensation for two years after the date that the person ceases to be a board member or employee.
§ 508.084. Fee Affidavit	Fee affidavits must be filed with the department for each inmate represented.
§ 508.085 Representation Summary Form	Representation summary forms must be filed by attorneys every year that the person represents an inmate before the board.
§ 508.086. Criminal Penalties	BPP members or employees, TBCJ members, or employees of the TDCJ commit a Class A misdemeanor, if they represent an inmate for compensation before two years from the date of service has expired. Representing an inmate for compensation without a Texas law license or failing to file the fee affidavit form or Representation Summary Form are Class C misdemeanors.
SUBCHAPTER D. PARDONS AND PAROLES DIVISION	
§ 508.111. Director	The TDCJ executive director hires the PD director.
§ 508.112. Duty of Division	The division is responsible for the investigation and supervision of all releasees.
§ 508.113. Parole Officers, Supervisors; Qualifications	This section provides the qualifications for parole officers and supervisors.
§ 508.1131. Salary Career Ladder for Parole Officers	The executive director shall adopt a salary career ladder for parole officers. The salary career ladder must base a parole officer's salary on the officer's classification and years of service with the department. Further requirements for the career ladder are provided by this section.
§ 508.114. Parole Officers, Supervisors: Additional Duties	A parole officer may also serve as a probation officer with the approval of the judge and PD director. Salary arrangements for the proportion of work done as a probation officer must be made. Parole officers may also be responsible for supervising an inmate placed on conditional pardon or granted an emergency absence under escort on the governor's request or order of the PD director.

§ 508.1141. Specialized Training; Gang Members	The TDCJ must develop and provide specialized training for parole officers who supervise releasees identified as gang members.
§ 508.1142. Parole Officer Maximum Caseloads	The TDCJ must establish guidelines for a maximum caseload for each parole officer depending on the type of needs of each releasee. If unable to meet the maximum caseload guidelines, the TDCJ shall submit a report to the LBB at the end of each fiscal year in which the guidelines were not met.
§ 508.115. Notification of Release of Inmate	Local officials in the county of conviction and county of release must be notified of an offender's release by email or other electronic communication. The notice must state the inmate's name, the county in which the inmate was convicted and the offense for which the inmate was convicted.
§ 508.116. Parole Information Program	The PD has to develop and implement a program to inform offenders and their families and other interested parties about the parole process. This program must be updated annually.
§ 508.117. Victim Notification	Provides for Pre-release notice by the PD to the victim, guardian, or close relative of the victim if the victim is deceased using the information in the victim impact statement. If this victim information was not in the victim impact statement, a victim, guardian, or close relative may receive notice if they submit a written request. The information on the persons entitled to this notice may not be disclosed except for the purposes of this section, or with the person's approval, or court order.
§ 508.118. Halfway Houses	Authorizes the division to use halfway houses.
§ 508.119. Community Residential Facilities	The division may establish, operate, or contract for community residential facilities.
SUBCHAPTER E. PAROLE AND MANDATORY SUPERVISION: RELEASE PROCEDURES	
§ 508.141. Authority to Consider and Order Release on Parole	Authorizes a parole panel to consider persons for parole or mandatory supervision release. This section specifies the persons eligible for release and the criteria used to determine eligibility.
§ 508.142. Period of Parole	CID is to provide the PD with sentence time credit. The period of parole is computed by subtracting the term of the sentence from the calendar time served on the sentence. Good conduct time is also computed.

§ 508.143. Legal Custody of Releasee	Releasees on parole and mandatory supervision are in the legal custody of the division.
§ 508.144. Parole Guidelines	Requires the BPP to establish parole guidelines that are the basic criteria for parole decisions, and review the guidelines annually at a meeting. The board shall update the guidelines as necessary.
§ 508.144.5. Annual Report on Guidelines Required	The board must annually report its application of the parole guidelines to the Criminal Justice Legislative Oversight Committee; compare recommended parole approval rates to actual approval rates; and suggest board action to help meet recommended guidelines.
§ 508.145. Eligibility for Release on Parole; Computation of Parole Eligibility Date	Inmates sentenced to death, life without parole, continuous sexual abuse of a child, or sexual abuse of a child with aggravating factors are not eligible for parole. Minimum terms are enumerated for all other felony categories, with minimums subject to the law in effect on the date the offense was committed.
§ 508.146. Medically Recommended Intensive Supervision	Establishes a process to identify qualifying offenders who are elderly, physically disabled, mentally ill, terminally ill, mentally retarded, in a persistent vegetative state, or with organic brain syndrome with significant to total mobility impairment requiring long term care for medically recommended intensive supervision.
§ 508.147. Release to Mandatory Supervision	Except for offenders to whom § 508.149 applies, a parole panel must order the release to mandatory supervision of an inmate who is not on parole when the actual calendar time served plus any accrued good conduct time equals the sentence term.
§ 508.148. Period of Mandatory Supervision	The term of mandatory supervision is the term that the inmate was sentenced to, less the calendar time served. The time on mandatory supervision is calendar time.
§ 508.149. Inmates Ineligible for Mandatory Supervision	Inmates with certain listed offenses are not eligible for release to mandatory supervision. Other offenders may not be released to mandatory supervision if the BPP determines that the inmate's good conduct time is not an accurate reflection of the inmate's potential for rehabilitation, and the inmate's release would endanger the public.
§ 508.150. Consecutive Felony Sentences	When an inmate has consecutive sentences, a parole panel must designate for each sentence, the date the inmate would be eligible for parole if sentenced to serve a single sentence.

§ 508.151. Presumptive Parole Date	A presumptive parole date may be established for certain offenders. This date may be rescinded or postponed based on information from parole or the ID. If an inmate transferred to pre-parole status satisfactorily completes his sentence in the halfway house to which he was assigned, the offender is released to parole.
§ 508.152. Proposed Program of Institutional Progress	The TDCJ must obtain certain inmate information within 120 days after admission. The TDCJ must establish a proposed program for the inmate that measures the inmate's institutional progress. This proposed plan must be presented to the board at the time of release consideration. The BPP must conduct an initial review of an inmate not later than 180 days after ID admission. Prosecutors must provide written comments relating to the offense if it requires imposition of child safety zone conditions as listed in § 508.187(a).
§ 508.153. Statements of Victim	Victims, their guardians, and certain relatives may submit written victim impact statements or appear before the parole panel when considering an inmate's release.
§ 508.154. Contract on Release	The division must provide inmates to be released on parole or mandatory supervision with a contract stating the rules and conditions of parole.
§ 508.155. Completion of Parole Period	Releasees must serve the entire period of parole. Time on parole is computed as calendar time. The division may allow an offender to serve the remainder of the sentence without supervision and reporting if the regional supervisor approves and there is compliance with § 508.155. This status may be revoked at any time and for any reason.
§ 508.1555. Procedures for the Early Release From Supervision of Certain Releasees	Parole officers shall review releasees annually to determine those eligible for early release. The requirements for early release are explained. The review process considers the risk of recidivism and the inmate's good faith efforts at compliance. Inmates who meet the criteria shall be considered for early release by the regional supervisor.
§ 508.156. Determinate Sentence Parole	Provisions for juvenile offenders transferred to parole are set forth. If parole is revoked, the person may be required to serve the remaining sentence in the ID, without receiving credit for the time from the date of release to the date of revocation.
§ 508.157. Temporary Housing on Release	The department may pay for the cost of temporary post-release housing for inmates subject to release

	on parole or to mandatory supervision with funds appropriated by the legislature for this purpose.
SUBCHAPTER F. MANDATORY CONDITIONS OF PAROLE OR MANDATORY SUPERVISION	
§ 508.181. Residence During Release	The parole panel is required to impose certain conditions of parole or mandatory supervision release on all offenders including place of residence. Numerous factors are considered in making residency determinations. Monthly sex offender notification is required to each sheriff of any county when the total number of sex offenders in residence in that county is greater than 10% of the total supervised and controlled by the division.
§ 508.182. Parole Supervision Fee; Administrative Fee	Offenders must pay monthly parole supervision (\$10) and administrative (\$8) fees.
§ 508.183. Education Skill Level	A parole panel must impose as a condition of release that an inmate demonstrate an educational level equivalent to the sixth grade, unless the offender lacks the intellectual capacity or learning ability to achieve that level of skill.
§ 508.184. Controlled Substance Testing	Controlled substance testing is required as a condition if a controlled substance is present in the releasee's body, the releasee has used a controlled substance, or its use is related to the convicting offense.
§ 508.186. Sex Offender Registration	The BPP must impose sex offender registration conditions on inmates with reportable convictions under Chapter 62, C.C.P. Such releasees must also submit a blood sample or other specimen to create a DNA record.
§ 508.1861. Prohibitions on Internet Access for Certain Sex Offenders	A condition may be imposed to prohibit certain sex offenders from using the Internet to access obscene material, commercial social networking sites, communicate with any individual about sexual relations with a person under 17, or communicate with those under 17 years of age. The parole panel has discretion to modify the last condition if necessary.
§ 508.187. Child Safety Zone	A parole panel must impose child safety zone conditions on releasees with certain convictions, and limit activities and contact with those under 17. Releasees must attend sex offender treatment sessions and counseling.
§ 508.188. Community Service for Certain	If a court enters a finding that an offense was

Releasees	committed due to bias or prejudice, a parole panel must require that the offender perform 300 hours of community service at a project that primarily serves the person or group that was the offender's target.
§ 508.189. Parole Fee for Certain Releasees	Offenders with certain convictions must pay a \$5.00 per month parole fee. The fees are deposited in the general revenue fund to the credit of the sexual assault program fund established under Section 44.0061, Health and Safety Code.
§ 508.190. Avoid Victim of Stalking Offense	A parole panel must impose a condition that persons convicted of stalking, not communicate with the victim or go near the victim's residence, employment, or school or similar facility where a dependent child of the victim attends.
§ 508.191. No Contact with Victim	A parole panel must impose a condition that the offender not contact a victim. This victim may ask for modification of this condition. Offenders and victims may also participate in victim-offender mediation.
SUBCHAPTER G. DISCRETIONARY CONDITIONS OR PAROLE OF MANDATORY SUPERVISION	
§ 508.221. Conditions Permitted Generally	A parole panel may impose any condition of parole or mandatory supervision that a court may impose on a probationer, including drug testing and electronic monitoring.
§ 508.222. Payment of Certain Damages	A parole panel may require a releasee to make payment in satisfaction of damages that a releasee is liable for under § 500.002.
§ 508.223. Psychological Counseling	A parole panel may require persons convicted of stalking to attend psychological counseling sessions and receive mental health treatment.
§ 508.224. Substance Abuse Counseling	A parole panel may impose substance abuse counseling in a TCADA licensed facility if the releasee was sentenced for an offense involving a controlled substance, or the panel determines that the releasee's substance abuse was related to the offense.
§ 508.225. Child Safety Zone	If warranted by the nature of the offense, a parole panel may establish a child safety zone for certain inmates. An inmate may seek modification if the child safety zone interferes with employment or schooling, or is too broad.
§ 508.226. Orchiectomy as Condition Prohibited	Orchiectomy may not be required.

§ 508.227. Electronic Monitoring of Certain Members of Criminal Street Gang	A parole panel may require a releasee submit to electronic monitoring tracking if the releasee is identified as a member of a criminal street gang in an intelligence database established under Chapter 61, C.C.P., and has been convicted of, or received deferred adjudication for, three felony offenses.
SUBCHAPTER H. WARRANTS	
§ 508.251. Issuance of Warrant or Summons	The PD director or designee or the board on order of the governor may issue a warrant for the return of the person to the institution from which the person was paroled or released based on certain grounds.
§ 508.252. Grounds for Issuance of Warrant or Summons	A warrant or summons may issue if a person who is ineligible for release has been released; the person has been arrested for an offense; there is a self-authenticating document that the person has violated a condition of supervision; or there is reliable evidence that the person poses a danger to society that warrants an immediate return to custody.
§ 508.253. Effect on Sentence After Issuance of Warrant	If the releasee has committed a violation, the date from warrant issuance to arrest is not counted as part of the time served.
§ 508.254. Detention Under Warrant	Pending a hearing, a person arrested on a parole warrant is to remain in custody.
§ 508.255. Status as Fugitive From Justice	The person for whom a warrant is issued is a fugitive. Extradition rights remain in effect.
§ 508.256. Withdrawal of Warrant	At anytime before a revocation hearing is set, the division may withdraw the warrant and continue supervision.
SUBCHAPTER I. HEARINGS AND SANCTIONS	
§ 508.281. Hearing	A person who is arrested on a parole warrant is entitled to a hearing before a parole panel or board designee. Persons with a new offense are entitled to a mitigation hearing only, since a new offense is sufficient basis for revocation.
§ 508.2811. Preliminary Hearing	Preliminary hearings are required unless the person waives the hearing, is only charged with an administrative violation, or has been found guilty of an offense committed after release other than a fine only traffic offense.
§ 508.282. Deadlines	The final hearing must be held or the case disposed

	of before the 41st day after certain events. Exceptions exist when the inmate is in custody elsewhere, requests a continuance, or a hearing place is not provided within that timeframe.
§ 508.283. Sanctions	After a hearing, a parole panel may continue, revoke or modify parole or mandatory supervision or the Board may make those recommendations to the governor in conditional pardon cases.
§ 508.284 Transfer Pending Revocation Hearing	An inmate may be transferred pending a hearing to a facility operated by or under contract with the department if there is adequate space and the facility is not more than 150 miles from the facility from which the inmate is to be transferred.
SUBCHAPTER J. MISCELLANEOUS	
§ 508.311. Duty to Provide Information	On request of a BPP member, various public officials must send information relating to an inmate eligible for parole to the TDCJ.
§ 508.312. Information on Recidivism of Releasees	The TBCJ must collect recidivism information on releasees and use the information to evaluate operations.
§ 508.313. Confidential Information	Parole information is confidential but may be shared with certain governmental entities for certain purposes. Provisions do not apply to sex offender information authorized for release under Chap. 62 or subject to public disclosure under § 552.029.
§ 508.314. Access to Inmates	TDCJ must grant BPP member access to inmates and reports.
§ 508.315. Electronic Monitoring Programs	To establish an electronic monitoring (EM) program, the PD can fund an EM program in a parole office, develop standards for the operation of the EM program in a parole office, and fund the purchase, lease, or maintenance of EM equipment.
§ 508.316. Special Programs	The TDCJ may contract for services for releasees who have a history of mental impairment or mental retardation, substance abuse, or sexual offenses.
§ 508.317. Intensive Supervision Program; Super-Intensive Supervision Program	The TDCJ must establish an intensive supervision program and the TBCJ must adopt rules that establish standards that determine which inmates require intensive supervision. This level is higher than any other level of supervision, except super intensive supervision which is the highest level of supervision provided.
§ 508.318. Continuing Education Program	The TBCJ and the Texas Education Agency must adopt an MOU regarding a continuing education program to increase offender literacy. Each agency

	by rule must adopt the MOU.
§ 508.319. Program to Assess and Enhance Educational and Vocational Skills	The TDCJ with other governmental entities may develop a program to provide educational and vocational training to inmates. The TWF is to provide information related to financial assistance to the TDCJ and other entities.
§ 508.320. Contracts for Lease of Federal Facilities	The TDCJ may contract with the federal government to provide housing to releasees.
§ 508.321. Reporting, Management, and Collection Services	The TDCJ with the approval of the TBCJ may contract with public or private vendors to provide telephone reporting, automated caseload management, or collection services for fines, fees, restitution or other costs ordered by a court or fees collected by the PD.
§ 508.322. Releasee Restitution Fund	The releasee restitution fund is outside the treasury and consists of releasee restitution payments. The comptroller is the trustee of the fund. When restitution is ordered by the BPP, the TDCJ collects the payment for disbursement to the victim, deposits the payment in the releasee restitution fund, and sends the payment to the victim. Five years after deposit, unclaimed money shall be transferred to the victims of crime auxiliary fund.
§ 508.323. Audit	The financial transactions of the division and the board are subject to audit by the state auditor.
§ 508.324. Victim-Offender Mediation	If the PD receives notice that a victim wants to participate in victim-offender mediation, the PD shall cooperate, but may not require the defendant to participate, or reward the person for participation.
§ 509.001. Definitions	Definitions are provided for “community corrections facility,” “department,” “division,” and “state aid,” as used in chapter 509.
§ 509.002. Purpose	To allow localities to increase their involvement in developing sentencing programs that provide effective sanctions for defendants; increase opportunities for defendants to make restitution to victims through financial reimbursement or community service; increase the use of community penalties designed to meet local needs; and promote efficiency in the delivery of community-based correctional programs.

§ 509.003. Standards and Procedures	The division shall propose and the board shall adopt rules establishing: minimum standards for programs, community corrections and other facilities, equipment, and other aspects of the operation of departments; a description of core services to be provided by each department; methods for measuring the success of community supervision and corrections programs; a format for community justice plans; and minimum standards for the operation of substance abuse facilities and division funded programs.
§ 509.004. Records, Reports, and Information Systems	The TDCJ shall keep financial and statistical records determined necessary by the division; submit a community justice plan and supporting information; present necessary data to determine the amount of state aid for which the department is eligible; submit periodic financial audits and statistical reports to the division; and submit to the DPS identifying data concerning each person required to use a deep lung breath analysis motor vehicle mechanism. The division shall develop an automated tracking system.
§ 509.005. Inspections; Audits; Evaluations	The CJAD and internal audit shall periodically inspect and audit a department for standards compliance, economical use of resources, accomplishment of objectives, reliability of information and safeguarding of assets.
§ 509.006. Community Corrections Facilities	To establish and maintain CCFs, the division may engage in a wide range of contracting and funding activities for facilities procurement, development, and management. Minimum facility standards are specified.
§ 509.007. Community Justice Plan	A community justice council shall submit a community justice plan before state aid is paid to a CSCD. No plan may be submitted without prior approval by the district judges who manage the department served by the council. The council shall submit a revised plan to CJAD each odd-numbered year. A plan may be amended at any time with the approval of the division. The requirements of the plan are detailed.

§ 509.008. Officer Certification	The division shall establish officer certification programs covering the proper performance of the officer's duties and an examination at the end of the coursework. Officers who aren't certified within one year may not continue employment except in extenuating circumstances.
§ 509.009. Training	The division may provide training and technical assistance to departments to promote compliance with the division's standards and to improve operations.
§ 509.010. Public Meeting	The division may not take an action relating to certain CCFs without a public meeting. At least 31 days before the meeting, published notice is required.
§ 509.011. Payment of State Aid	If the CJAD determines that a CSCD complies with division standards, and a community justice plan and the supporting information are acceptable, the division shall prepare and submit to the comptroller vouchers for payment to the department per diem amounts for each felony defendant directly supervised by the department; per diem amounts not to exceed 182 days for each defendant other than a felony defendant; and for formula funding, an annual amount computed as described. The division may use discretionary grant funds for a multitude of purposes and programs. Procedures for handling, transferring, and depositing state aid, reserve policy and the transfer of unencumbered state funds are detailed.
§ 509.012. Refusal or Suspension of State Aid	If a department is not in substantial compliance with division standards under §§ 509.003 through 509.006 the division may reduce, refuse, or suspend the payment of state aid to the department; or impose budget control over the department. Specific notice and a hearing are required unless the division just refuses to provide discretionary grant funding or reduces the discretionary grant. Procedures for sanctions are subject to adoption by the board.
§ 509.015. Treatment Standards for Certain State Jail Felonies	Best practices standards shall be adopted and implemented for substance abuse treatment conditions imposed under Tex. CCP art. 42.12 § 15(c)(2) relating to enumerated state jail felonies.
§ 509.016. Prison Diversion Progressive Sanctions Program	The division shall provide grants to selected departments to propose and implement plans with progressive sanctions to reduce the number of inmates revoked while on community supervision.

	To receive a grant, a plan must contain some if not all of 14 listed components. Annual reporting is required in even numbered years.
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Texas Department of Criminal Justice Statutes/Attorney General Opinions	
Statutes	
Citation/Title	Authority/Impact on Agency (e.g., provides authority to license and regulate nursing home administrators)
CHAPTER 510. INTERSTATE COMPACT FOR ADULT OFFENDER SUPERVISION.	
SUBCHAPTER A. GENERAL PROVISIONS.	
§ 510.001. Definitions	Definitions are provided for “commission,” “compact” and “state council.”
§ 510.002. Applicability of Chapter 2110	Provisions regarding advisory councils in Chapter 2110 apply to the state council with some exceptions.
§ 510.003. Administration	The state council, compact administrator, and the state’s commissioner to the commission are administratively attached to the TDCJ.
SUBCHAPTER B. TEXAS STATE COUNCIL FOR INTERSTATE ADULT OFFENDER SUPERVISION.	
§ 510.011. Establishment	Establishes the Texas State Council for Interstate Adult Offender Supervision (“state council”).
§ 510.012. Composition; Terms	Members of the state council are listed. They serve staggered six-year terms with two terms expiring February 1 of each odd numbered year.
§ 510.013. Duties of Executive Director, Executive Director’s Designee	The governor designates one member as the presiding officer, and appoints the state’s compact administrator and commissioner and may appoint one person to be both administrator and commissioner. They all serve at the governor’s pleasure.
§ 510.014. Duties of Council	The council advises the administrator and commissioner on the state’s participation in

	commission activities and compact administration.
§ 510.015. Liabilities for Certain Commission Agents	The compact administrator, state's commissioner, and each member, officer, executive director, employee or agent is entitled to state indemnification for employee conduct.
§ 510.016. Effect on Texas Laws	In the event of a conflict between Texas law and the compact, the compact controls, except that in the event of a conflict between the compact and the Texas Constitution, the Texas Constitution controls.
§ 510.017. Compact to be Entered; Text.	The text of the compact's terms is provided.
CHAPTER 511. COMMISSION ON JAIL STANDARDS	
§ 511.0101. Jail Population Reports	Before the fifth day of each month, each county shall submit to the commission a report containing information about its prisoner population, including prisoners awaiting transfer to the ID of the TDCJ following conviction of a felony or revocation of probation, parole, or release on mandatory supervision, and for whom paperwork and processing required for transfer have been completed.
§ 511.0121. Failure to Cooperate in Parole In Absentia Program	The TBCJ shall notify the commission of the failure of a county to fully cooperate with employees of the ID of the TDCJ in evaluating inmates for release on parole from the county jail. If noncompliance is found remedies specified in § 511.012 may be invoked.
§ 511.017. Duties Related to State Jail Felony Facilities and Institutional Division Transfer Facilities	In this section, "state jail division" is a division of the TDCJ; "transfer facility" is a transfer facility operated by the ID of the TDCJ under subchapter G of chapter 499.
CHAPTER 76. COMMUNITY SUPERVISION AND CORRECTIONS DEPARTMENTS	
§ 76.001. Definitions	The terms "board," "community supervision," "council," "department," and "division" are defined.
§ 76.002. Establishment of Departments	The district judges trying criminal cases in each judicial district and the statutory county court judges trying criminal cases in their counties shall

	establish a community supervision and corrections department and approve the department's budget and community justice plan. Rules may be adopted to improve services and to allow departments to contract to share services and facilities.
§ 76.003. Community Justice Council	A community justice council must be established by the judges described in § 76.002, unless a board or council that was in existence on September 1, 1991, is performing substantially similar duties. The council shall provide continuing policy guidance. This section defines who may serve on a council, and who may be a member of a community justice task force.
§ 76.004. Department Director; Fiscal Officer	The judges described in § 76.002 shall appoint a department director who must meet, at a minimum, the eligibility requirements for officers established under Section 76.005. The department director's duties are specified. A sufficient number of officers and other employees shall be employed to perform the professional and clerical work of the department. The judges may appoint for the department a fiscal officer, other than the county auditor with enumerated responsibilities. The audit rights of other individuals and entities are reserved. Procedures for filling vacancies must be followed.
§ 76.0045. Judicial Responsibilities; Immunity	The judges described in § 76.002 are responsible only for personnel decisions relating to the appointment of a department director and a fiscal officer. Their responsibility for budgetary decisions is limited to the appointment of a fiscal officer and approval of the department's budget. They are immune from suits arising from the performance of specified duties.
§ 76.005. Standards for Officers	An officer appointed by the department director must comply with a code of ethics developed by the division. An officer who supervises defendants placed on community supervision must have a bachelor's degree from an accredited college. A person employed as a peace officer is not eligible for appointment as an officer under this section. A waiver procedure may be adopted for departments unable to hire persons meeting these criteria.
§ 76.0051. Authorization to Carry Weapon	An officer is authorized to carry a weapon while engaged in the actual discharge of the officer's duties only if the officer is certified in firearms proficiency issued by the TCLEOSE under

	Occupations Code § 1701.257; and the director of the department agrees to the authorization.
§ 76.006. Employee Status and Benefits	Except as provided by Subsection (c), department employees are not state employees. The department shall contract for all employee benefits with one county served by the department and designated for that purpose by the judges described under § 76.002. Personnel policies and benefits shall be equal to those for other employees of that county. This section does not apply to group insurance benefits. The judicial districts served by the department pay the department's employee salaries.
§ 76.007. Public Funds, Grants, and Gifts	A department may accept public funds, grants, and gifts from any source for the purpose of financing programs and facilities. A municipality, county, or other political subdivision may make grants to a department for those purposes.
§ 76.008. Financial Responsibilities of Counties	The counties served by a department shall provide physical facilities, equipment, and utilities for a department. The division shall monitor the support a county provides and determine whether it meets the standards for minimum support established by the division. If it is insufficient, the division may impose authorized sanctions on the department. If a department serves two or more counties, the counties may agree to distribute the expenses of facilities, equipment, and utilities.
§ 76.009. Financial Responsibilities of Districts	The department may expend district funds to expand facilities, equipment, and utilities if the department needs to increase its personnel in order to provide more effective services or to meet workload requirements; the counties certify that they have inadequate space in county owned buildings nor adequate funds to lease additional physical facilities, purchase additional equipment, or pay for additional utilities required by the department; and the counties provide facilities, equipment, and utilities at or above the levels required by the division. The statute provides for required county contribution levels.

§ 76.010. State Funds or Guarantees for Corrections Facilities	The terms community corrections facility and state jail felony facility are defined. Defined governmental entities may establish a community corrections facility and are encouraged to purchase or contract for the use of abandoned or underutilized public facilities. The department may authorize funding in certain circumstances. In some cases, the TDCJ must first approve use of the facility. The TDCJ may be entitled to reimbursement of state funds used without required approvals.
§ 76.011. Pretrial Services	The department may operate programs for the supervision and rehabilitation of persons in pretrial intervention programs including testing for controlled substances. A person in such a program may be supervised for a period not to exceed two years. Money deposited in the special fund may be used only for the same purposes for which state aid may be used under this chapter.
§ 76.012. Reporting and Management Services	A department may contract with a public or private vendor to provide telephone reporting, automated caseload management, and collection services for fines, fees, restitution, and other costs.
§ 76.013. Restitution	If a judge requires a defendant to make restitution, and a payment is received by a department from the defendant for transmittal to a victim, it shall immediately be deposited in an interest-bearing account in the county treasury as required by Section 140.003(f), Local Government Code. Victim notification and unclaimed payment procedures are detailed.
§ 76.014. Assessment and Enhancement of Defendant's Educational Skills	A department, with the assistance of various entities, may establish a developmental program for a defendant under the supervision of the department on the basis of information obtained in defendant's presentence investigation report, to provide educational and vocational training.
§ 76.015. Administrative Fee	A department may collect money from an individual as ordered by a court served by the department regardless of whether the individual is under the department's supervision, and shall promptly transfer it to the appropriate county or state officer. A fee of \$25 to \$40 per month may be assessed to any individual participating in a department program or receiving the department's services who

	is not already paying a fee under Tex. CCP art. 42.12 § 19.
§ 76.016. Victim Notification	A department, using the name and address provided by the attorney representing the state shall immediately notify a crime victim or guardian or close relative of a deceased victim of the defendant's release on community supervision; the conditions of community supervision; and the date, time, and location of any hearing or proceeding at which the conditions may be modified or the defendant's placement on community supervision may be revoked or terminated.
§ 76.017. Treatment Alternative to Incarceration Program	A department may establish a TAIP in each county served by the department according to standards adopted by the division. A department may enter into an interlocal cooperation agreement with one or more other departments in order to establish this program on a regional basis. Program requirements and screening procedures are detailed.
§ 76.018. Application of Law Relating to Free Exercise of Religion	For purposes of Chapter 110, Civil Practice and Remedies Code, there is a rebuttable presumption that an ordinance, rule, order, decision, or practice that applies to a person in the custody of a correctional facility operated by or under a contract with a CSCD is in furtherance of a compelling governmental interest and is the least restrictive means of furthering that interest.
LOCAL GOVERNMENT CODE CHAPTER 244. LOCATIONS OF CERTAIN FACILITIES AND SHELTERS SUBCHAPTER A. CORRECTIONAL OR REHABILITATION FACILITY	
§ 244.001. Definitions	Definitions are provided for "correctional or rehabilitation facility," and "residential area."
§ 244.002. Notice of Proposed Location	An agency of the state or other defined entity that proposes to construct or operate a correctional or rehabilitation facility within 1,000 feet of a residential area, school, public park or recreation area, or place of worship shall provide written notice within specified timeframes, and shall

	prominently post an outdoor sign at the intended location in English and any other language spoken by a substantial number of area residents.
§ 244.003. Proximity of Correctional or Rehabilitation Facility	Unless local consent is denied under § 244.004, an agency of the state or other defined entity may operate a correctional or rehabilitation facility within 1,000 feet of a residential area, school, public park or recreation area, or place of worship. Churches may waive the distance requirements in writing in the county deed records where the facility is located.
§ 244.004. Local Consent	Local consent to the operation of a correctional or rehabilitation facility at a location within 1,000 feet of a residential area, school, public park or recreation area shall be granted unless, not later than the 60th day after notice is received by a commissioners court or governing body of a municipality under Section 244.002(a), a determination by resolution is made after public hearing, that operation of the facility at the proposed location is not in the best interest of the county or municipality.
§ 244.006. Exemptions	This subchapter does not apply to the operation of a correctional or rehabilitation facility at a location subject to this subchapter if it is listed in this section.
§ 244.007. Conflict With Other Law	To the extent of any conflict between this subchapter and §§ 508.119 and 509.010, Government Code, this subchapter prevails.
TEXAS CODE OF CRIMINAL PROCEDURE, ART. 42.12	
§ 1. Community Supervision	State courts are responsible for determining when a sentence is suspended, and the conditions of supervision for offenders.
§ 2. Definitions	The terms “court,” “community supervision,” “supervision officer,” and “electronic monitoring” are defined.
§ 3. Judge Ordered Community Supervision	After conviction or a guilty or <i>nolo contendere</i> plea, a judge may suspend sentence imposition and place the defendant on community supervision and may impose a fine, if in the best interest of justice, the public, and the defendant. The minimum periods of supervision for various categories of offenses are detailed. Community supervision may not be denied because the person cannot understand

	English.
§ 3g. Limitation on Judge Ordered Community Supervision	Community supervision is not available to defendants convicted of certain offenses or if the court enters an affirmative finding that a firearm was used during the offense or in flight from the offense. If there is an affirmative finding that a deadly weapon was used during the commission of a second degree felony or higher offense, the judge may sentence the offender to mandatory TDCJ confinement and thereafter release the person to community supervision.
§ 4. Jury Recommended Community Supervision	A jury that imposes confinement as punishment may recommend community supervision to a judge. If the jury makes such recommendation in the verdict, the judge shall suspend the imposition of sentence, and place the defendant on community supervision. A list of factors that preclude the suspension of sentence and placement on community supervision is provided.
§ 5. Deferred Adjudication; Community Supervision	After receiving a guilty plea, a judge may defer further proceedings without entering a finding of guilt, and place the defendant on community supervision. In certain cases, the judge must enter a finding that the deferred adjudication is in the best interest of the victim. Procedures and requirements for deferred adjudication are detailed. Exceptions are explained.
§ 6. Continuing Court Jurisdiction in Felony Cases	The jurisdiction of a court continues for 180 days from the date the sentence to TDCJ confinement for a felony begins. Before the expiration of 180 days after the sentence begins, the sentence may be suspended and the person placed on community supervision on motion of the court, state, or defense. If the sentence is suspended and the person placed on community supervision, TDCJ must send a complete copy of the defendant's record to the judge.
§ 7. Continuing Court Jurisdiction in Misdemeanor Cases	The jurisdiction of a court continues for 180 days from the date that a sentence to county jail confinement for a misdemeanor begins. Before 180 days from the sentence begin date expires, the defendant may be placed on community supervision. The judge may not grant such a defense motion without a hearing.

§ 8. State Boot Camp Program	A judge may recommend that a defendant be placed in the state boot camp program after 75 days and up to 180 days of being received into custody as a condition of community supervision. Eligible defendants must be otherwise eligible for community supervision; between 17 and 26 years old; physically and mentally able to participate in a strenuous physical activity program; and not convicted of a state jail felony. The court may not hold TDCJ or its employees in contempt for failure to adhere to a court's State Boot Camp recommendation.
§ 9. Presentence Investigations	With some exceptions, prior to sentencing, a judge must order the preparation of a presentence investigation report by a supervision officer that informs the court of the circumstances of the offense and provides other information to the judge. It must contain a proposed client supervision plan. The defendant may read the report and comment on it. Mental evaluations of impairment shall be included. If a felony presentence report is not required, the judge may order a postsentence report containing the same information addressed in a presentence report. Postsentence reports, if any, must be included in the pen packet sent to the TDCJ. Sex offender information may be released to designated individuals.
§ 9A. Sex Offenders: Presentence Investigation and Postsentence Treatment and Supervision	The terms "council" and "sex offender" are defined. After conviction, and before the entry of final judgment, or if requested by the defendant, after arrest and before conviction, the judge shall direct a supervision officer to determine a course of treatment, supervision, or rehabilitation for a defendant who is a sex offender, and report these results to the judge. Offense-specific standards of practice employed by the council may be required.
§ 10. Authority to Impose, Modify, or Revoke Community Supervision	Only the court that tried the defendant may grant community supervision, impose or modify conditions, revoke the community supervision, or discharge the defendant, unless the judge transfers the case with the defendant's consent. Procedures for modifying the terms of community supervision, and the transfer of jurisdiction are detailed.

§ 11. Basic Conditions of Community Supervision	The judge may impose or modify any reasonable condition that is designed to protect or restore the community or victim, or punish, rehabilitate, or reform the defendant. Many conditions are listed.
§ 12. Confinement as a Condition of Community Supervision	Confinement in the county jail as a condition of community supervision for a misdemeanor may not exceed 30 days or 180 days for a felony. If a judge requires confinement in a community corrections facility under section 18, the term under section 18 and a term under this section may not exceed 24 months. Smaller periods of confinement may be ordered.
§ 13. DWI Community Supervision	As a condition of community supervision, a defendant convicted of an offense under chapter 49, Penal Code shall serve not less than 72 hours to 120 days in jail, depending upon the offense, and receive a substance abuse evaluation and treatment if needed. The court may suspend the defendant's driver's license. Completion of an educational program may be required. The judge may order a deep-lung breath analysis motor vehicle device. Repeat offender provisions are detailed.
§ 13A. Community Supervision for Offense Committed Because of Bias or Prejudice	If community supervision is granted for an offense that includes an affirmative finding that the offense was committed due to bias or prejudice, the defendant must spend not more than one year in the TDCJ for felony offenses except for murder, and no more than 90 days for a misdemeanor offense.
§ 13B. Defendants Placed on Community Supervision for Sexual Offenses Against Children	A judge must establish a child safety zone for defendants convicted of certain listed offenses against children and require the defendant to receive sex offender treatment.
§ 13C. Community Supervision for Making a Firearm Accessible to a Child	A judge may require the defendant to complete an appropriate public service activity or attend a firearms safety which the defendant must pay for as a condition of community supervision.
§ 13D. Defendants Placed on Community Supervision for Violent Offenses; Protecting Children	Defendants granted community supervision for certain 3g offenses may be subject to child safety zone restrictions; and subject to limitations as to contact with children.
§ 13E. Prohibitions on Internet Access for Certain Sex Offenders (Duplicate Numbering, added 2009)	Access to the Internet may be prohibited for those who are required to register as sex offenders and who have committed certain offenses; who used the Internet to commit their offenses; or who scored a certain numeric risk level. They may not view obscene materials, access social networking sites,

	communicate with children under 17, or with adults about sexual relations with children under 17. Some modifications are permitted.
§ 13E. Electronic Monitoring of Certain Members of Criminal Street Gang Who Are Placed on Community Supervision (Duplicate numbering, added 2009)	The court may impose electronic monitoring on a member of a street gang who has twice received a deferred adjudication or similar probation for a felony, who is being sentenced for a new felony offense.
§ 13F. Restrictions on Operation of Motor Vehicle for Defendants Convicted of Certain Organized Crime Offenses	The court may restrict the hours and locations where a defendant may operate a motor vehicle if the defendant was placed on community supervision for an offense under Chapter 71, Penal Code.
§ 14. Child Abusers and Family Violence Offenders; Special Conditions (Duplicate Numbering)	A defendant convicted of an Article 17.41(a) offense may be ordered not to communicate directly with the victim, and to stay away a residence, school, or other location. The court may order supervised access to the victim; and require the defendant to attend a battering intervention program or counseling, and pay for it if financially able.
§ 14. Substance Abuse Felony Program (Duplicate Numbering)	A court may require placement in a substance abuse treatment facility operated by the TDCJ as a condition of community supervision for certain defendants for a period of not more than a year or less than 90 days if the court finds that drugs or alcohol significantly contributed to the offense or supervision violation, and that the defendant is a suitable candidate for treatment according to criteria established by the TBCJ under section 493.009(b). The court must also order the defendant to participate in a continuum of care plan and pay associated fees. Fee collection procedures are detailed.
§ 15. Procedures Relating to State Jail Felony Community Supervision	A judge shall suspend the sentence of certain defendants convicted of state jail felonies unless there is a prior felony conviction as specified. There are eligibility limits for large quantity substance abuse offenses. A defendant may be given community supervision, or sentenced. A fine may be imposed. Substance abuse treatment conditions may be imposed if necessary to successfully complete community supervision. A judge may impose confinement in a state jail felony facility for not less than 90 days or more than 180 days. Violations and modifications of conditions are discussed; as are credit for time served,

	coordination with TCOOMMI when defendants are impaired, and release to medical care facilities.
§ 15A. Enhanced Disorderly Conduct and Public Intoxication Offenses	Defendants with enhanced disorderly conduct or public intoxication offenses may be placed on community supervision and must be required to submit to substance abuse testing; psychological assessment; and if indicated participate in a treatment or education program and pay for the testing, assessment, treatment, or education costs.
§ 16. Community Service	The court may require defendants who are physically and mentally capable to perform a certain number of hours of community service based on the offense.
§ 17. Change of Residence; Leaving the State	Defendants may change their in-state residence with the court's consent. A defendant who leaves the state without consent is a fugitive and is subject to extradition.
§ 18. Community Corrections Facilities	A defendant may be confined in a community corrections facility as defined in Section 509.001, Tex. Gov't Code as a condition of community supervision for a term of not more than 24 months. Time served in a CCF is not creditable toward serving a prison sentence if community supervision is revoked.
§ 19. Fees	Supervision fees of not less than \$25 or more than \$60 per month may be assessed. Fees may be reduced or waived if payment presents a significant financial hardship. Provisions regarding deposit of the collected funds are discussed.
§ 20 Reduction or Termination of Community Supervision	A judge may reduce or terminate the period of community supervision at any time after the defendant has satisfactorily completed one-third of the community supervision period or two years, whichever is less.
§ 21. Violation of Community Supervision: Detention and Hearing	A defendant may be arrested on a community supervision violation warrant issued by a judge, or with or without a warrant by a supervision officer or other person with arrest power. If not released on bail, on motion by the defendant, within 20 days the court must have a hearing and decide whether to continue, extend, modify, or revoke the community supervision. A defendant in a penal institution may be revoked without a hearing, if waived in writing. A defendant has a right to counsel and other specified rights. An investigation and report may be required where the only violation alleged is

	nonpayment of fees, costs, and restitution.
§ 22. Continuation or Modification	The judge may impose appropriate conditions after a hearing on a suspected community supervision violation. A period of community supervision may be extended.
§ 22A. Extending Supervision Period for Sex Offenders	Community supervision for certain sex offenders can be extended once for 10 additional years following a hearing. There can be an extension of the period of community supervision under this section and under section 22.
§ 23. Revocation	If community supervision is revoked, the judge may sentence the person as if there had been no community supervision, and may reduce the term of confinement originally assessed, but not to less than the minimum term prescribed for the offense. A defendant may appeal revocation of community supervision and sentencing to TDCJ. If revoked, time spent in a substance abuse treatment facility shall be credited toward the defendant's sentence, but only if the program was successfully completed.
§ 24. Due Diligence Defense	Failure of a CSO, peace officer, or other officer with the power of arrest under a warrant issued by a judge to contact or attempt to contact the offender in person at the defendant's last known address or place of employment is an affirmative defense to revocation for failure to report or remain in a specified place.
HEALTH & SAFETY CODE	
CHAPTER 614. TEXAS CORRECTIONAL OFFICE ON OFFENDERS WITH MEDICAL OR MENTAL IMPAIRMENTS	
§ 614.001. Definitions	Definitions relating to the TCOOMMI.
§ 614.002. Composition of Committee; Duties	Establishes the 31 member Advisory Committee to the TBCJ on Offenders with Medical or Mental Impairments. The Committee advises the TBCJ and the TCOOMMI director on matters related to offenders with medical or mental impairments.
§ 614.003. Texas Correctional Office on Offenders with Medical or Mental Impairments; Director	The TDCJ executive director hires the TCOOMMI director.

§ 614.0031. Training Program	Persons qualified as committee members may not vote, deliberate, or be counted as a member in attendance at a meeting until trained on TCOOMMI and other laws relating to public officials and service.
§ 614.0032. Special Duties Related to Medically Recommended Supervision; Determinations Regarding Competency or Fitness to Proceed	TCOOMMI shall perform duties required by Government Code § 508.146, Medically Recommended Intensive Supervision (MRIS), and identify state jail felons suitable for release. They shall help with competency determinations, and make necessary reports.
§ 614.004. Terms	At large members serve staggered six-year terms. One-third of the terms expire on February 1 of each odd-numbered year.
§ 614.005. Officers; Meetings	The governor appoints the presiding officer and the committee must meet at least four times a year.
§ 614.006. Applicability of Certain Government Code Provisions	Provisions regarding state agency advisory committees in Chapter 2110, other than 2110.002(a) apply to the Committee. Although not entitled to compensation for work, they may be reimbursed for travel and other necessary expenses.
§ 614.007. Powers and Duties	TCOOMMI determines the status of offenders with medical and mental impairments in the state criminal justice system and coordinates services for these offenders in the community.
§ 614.008. Community-Based Diversion Program for Offenders with Medical or Mental Impairments	TCOOMMI may maintain at least one program in a county selected by TCOOMMI to use a cooperative community-based alternative system to divert from the state criminal justice system and rehabilitate mentally impaired, elderly, physically disabled, terminally ill, or significantly ill offenders.
§ 614.009. Biennial Report	No later than February 1, each odd-numbered year, TCOOMMI must present to the TBCJ and file with the governor, and others, a report of the preceding biennium activities.
§ 614.0101. Public Access	The committee must have a policy that allows the public to appear before the committee to speak on any issue under the jurisdiction of TCOOMMI or the committee.
§ 614.0102. Complaints	TCOOMMI must maintain detailed complaint files that include the results of any review and investigation. Complaint procedures are detailed.

§ 614.013. Continuity of Care for Offenders with Mental Impairments	Listed entities shall adopt an MOU establishing their responsibilities to institute continuity of care and service programs for offenders with mental impairments in the criminal justice system. TCOOMMI shall coordinate and monitor the implementation of the MOU. Federal grants must be actively sought.
§ 614.014. Continuity of Care for Elderly Offenders	Listed entities shall adopt an MOU to establish their duties to institute continuity of care and service programs for elderly offenders in the criminal justice system. Federal grants must be actively sought.
§ 614.015. Continuity of Care for Physically Disabled, Terminally Ill, or Significantly Ill Offenders	Listed entities shall adopt an MOU to establish their duties to institute a continuity of care and service program for offenders in the criminal justice system who are physically disabled, terminally ill, or significantly ill. Federal grants must be actively sought.
§ 614.016. Continuity of Care for Certain Offenders by Law Enforcement and Jails	Listed entities shall adopt an MOU to establish their duties for continuity of care and service programs for offenders who are mentally impaired, elderly, physically disabled, terminally ill, or significantly ill.
§ 614.017. Exchange of Information	Identified entities and individuals shall share offender information to serve the purposes of this chapter on special needs offenders. Improper disclosure of confidential information is a Class B misdemeanor.
§ 614.018. Continuity of Care for Juveniles with Mental Impairments	Listed entities shall adopt an MOU to establish their duties for continuity of care and service programs for juveniles with mental impairments in the juvenile justice system.
§ 614.019. Programs for Juveniles	Identified agencies may establish programs and continuity of care services built on successful existing programs to address prevention, intervention, and continuity of care for juveniles with mental health and substance abuse disorders.
§ 614.020. Youth Assertive Community Treatment Program	In Tarrant County, TCOOMMI may maintain an assertive community treatment program for juveniles on probation who have severe and persistent mental illness, a history of multiple hospitalizations, poor school performance, placement in emergency shelters or residential treatment facilities, or chemical dependency or abuse.

§ 614.021. Services for Wrongfully Imprisoned Persons	“Wrongfully imprisoned person” is defined. TCOOMMI shall develop a plan to assist wrongfully imprisoned persons who are discharged from TDCJ in accessing medical and dental services, obtaining mental health treatment, and obtaining appropriate support services. An annual report on the provision of these services shall be submitted to the legislature.
Attorney General Opinions	
Attorney General Opinion No.	Impact on Agency
There were no Attorney General Opinions that materially affected TDCJ operations.	

B. Provide a summary of recent legislation regarding your agency by filling in the chart below or attaching information already available in an agency-developed format. Briefly summarize the key provisions. For bills that did not pass, briefly explain the key provisions and issues that resulted in failure of the bill to pass (e.g., opposition to a new fee, or high cost of implementation). See Exhibit 14 Example or [click here to link directly to the example](#).

Texas Department of Criminal Justice 82nd Legislative Session Chart		
Legislation Enacted – 82nd Legislative Session		
Bill Number	Author	Summary of Key Provisions
HB 3	Thompson	This bill provides that a person convicted of aggravated sexual assault who has previously been convicted of that offense or continuous sexual abuse of a young child must serve a sentence of life without the possibility of parole.
HB 51	Lucio	This bill establishes high-performance sustainable design standards for the construction or renovation of state buildings. The SECO would be responsible for setting, with the assistance of an advisory commission, applicable design and construction standards.
HB 200	Parker	This bill requires that inmate release notifications be provided by email or other electronic communication. The bill also requires TDCJ to electronically notify the United States Social Security Administration upon the release or discharge of a prisoner from a state correctional facility who was receiving Supplemental Security Income or Social Security Disability Insurance immediately prior to confinement and was confined for less than 12 consecutive months.
HB 417	Anchia	This bill requires TDCJ to provide information to any wrongfully imprisoned person regarding how to obtain compensation and contact information for nonprofit advocacy groups that will assist them in their

		efforts. The information must be provided at the time of release or as soon as practicable after the date of a full pardon or granting of relief on the basis of innocence. The bill also requires that a person entitled to compensation for wrongful imprisonment is eligible for group health insurance as if the person was a TDCJ employee.
HB 628	Callegari	This bill makes numerous revisions to state law governing contracting and delivery methods for construction projects by governmental entities, to include expanding the types of contracting methods available to many governmental entities.
HB 988	Kolkhorst	This bill increases the period that compensatory time accrued by COs may be used (prior to lapsing) from 12 to 24 months.
HB 1028	Phillips	This bill allows a court to prohibit an offender sentenced to incarceration from contacting the crime victim or the victim's family members, and permits a parole panel to consider whether the offender contacted the victim in violation of TDCJ policy or a court order.
HB 1205	Turner	This bill allows certain defendants to receive a combination of time credits toward the completion of their period of community supervision by earning a certificate, diploma or a degree, making certain payments or completing a rehabilitation program. The defendant's CSO (CSO) must notify the court if one or more time credits allow or require the court to conduct a review of the defendant's community for possible early termination. On receipt of the notice from the CSO, the court must contact the defendant's attorney and then conduct the review to determine if the defendant is eligible for a reduction or termination of community supervision.
HB 1381	Madden	This bill allows a TDCJ employee, as designated by the warden, to accept civil service from a law enforcement official on behalf of an inmate.
HB 1770	Madden	This bill allows TDCJ to issue a payment for post-release housing of an offender only if the agency does not operate or contract for operation of a residential correctional facility in the county of an offender's legal residence. In certain circumstances TDCJ or the owner of a structure must provide notice of the proposed use of the structure and hold a public hearing on whether the use of the structure is appropriate.
HB 1908	Madden	This bill allows health care providers serving persons committed to or confined in a secure correctional facility operated by or under contract with TYC or TDCJ to be eligible for a student loan repayment program.
HB 2004	Bonnen	This bill requires the TBCJ to sell approximately 2200 acres at the Ramsey unit in Brazoria County.
HB 2124	Workman	This bill returns responsibility for victim notification upon the acquittal of a defendant by reason of insanity from TDCJ's VS to local authorities who have jurisdiction over the patient/defendant and possess the necessary victim information required to give notice.
HB 2354	Madden	This bill allows TDCJ's Office of Inspector General to possess and use a pen register during criminal investigations regarding escapes and

		prohibited substances and items in a correctional facility.
HB 2518	Kolkhorst	This bill requires the TBCJ to transfer to the board of regents of the Texas A&M University System 2.536 acres of property for the use of the Texas Forest Service. The property is currently leased from TDCJ by the Texas Forest Service.
HB 2624	Sheffield	This bill requires information about a defendants' military service to be included in a pre-sentence investigation.
HB 2649	Allen	This bill allows a judge to award diligent participation credit for participation in a work, treatment, educational or vocational program to a defendant convicted of a state jail felony, in an amount not to exceed 20% of the original state jail felony sentence.
HB 2734	Madden	This bill requires as a condition of parole that an illegal alien released to the custody of the U.S. Immigration and Customs Enforcement leave the United States and not return by unlawful mean.
HB 2735	Madden	This bill requires the PD to issue a summons for a hearing before a parole panel, rather than an arrest warrant, to a parolee charged with an administrative violation of parole more than three years after having been placed on supervision. The parolee must not be serving a sentence for, nor previously been convicted of, an offense that would require sex offender registration and must not be on intensive or SISF, be an absconder, or have been determined to be a threat to public safety.
HB 2847	Madden	This bill allows a person operating a video conferencing (VTC) system to be present when a grand jury is conducting business, and allows punishment of that person if the proceedings of the grand jury are leaked. The bill also allows a peace officer to testify before a grand jury using closed circuit video. The bill also permits a plea of guilty or a waiver of rights may be taken through a closed circuit video conference, unless the defendant or district attorney objects, and allows courts to accept pleas made by incarcerated offenders in TDCJ by VTC, except for a defendant charged with capital felony death penalty case. Prior to submitting a plea, the inmate must sign a waiver of jury trial before the plea is accepted.
HB 3384	Madden	This bill removes the provision allowing a previous conviction for a state jail felony offense to be used for enhancement purposes (in most cases). Punishment for a state jail felony offense may be enhanced to a third degree felony if it is shown at trial that the defendant has been twice previously convicted of a state jail felony.
HB 3691	Gallego	This bill requires the TBCJ to adopt rules regarding contracts between CSCDs and between judicial districts and CSCDs in another judicial district. The bill also adds the CSCD director as a member of the community justice council and requires CJAD to prepare a report containing a summary of the programs and services included in each community justice plan (CJP), which would be submitted to the LBB along with the agency's legislative appropriations report. Submission of each CSCD's CJP would be moved to even-numbered years, and the CJP must include additional information on each CSCDs' programs, services and projected programmatic and budgetary needs. Each CSCD or regional partnership of CSCDs would be permitted to submit a commitment reduction plan that includes a reduction target. If CJAD

		determines that a CSCD's or regional partnership of CSCD's report could create a savings to the state, CJAD may award a one-time lump sum equal to 35% of the savings and may also provide incentive payments for certain achievements over a biennium. If the CSCD or CSCD regional partnership fails to meet the target, the funds must be repaid proportionate to the amount the target was not reached.
SB 653	Whitmire	This bill abolishes the TYC and the TJPC (TJPC) and creates a transition team to assist in the formation of the Texas Juvenile Justice Department, with all duties and statutory references to TYC and TJPC transferring to the new agency.
SB 880	Whitmire	This bill expands and clarifies the types of programs a CSCD may operate to supervise individuals not under court-ordered supervision by adding pretrial services, bail, occupational driver's licenses and deep-lung breath analysis mechanisms. The bill also increases the administrative fee range from \$25 - \$40 per month to \$25 - \$60 per month.
SB 953	Whitmire	This bill permits a court that grants an occupational license to a person to require as a condition of that license periodic testing for alcohol or controlled substances if the person's license was previously suspended due to a DUI conviction. The court may also order the occupational licensee to submit to monitoring by a CSCD to verify compliance, pay an administrative fee and extend the period of supervision until the end of the suspension of the person's driver's license.
SB 1010	Huffman	This bill requires the attorney representing the state to give the victim, guardian of a victim or close relative of a deceased victim notice of the existence and terms of any plea bargain agreement. The bill also requires the court, prior to accepting a plea bargain agreement, to inquire whether the attorney representing the state has given the required notice.
SB 1522	Hinojosa	This bill requires the court to accept a plea from an incarcerated defendant by mail or secure electronic or facsimile transmission. Prior to accepting the plea, the court must verify that the person submitting the plea is the defendant named in the information or indictment or a person with legal authority to act for the defendant named in the information or the indictment.
SB 1681	Ellis	This bill clarifies certain procedures that judges and defense attorneys must follow when counsel is allowed to withdraw following a guilty plea or trial. The bill provides that the Fair Defense Act procedures for appointing attorneys, such as from a list in a fair manner, apply to appeals in criminal cases and to probation revocation hearings. The bill also grants any magistrate the authority to give warnings, such as the right to counsel, to persons arrested on motions to revoke probation.
SB 1, 1st Called Session	Duncan	This bill is an omnibus bill that addresses many state fiscal issues. Among those issues were several relating to correctional managed health care in TDCJ. The bill reduces the membership of the committee from nine members to five permanent members plus one non-voting member. It also transfers the responsibility of contracting with the different participants in the correctional health care delivery

		<p>system in TDCJ from the CMHCC to TDCJ. In cooperation with the CMHCC, TDCJ may contract for the development of a report reviewing expenditures within the system. The report must be presented to the LBB, the governor, the lieutenant governor and the speaker of the House.</p> <p>The bill also requires TDCJ to develop policies designed to manage the inmate population based on similar health care. The current \$3 for most inmate-initiated visits to a health care provider is replaced with a flat \$100 a year fee when an offender initiates a visit to a provider.</p> <p>SB 1 requires TDCJ to make available through the inmate commissary system certain over-the-counter medications. In cooperation with UTMB and TTUHSC, TDCJ is also required to develop a training program for corrections medication aides who would be responsible for the administration of medication within the correctional system.</p>
Legislation Not Passed – 82nd Legislative Session		
Bill Number	Author	Summary of Key Provisions/Reason the Bill Did Not Pass
HB 230	Phillips	This bill defines the term halfway house to include independent facilities operated by either a private or nonprofit entity, and also a facility housing two or more people placed on community supervision, parole or mandatory supervision. The bill allows a county to regulate the placement of such halfway houses, require licenses or other permits, and impose a fee for the license or other permits deemed necessary.
HB 383	Menendez	This bill provides a prioritized list of persons that may consent to certain medical treatment for an inmate in the event that the inmate is comatose, incapacitated or otherwise incapable of communicating.
HB 473	Smith, T.	This bill states that a court must require an ignition interlock system for anyone given community supervision for certain intoxication offenses.
HB 569	Dutton	This bill requires CJAD to make supplemental payments to a CSCD: if the statewide percentage of defendants whose community supervision is revoked is at least three percent lower than the fiscal year ending August 31, 2011; if the percentage of revoked defendants has declined in the targeted fiscal year compared to the same percentage in the baseline fiscal year; and if the percentage of defendants supervised by the CSCD who commit a felony subsequent to successfully completing supervision has declined in the targeted fiscal year as compared to the baseline fiscal year. The bill requires CJAD to make a payment to a CSCD equal to 40% of the cost savings to the state resulting from lower revocation rates and fewer subsequent felony offenses. Any money received by a CSCD may only be used to reduce caseloads, provide services to victims of crime and develop strategies to reduce recidivism.
HB 694	Turner	This bill allows TDCJ to place an inmate in a different program than the one required by a parole panel as a condition of an offender's release, contingent upon the approval of the parole board. The parole panel must specify a range of dates for a possible release, based on the date the inmate is likely to have successfully completed the program.

		The range must be at least 30 days long and must not begin prior to the 45th day before the established release date.
HB 1073	Madden	This bill would no longer allow TDCJ to release an offender from an alternate facility instead of the regional release facility nearest to the unit where the offender is serving time.
HB 1220	Miles	This bill allows TDCJ to restore good time to all offenders except those who are ineligible for mandatory supervision.
HB 1227	Dutton	This bill requires the population data used for redistricting purposes to count an inmate according to the inmate's last residence prior to incarceration.
HB 1299	Guillen	This bill requires a parole panel to order the release of an inmate, without consideration to good time, to a supervised reentry program (SRP) on the later of one year before the date of sentence discharge or the date on which the inmate will have served 90% of their sentence. The SRP must provide the inmate with skills necessary for successful reentry, including substance abuse treatment and be coordinated with any programs the inmate is or will receive through the reentry and reintegration plan, the reentry program for long term offenders, or other reintegration services provided.
HB 1477	Allen	This bill requires that an offender on parole, mandatory supervision or conditional pardon who is revoked on an administrative violation of a condition of release to receive time credit for the time on parole if the revocation occurs on or after the first anniversary of the offender's release.
HB 1599	Rodriguez, E.	This bill allows Texas Correctional Industries to contract with a nonprofit organization for the sale of prison-made articles or products.
HB 1763	Harper-Brown	This bill reduces the time TDCJ has to accept paper-ready offenders in county jails from 45 to 30 days.
HB 1879	Madden	This bill prohibits WSD from spending any appropriated general revenue funds for provision of post-secondary educational programs, including vocational programs, on offenders with a high school diploma or equivalency certificate. The bill also prevents TDCJ from transferring any appropriated general revenue funds to WSD for the same purpose.
HB 2143	Turner	This bill requires a judge who places an offender on community supervision to require the offender to provide a copy of a valid driver's license or identification card of this state, another state or the federal government within 30 days of the placement on community supervision. The bill also requires TDCJ to develop a comprehensive plan to reduce recidivism and ensure successful reentry and integration through assessment, programs and information sharing. The bill defines correctional facility and offender and permits TDCJ to contract with government entities or vendors to implement the plan. The bill also requires TDCJ to coordinate a task force with other state and local entities and to research and report to the legislature whether the comprehensive reentry and integration plan reduces recidivism.
HB 2352	Allen	This bill requires a parole panel to release certain non-violent offenders when their calendar time plus good time credits equals their

		length of sentence.
HB 2404	Madden	This bill requires the General Land Office to determine the fair market rental value of state-owned housing provided to state employees and notify each agency of that value. If an agency does not recover 100% of the fair market rental value, the agency will require as a condition of employment that the employee pay a fee to the school district in which the housing is located. Failure to pay the fee will result in eviction of the state employee from state housing.
HB 2412	Miles	This bill provides that offenders convicted of possession of marijuana or possession of a controlled substance in penalty groups 1, 1A, 2, 3 or 4 would be released on mandatory supervision upon reaching their initial parole eligibility.
HB 2618	Kolkhorst	This bill requires TDCJ to transfer 5.57 acres to Walker County for establishing a museum for veterans.
HB 2650	Allen	This bill requires judges in a judicial district to adopt a single system of progressive intermediate sanctions for violations of the conditions of community supervision and establish a review process to following in considering a reduction in or early termination of community supervision.
HB 2845	Madden	This bill allows a judge who believes a defendant has violated community supervision to provide a warning to a defendant that communicates the consequences of violation, which may include a period of confinement in a county jail subsequent to receiving the warning.
HB 2969	Oliveira	This bill requires the General Land Office to offer for sale tracts of real property held by the TDCJ, the Texas Department of Transportation, the Texas Facilities Commission, the Texas Health and Human Services Commission, the Texas Parks and Wildlife Department and the TWF. The TDCJ's tract of land is 895.99 acres of land, a portion of the Estelle Unit in Walker County that did not find a buyer in previous attempts to sell.
HB 3031	McClendon	This bill permits shock probation for offenders convicted of a 3g offense or an offense with a deadly weapon finding.
HB 3195	Coleman	This bill allows certain state employees, including OIG employees and TDCJ employees working on units, who are required to work on a national or state holiday falling on a weekend to earn compensatory time for each hour worked.
HB 3239	Davis, Y.	This bill requires incoming inmates to TDCJ and releasing inmates from TDCJ to be tested for hepatitis. Also requires TDCJ, in consultation with the DSHS, to develop hepatitis education programs for inmates and employees and to adopt a policy for handling inmates testing positive for the disease.
HB 3340	White	This bill allows a warden or other senior employee of a facility operated by or under contract with TDCJ to provide the parole panel with information regarding an inmate's behavior and general progress while in prison. The warden would be permitted to recommend that the offender be paroled.

HB 3366	White	<p>This bill requires TDCJ, with input from the warden, to send a state jail offender's file to the sentencing court within 30 days of the time the offender will have served 75% of their sentence, contingent upon the inmate: having an exemplary behavior record while incarcerated; having demonstrated full compliance with all offered educational, treatment and vocational programs while incarcerated; not belonging to a security threat group; and having no prior convictions for a violent or sexual offense. The offender must be released to community supervision upon serving 75 percent of their sentence, unless the sentencing court objects within 30 days.</p>
HB 3379	Shelton	<p>This bill lowers the number of members on the CMHCC from TDCJ, UTMB and Texas Tech from two members each to one member each. The bill also increases the number of public members appointed by the governor from three members to six members and increases the number of doctors among the public members from two to three. The size of the committee remains the same at nine members. The bill also adds a section of new language to Sec. 501.147, Government Code:</p> <p><i>(e) In the exercise of the authority in this section the committee shall consider the cost of allocation proposals which guarantee compliance within the amounts appropriated for this purpose in the General Appropriations Act.</i></p>
HB 3386	Madden	<p>This bill creates an alternative revocation procedure for offenders on community supervision: who are not convicted of a state jail felony or certain sex offenses; whose violation does not include a new offense punishable by confinement; who are not a candidate for continuing community supervision. The court's jurisdiction continues for 365 days after the sentence begins. Prior to the 300th day, TDCJ must send the court the offender's records regarding conduct and conformity to TDCJ rules as well as any disciplinary violations. The judge the, between the 330th and the 365th day, may suspend the sentence again and place the offender back on community supervision.</p> <p>The bill also requires TDCJ to establish an adult education program to provide offenders with adult basic education, high school equivalency programs, cognitive skills training and technical and vocational training necessary to increase the success of inmates in obtaining and maintaining employment post-release and reducing recidivism.</p> <p>The bill requires TDCJ to issue a request for information to potential contractors and vendors to determine whether contracting for the transportation of inmates is more cost-effective than maintaining the function internally.</p> <p>The bill also requires TDCJ, the BPP, UTMB and TTUHSC to jointly develop a plan in which an offender requiring specific medical care that is significantly more expensive than the average level of care to other inmates is released under supervision for a time sufficient to enable the inmate to receive the necessary care in a setting other than the CMHC system.</p>

		The BPP is tasked with establishing a procedure to prioritize consideration of certain illegal criminal aliens.
HB 3455	Parker	This bill requires as a condition of parole that an offender designated as "high" risk level on the dynamic risk assessment for sex offenders submit to the monitoring of each computer or other electronic device used to access the internet, unless the condition interferes with the offender's ability to attend school or remain employed.
HB 3459	Eiland	<p>This bill requires TDCJ, in cooperation with UTMB Galveston and TTUHSC, to implement a training program for corrections medication aides (CMA) that uses a curriculum specific to administering medication in a correctional setting. Consideration must be given to the content of the curriculum developed by the ACA for corrections nurses as well as modification of the content of the curriculum for medication aides in a convalescent or nursing home setting to produce a curriculum satisfactory for a correctional setting. Approval of the curriculum would come from DARS.</p> <p>The bill creates new definitions for the term "elderly" (60 yrs. or older) and "terminally ill" (includes having an incurable illness, disease, disorder or other condition that has been diagnosed by a physician and is reasonably expected to cause death in 12 months or less).</p> <p>The bill also requires the executive commissioner of the HHSC to establish minimum standards and procedures for the approval of CMA training programs and minimum requirements for the issuance, denial, renewal, suspension and revocation of a permit to CMAs, including the payment of an application or renewal fee. If DARS fails to approve the training program devised by TDCJ, UTMB and TTUHSC, they must note the actions that are required for program approval. The bill requires the training program for CMAs to be developed and an application for approval submitted not later than January 1, 2012. The HHSC executive commissioner must have the minimum standards and requirements for a CMA in place not later than January 1, 2012.</p>
HB 3538	Thompson	This bill requires the mandatory release of certain inmates 55 and older on or before the inmate's initial parole eligibility date unless the inmate has a recent disciplinary infraction. The BPP is also required to adopt a policy to establish a date for a parole panel to reconsider at least annually the release of an elderly offender who was previously denied parole due to a recent disciplinary. The bill also requires the release of certain inmates on medically recommended intensive supervision (MRIS), excluding those inmates with a death sentence or life without parole. Two physicians must certify the offender is terminally ill, has a condition requiring long-term care, is in a persistent vegetative state, or has an organic brain syndrome with partial to total mobility impairment. TCOOMMI would be required to prepare a medically recommended supervision plan for the inmate that ensures appropriate supervision. Once released to MRIS, the parolee must remain under a physician's care and in a medically suitable placement, and TCOOMMI must report to the parole panel the parolee's status quarterly, allowing the parole panel to modify existing conditions of parole or impose new conditions. The bill also permits the discretionary release of inmates on MRIS who are 55 or older,

		have a physical disability or have a degree of mental illness or retardation certified and approved by a panel of a least two physicians.
HB 3649	Otto	<p>This bill contains numerous fiscal provisions related to law enforcement and criminal justice entities, enabling them to reduce or recover expenditures by:</p> <ul style="list-style-type: none"> • consolidating reports, extending the effective periods of licenses granted, entering into contracts with other agencies or private vendors to carry out the agency's duties, emailing of any agency communication, and adopting and collecting fees or charges to cover any duties the agency performs; • requiring a parole panel to order the release of an inmate to the supervised reentry program if they are eligible for parole but have not been released before the later of one year before the inmate discharges their sentence or the date on which the inmate will have served 90% of their sentence without regard for good time; • deleting funding for misdemeanor community supervision; and • terminating TDCJ's boot camp program.
HB 3650	Otto	This bill reduces the amount of release money provided to a TDCJ offender from \$100 to \$50.
HB 3761	Marquez	<p>This bill addresses numerous aspects of the treatment of and services provided to certain offenders in TDCJ, the provision of medical care to offenders in TDCJ and the release of inmates on parole and other supervised forms of release. For example, the bill:</p> <ul style="list-style-type: none"> • requires TDCJ to conduct a review of ad seg policies and adopt policies prohibiting confinement in ad seg based solely on gang membership, misconduct or disciplinary record or personal safety needs, as well as allows ad seg offenders to participate in educational or work-related courses and access other services; • requires a county to provide an electronic copy of an offender's medical records, if possible, upon transfer to TDCJ; • requires TDCJ to release an elderly offender (over 65) no later than the offender's initial parole eligibility date and requires the BPP to establish a six member panel to determine the issues regarding the release of elderly offenders, with a no vote required from at least four members to deny parole; and • credits time served on parole toward sentence completion upon revocation.

HB 3762	Marquez	This bill requires execution procedures to be determined by the TBCJ at an open meeting and requires the CID director to notify the inmate and the inmate's attorney in writing of the lethal substances to be used and the source for and expiration date of the substances at least 30 days before the scheduled execution.
HB 3763	Marquez	This bill, among other provisions already mentioned in the summary of HB 3761, requires a parole panel to release on medically recommended intensive supervision any offender other than an offender serving a sentence of death or life without parole, regardless of the offender's initial parole eligibility date, if the offender is terminally ill, requires long-term care, is in a persistent vegetative state or has an organic brain syndrome with severe mobility impairment.
SB 153	Huffman	This bill bars a judge from suspending a sentence and placing a person on community supervision unless the jury makes such a recommendation.
SB 232	Nelson	This bill requires as a condition of supervision for certain alcohol-related offenses that the defendant abstain from using alcohol for either the period of supervision or the first 60 days of supervision. Further, the defendant must be fitted with a secure alcohol monitoring device at the defendant's expense.
SB 823	Carona	This bill requires the court of criminal appeals to assure that certain members of the judiciary and attorneys who either represent the state in criminal or juvenile proceedings or in at least 50 percent of their practice represent defendants or respondents in criminal or juvenile proceedings receive training on the issues of mental health and substance abuse.
SB 883	Whitmire	This bill allows credit for street time for all offenders on parole, mandatory supervision or conditional pardon who are revoked.
SB 884	Whitmire	This bill states that the good time of an inmate on parole or mandatory supervision would no longer be forfeited if they are revoked.
SB 1076	Ellis	This bill requires judges to grant community supervision in most cases where an offender is convicted of drug possession offenses. TDCJ is required to study and report to the legislature the effectiveness and financial impact of these provisions, the adequacy of funding for operation of diversionary programs, and the effect of the provisions with respect to incarceration costs.

IX. Policy Issues

A. Brief Description of Issue

No changes in policy/statute are recommended at this time.

B. Discussion

C. Possible Solutions and Impact

X. Other Contacts

A. Fill in the following chart with updated information on people with an interest in your agency, and be sure to include the most recent e-mail address.

INTEREST GROUPS (groups affected by agency actions or that represent others served by or affected by agency actions)			
Group or Association Name/ Contact Person	Address	Telephone	E-mail Address
AFSME / Brian E. Olson	Barrett Building 1314 10th Street, Ste. 230 Huntsville, Texas 77320	936-295-5265	afscme7@wt.net
AIDS Foundation of Houston / Angela Zielinski	3202 Wesleyan Houston, Texas 77027	713-623-6796	info@AFHousto n.org
Bikers Against Child Abuse	P.O. Box 2252 Pflugerville, Texas 78691	877-719-2988	bacaustin@urea ch.com
Children's Advocacy Centers of Texas / Sandra Martin	8509 FM 969 Bldg 2 Austin, Texas 78724	512-472-1164	smartin@centerf orchildprotection .com
Concerns of Police Survivors (COPS) National Office / Five Texas Chapters	P.O. Box 3199 Camdenton, Missouri 65020	573-346-4911	cops@nationalco ps.org
Crime Prevention Institute / Christina Hamilton	2513 E Cesar Chavez St. Austin, Texas 78702-4701	512-502-9704	info@cpiastin.o rg
Disabled Crime Victims Assistance, Inc. / Wanda Page	2501 Parkview Dr. Fort Worth, Texas 76102	817-338-0220	dcva@sbcglobal. net
Girl Scouts of America - Enterprising Girl Scouts Beyond Bars / Robin Bludau			RobinB@gsctx.o rg
Justice for All / William Hubbarth	P.O. Box 55159 Houston, Texas 77255	713-935-9300	info@jfa.net
MADD - TX State Office / Reita Hill	1010 Jasper #3 Killeen, Texas 76542	254-690-6233	maddvoca@earth link.net
Parents of Murdered Children (OMC) – National Office / Three Texas Chapters	100 E. Eight Street, Ste. 202, Cincinnati, Ohio 45202	888-818-POMC	natlpomc@aol.co m
People Against Violent Crime / Sebastian Sarate	P.O. Box 92621 Austin, Texas 78709	512-837-7282	pavc@ev1.net
Restorative Justice Network / Bill Cliburn	1229 Ave. J Huntsville, Texas 77340	936-291-3441	bill.cliburn@fbc huntsville.org

Texans for Equal Justice / Janice Sager	P.O. Box 241 Willis, Texas 77378	936-441-4711	tej@texansforequ aljustice.org
Texas Advocacy Project / Ms. D'An Anders	P.O. Box 833 Austin, Texas 78767	512-476-5386	danders@texasad vocacyproject.or g
Texas Association Against Sexual Assault / Victoria Camp	7701 N Lamar Ste. 104 Austin, Texas 78752	512-474-7190	vcamp@taasa.or g
Texas Association of Second Harvest Food Bank (TASHFB) / Barbara Anderson	2001 Beach St., Ste. 630 Fort Worth, Texas 76103	817-531-3663	banderson@seco ndharvest.org
Texas Civil Rights Project / Jim Harrington	1405 Montopolis Drive Austin, Texas 78741	512-474-5073	
Texas Court Appointed Special Advocates (CASA) – Glenn Brooks	1501 West Anderson Lane Bldg. B- 2, Austin, Texas 78757	512-473-2627	gbrooks@texasca sa.org
Texas District & County Attorneys Association / Robert Kepple	505 W 12 th St., Ste. 100 Austin, Texas 78701	512-474-2436	
Texas Equal Access to Justice Foundation / Betty Balli Torres	P.O. Box 12886 Austin, Texas 78711	512-320-0099 ext. 105	bbtorres@teajf.or g
Texas Inmate Families Association / Jim Nelson	P.O. Box 300200 Austin, Texas 78703	512-371-0900	tifa@tifa.org
The Shaken Baby Alliance - Texas State Chapter / Bonnie Armstrong	8551 Boat Club Road, Ste. 117 Fort Worth, Texas 76179	817-882-8686	info@shakenbab y.com
TX Citizens United for Rehabilitation of Errants (CURE) / David Paredes	P.O. Box 1176 Burleson, Texas 76097	210-531-9488	txcure@txcure.or g
Texas Public Policy Foundation / Marc Levin	900 Congress, Suite 400 Austin, Texas 78701	512-472-2700	www.texaspolicy .com
The Texas Criminal Justice Coalition/Ana Yañez-Correa	510 S. Congress, Suite 104 Austin, Texas 78704	512-441-8123	info@criminaljus ticecoalition.org
Women's Advocacy Project / D' An Anders	P.O. Box 833 Austin, Texas 78767	512-476-5386	anders@women- law.org
INTERAGENCY, STATE, OR NATIONAL ASSOCIATIONS (that serve as an information clearinghouse or regularly interact with your agency)			
Group or Association Name/ Contact Person	Address	Telephone	E-mail Address
Advisory Committee on Offenders with Medical or Mental Impairments	8712 Shoal Creek Blvd, Ste. 280 Austin, Texas 78757	512-465-5100	
American Correctional Association (ACA) / James A. Gondles, Jr.	206 N. Washington Street Alexandria, Virginia 22314	703-224-0101	execoffice@aca. org
American Probation and Parole Association / Carl Wicklund	P.O. Box 11910 Lexington, Kentucky 40578-1910	859-244-8203	cwicklund@csg.or g
ARC of Texas / LaFreda Smith	12700 Hillcrest, Ste. 200 Dallas, Texas 75230	214-634-9810 ext. 107	lsmith@arcDallas .org
Association of Certified Fraud Examiners	716 West Ave Austin, Texas 78701	512-478-9000 800-245-3321	memberservices @acfe.com
Association of Inspectors General	320 Chestnut St. Philadelphia, PA 19106	306-265-7785	www.inspectorsg eneral.org

Association of Inspectors General / Robert Clift	605 Suwannee St. Tallahassee, Florida 32399	306-265-7785	institutes@inspectorgeneral.org
Association of Paroling Authorities International / Gail Hughes	Box 211 California, Missouri 65018	573-796-2113	gdh@aol.com
Bureau of Justice Assistance / Julius Dupree	810 Seventh Street NW Washington, D.C. 20531	202-514-3447	Julius.dupree@usdoj.gov
Center for Effective Public Policy / Peggy Burke	8403 Colesville Road, Ste. 720 Silver Springs, Maryland 20910	301-589-9383	pburke@cepp.com
Center for Sex Offender Management / Madeline Carter	8403 Colesville Road, Ste. 720 Silver Springs, Maryland 20910	301-589-9383	cartermm@cepp.com
Correctional Management Institute of Texas / Doug Dretke, Executive Director	George J. Beto Criminal Justice Center Huntsville, Texas 77341-2296	936-294-1675	www.cmitonline.org
Corrections Technology Association	8347 Hinsdale Way Tallahassee, Florida 32312	N/A	N/A
Federal Bureau of Prisons / Thomas Kane	320 First St. NW Washington, D.C. 20534	202-307-3198	info@bop.gov
Federal Emergency Management Agency	U.S. Department of Homeland Security 500 C Street SW Washington, D.C. 20472	202-646-2500	
Immigration and Customs Enforcement / John Morton	ICE Washington, D.C. 20536	202-732-4242	
International Prison Transfer Program / Paula A. Wolff	John C. Keeney Bldg, 12th Floor Washington, DC 20530	202-514-3173	Paula.Wolff@Usdoj.gov
Judicial Advisory Council / Honorable Mary Anne Bramblett	41 st District Court 500E. San Antonio Ave., 10th Floor El Paso, Texas 79901	915-546-2149	mbramblett@co.el-paso.tx.us
Judicial Advisory Council / Honorable Rose Guerra Reyna	206 th District Court Hidalgo County Courthouse 100 N. Closner St., 1st Floor Edinburg, Texas 785391	956-318-2265	rgr206@aol.com
Just Alternatives / Jon Wilson	41 WoodenBoat Lane, Brooklin, Maine 04616	207-359-4651	j.wilson@justalternatives.org
Justice Solutions / Anne Seymour	720 7 th St. N.W., Ste. 300, Washington, D.C. 20001	202-448-1710	annesey@atlantech.net
Mental Health Association of Greater Houston	2211 Norfolk, Ste. 810 Houston, Texas 77098	713-523-8963	
National Alliance of the Mentally Ill / Eric Willard	Fountain Park Plaza III 2800 South IH35, Ste. 140 Austin, Texas 78704	512-693-2000	kjeschke@namitexas.org
National Association of Victim Service Providers in Corrections / Karin Ho	999 Baretts Mill Road, W. Concord, Massachusetts 01742	614-728-1976	info@navspic.org
National Commission on Correctional Health Care (NCCHC) / Edward Harrison	1145 West Diversey Parkway Chicago, Illinois 60614	773-880-1460	info@ncchc.org

National Correctional Industries Association (NCIA)	1202 North Charles Street Baltimore, Maryland 21201	410-230-3972	gina@nationalcia.org
National Institute of Corrections / George Keiser	320 First Street, N.W. Washington, DC	800-995-6423	gkeiser@bop.gov
National Institute of Justice (NIJ)	810 7 th Street NW Washington, DC 20531	202-307-2942	Ojp.ocom@usdoj.gov
National Organization for Victim Assistance (NOVA) / Will Marling	510 King Street, Ste. 424, Alexandria, Virginia 22314	703-535-6682	willmarling@trynova.org
National White Collar Crime Center / Don Brackman	10900 Nuckets Road, Ste. 325 Glen Allen, Virginia 2306	800-221-4424	www.nw3c.org
Office for Victims of Crime / Joye Frost	810 Seventh Street NW, 8th Floor Washington, DC 20531	202-307-5983	Joye.frost@usdoj.gov
Ombudsmen of Texas			ombudsoftexas@gmail.com
Probation Advisory Council / Michael Wolfe	301 Oak Street Abilene, Texas 79602	325-674-1247	mwolfe@taylorscd.org
Regional Organized Crime Information Center / Don Grote	545 Marriott Drive, Ste. 850 Nashville, Tennessee 37214	800-238-7985	dgrote@rocic.ris.net
Task Force of Indigent Defense / James D. Bethke	205 West 14th Street Ste. 700 Austin, Texas 78701	512-936-6994	FairDefense@courts.state.tx.us
Texas Association Against Sexual Assault (TAASA) / Victoria Camp	6200 La Calma Ste. 110 Austin, Texas 78752	512-474-7190	vcamp@taasa.org
Texas Association of Drug Court Professionals / Fred Rangel	George J. Beto Criminal Justice Center Sam Houston State University Huntsville, Texas 77341-2296		Frangel@shsu.edu
Texas Center for the Judiciary / Mark Bickett	1210 San Antonio, Ste. 800 Austin, Texas 78701	512-482-8986	mkbickett@yourhonor.com
Texas Community Supervision and Corrections Departments / Statewide	Various	Various	Various
Texas Corrections Association / Chuck Space	4600 Spicewood Springs Rd. Ste. 103 Austin, Texas 78731	512-346-5820	info@txcorrections.org
Texas Council on Family Violence / Dyanne Purcell	P.O. Box 161810 Austin, Texas 78716	512-794-1133	dpurcell@tcfv.org
Texas Criminal Defense Lawyers Association / Joseph Martinez	6808 Hill Meadow Dr. Austin, Texas 78736	512-478-2514	martinez@tcdla.com
Texas District Attorneys Offices / Statewide	Various	Various	Various
Texas Probation Association / Kathleen Gilbert	George J. Beto Criminal Justice Center Sam Houston State University Huntsville, Texas 77341-2296	936-294-3073	kgilbert@shsu.edu
The National Center for Victims of Crime / Ms. Susan Howley	2000 M Street NW, Ste. 480 Washington, DC 20036	202-467-8700	showley@ncvc.org
Travis County District Attorney / Rosemary Lehmberg	P.O. Box 1748 Austin, Texas 78767	512-854-9400	rosemary@travis.co.tx.us
Travis County Reentry Roundtable	P.O. Box 82507	512-825-9070	prayfield@austin

Planning Council / Penny Rayfield	Austin, Texas 78708		.rr.com
United States Department of Justice - Gang Unit / Damon Stamant	1200 Texas Avenue Houston, Texas 77002	713-221-5400	dstamant@bop.gov
United States Department of Justice - Civil Rights Division / Thomas Perez	950 Pennsylvania Ave. NW Washington, DC 20530	202-514-4609	askdoj@usdoj.gov
United States Marshal's Office / Stacia Hylton	950 Pennsylvania Ave. NW Washington, DC 20530	202-307-9100	Us.marshals@usdoj.gov
LIAISONS AT OTHER STATE AGENCIES (with which your agency maintains an ongoing relationship, such as the agency's assigned analyst at the Legislative Budget Board, or attorney at the Attorney General's office)			
Agency Name/Relationship/ Contact Person	Address	Telephone	E-mail Address
Correctional Managed Health Care / Allen Hightower	1300 11 th Street Ste. 415 Huntsville, Texas 77340	936-437-1972	cmhc@suddenlinkmail.com
Department of Aging and Disability Services (DADS) / Chris Traylor	P.O. Box 149030 Austin, Texas 78714-9030	512-438-3011	mail@dads.state.tx.us
Department of Information Resources	300 W. 15 th Street, Ste. 1300 Austin, Texas 78701	512-475-4700	N/A
Department of Public Safety	5805 N. Lamar Blvd. Austin, Texas 78752-4422	512-424-2000	N/A
Department of State Health Services - Wellness Initiative Now Program / Jennifer Smith	1100 West 49 th Street Austin, Texas 78756-3199	512-458-7111	jennifer.smith@dshs.state.tx.us
Employees Retirement System of Texas / Ann S. Fuelberg	P.O. Box 13207 Austin, Texas 78711-3207	512-867-7714	
Employees Retirement System of Texas - Insurance, Retirement, and Deferred Compensation / Debbie Warren	P.O. Box 13207 Austin, Texas 78711-3207	512-867-7523	debbie.warren@ers.state.tx.us
Employees Retirement System of Texas - Insurance, Retirement, and Deferred Compensation / Cathy Terrell	1800 San Jacinto Blvd. Austin, Texas 78701-1419	512-867-3163	cterrell@ers.state.tx.us
Federal Bureau of Investigations / Art Fierro	FBI HQ 935 Pennsylvania Ave, NW Washington, D.C. 20535	202-324-3000	art.fierro@swern.gov
Health and Human Services Commission (HHSC) / Thomas Suehs	4900 N. Lamar Blvd Austin, Texas 78751-2316	512-424-6500	webmaster@hhsc.state.tx.us
Legislative Budget Board / Michele Connolly	P.O. Box 12666 Austin, Texas 78711-2666	512-463-1200	michele.connolly@lbb.state.tx.us
Legislative Budget Board / Angela Isaack	P.O. Box 12666 Austin, Texas 78711-2666	512-463-1200	Angela.isaack@lbb.state.tx.us
Office of the Attorney General - Financial Litigation - Adrian Henderson	209 W. 14th Street Austin, Texas 78701	512-475-4280	adrian.henderson@oag.state.tx.us

Consumer Protection & Public Health - Mary Henderson Consumer Protection - Susan Kelley General Litigation Division – Kathy Wilson Law Enforcement Defense Division - David Talbot Office of the Solicitor General – Sean Jordan Open Records Division - Hadassah Schloss Postconviction Litigation Division – Ed Marshall		512-475-4185 512-475-4173 512-463-2120 512-475-3042 512-463-2191 512-478-6736 512-936-1400	mary.henderson@oag.state.tx.us susan.kelley@oag.state.tx.us kathy.wilson@oag.state.tx.us david.talbot@oag.state.tx.us sean.jordan@oag.state.tx.us hadassah.schloss@oag.state.tx.us ed.marshall@oag.state.tx.us
Office of the Attorney General of Texas – Crime Victims Division / Gene McCleskey	P.O. Box 12198 Austin, Texas 78711	512-936-1231	Gene.mccleskey@oag.state.tx.us
Office of the Governor - Budget, Planning, and Policy / Chelsea Buckholtz Press Office –Mark Miner Texas Film Commission	P.O. Box 12428 Austin, Texas 78711	512-463-1826 512-463-2000	cbuchholtz@governor.state.tx.us mminer@governor.state.tx.us
Sam Houston State University – Crime Victims’ Institute / Dr. Glen Kercher	P.O. Box 2296 Huntsville, Texas 77341	936-294-1642	Icc_gak@shsu.edu
Social Security Administration / Doretha Towson	300 North Green Street Baltimore, Maryland 21290	410-966-0401	
Special Prosecution Unit / Gina DeBottis	340 Hwy. 75 North, Ste. A Huntsville, Texas 77320	936-291-2369	GDeBottis@sputexas.com
State Agency Coordinating Committee - Legal Affairs Subcommittee / Cynthia Villareal-Reyna	333 Guadalupe Austin, Texas 78701	512-463-6102	cynthia.villareal-reyna@tdi.state.tx.us
State Bar of Texas / John Richards	P.O. Box 12487 1414 Colorado Street Austin, Texas 78701	512-427-1463	memmail@texasbar.com
State Comptroller’s Office – Appropriation Control / Katrina Burch	P.O. Box 13528, Capitol Station Austin, Texas 78711-3528	512-936-6671	Katrina.burch@cpa.state.tx.us
State Comptroller’s Office – Texas Procurement and Support Services (TPASS) Division / Ron Pigott	P.O. Box 13186 Austin, Texas 78711-3186	512-463-5038	Ron.pigott@cpa.state.tx.us
State Office of Risk Management (SORM) - Workers’ Compensation / Gordon Leff	P.O. Box 1377 Austin, Texas 78711-377	512-936-1535	gordon.leff@sorm.state.tx.us
State Office of Risk Management / Jonathan D. Bow	P.O. Box 13777 Austin, Texas 78711-3777	512-475-1440	jonathan.bow@sorm.state.tx.us
Texas A&M University / Dr. R. Bowen Loftin	1246 TAMU College Station, Texas 77843	979-845-3211	president@tamu.edu
Texas Animal Health Commission	P.O. Box 12966	512-719-0700	asstexecd@tahc.

	Austin, Texas 78711-2966		state.tx.us
Texas Attorney General's Office - Child Support Office / Mitch Fontenot	P.O. Box 12017 Austin, Texas 78711	512-936-1689	Matt.brown@cv.o ag.state.tx.us
Texas Board of Pardons and Paroles / Ms. Rissie Owens	P.O. Box 13401 Austin, Texas 78711 P.O. Box 599 Huntsville, Texas 77342	512-936-6351 936-291-2161	Bpp- pio@tdcj.state.tx. us Rissie.owens@tdc j.state.tx.us
Texas Board of Pardons and Paroles / Troy Fox	P.O. Box 13401 Austin, Texas 78711	512-406-5452	Bpp- pio@tdcj.state.tx. us
Texas Commission on Jail Standards / Adam Munoz	P.O. Box 12985 Austin, Texas 78711	512-463-5505	info@tcjs.state.tx .us
Texas Comptroller of Public Accounts \ Leonard Higgins	P.O. Box 13528 Austin, Texas 78711-3528	512-936-6100	leonard.higgins@ cpa.state.tx.us
Texas Department of Aging and Disability Services / Chris Traylor	P.O. Box 149030 Austin, Texas 78714	800-458-9858	chris.traylor@da ds.stat e.tx.us
Texas Department of Health and Human Services – Texas Council of Sex Offender Treatment / Allison Taylor	1100 West 49 th Street Austin, Texas 78756	512-834-4530	Allison.taylor@ds hs.state.tx.us
Texas Department of Insurance / Eleanor Kitzman	P.O. Box 149104 Austin, Texas 78714-9221	512-463-6169	PIO@tdi.state.tx. us
Texas Department of Licensing & Regulation / Gary Olivares	P.O. Box 12157 Austin, Texas 78711	512-463-6599	executive.directo r@license.state.t x.us gary.olivares@li cense.state.tx.us
Texas Department of Public Safety – Special Crimes - Houston /Rick Muniz	12230 West Road Houston, Texas 77065	281-517-1430	rick.muniz@txdp s.state.tx.us
Texas Department of Public Safety – Victim Services / Melissa Atwood	P.O. Box 4087 Austin, Texas 78773	512-424-5163	Melissa.atwood@ txdps.state.tx.us
Texas Department of State Health Services / Assistant Commissioner for Regulatory Services – Kathryn Perkins Director of Meat Safety - Butch Johnson Council on Sex Offender Treatment- Allison Taylor Cindy Bourland Community Mental Health & Substance Abuse - Mike Maples	2201 Donley, Ste. 200 Austin, Texas 78758	512-834-6660 512-834-6760 512-834-4530 512-206-5000 512-206-5968	butch.johnson@t dh.state.tx.us csot@dshs.texas. state.tx.us michael.maples @dshs.state.tx.us
Texas Department of Transportation / Eric Gleason	125 E 11 th St. Austin, Texas 78701	512-463-8588	

Texas Department of Transportation / Glen Hagler		512-374-5402	
Texas Facilities Commission Executive Director - Terry Keel	P.O. Box 13047 1711 San Jacinto Blvd. Austin, Texas 78711	512-463-3446	terry.keel@tfc.state.tx.us
Texas Forest Service / David Hamrick	301 Tarrow, Ste. 364 College Station, Texas 77840-7896	979-458-6609	dhamrick@tfs.tamu.edu
Texas General Land Office / Charles Richards	1700 N. Congress Ave. Ste. 935 Austin, Texas 78701-1495	512-305-9108	charles.richards@glo.state.tx.us
Texas Juvenile Probation Commission / Lisa Capers	P.O. Box 13547 Austin, Texas 78711-3547	512-424-6700	info@tjps.state.tx.us
Texas Juvenile Probation Commission / Vicki Spriggs	P.O. Box 13547 Austin, Texas 78711-3547	512-424-6700	vicki.spriggs@tjpc.state.tx.us
Texas Parks and Wildlife / Carter Smith	4200 Smith School Road Austin, Texas 78744	512-389-4828	
Texas Public Finance Authority / Deputy Director John Hernandez	300 W. 15 th St., Ste. 411 Austin, Texas 78701	512-463-3101	john.hernandez@tpfa.state.tx.us
Texas Railroad Commission / Bill Meyer	P.O. Box 12967 Austin, Texas 78711-2967	512-936-6972	
Texas Secretary of State / Dan Proctor	1100 Congress Capitol Bldg., Room 1E.8 Austin, Texas 78701	512-463-5562	generalcounsel@sos.state.tx.us
Texas State Auditor's Office / Christine Bailey	P.O. Box 12067 Austin, Texas 78711-2067	512-936-9500	cbailey@sao.state.tx.us
Texas State Fire Marshal's Office / Paul Maldonado	P.O. Box 149221 Austin, Texas 78714-9221	512-305-7900	Fire.marshall@tdi.state.tx.us
Texas State Library and Archives Commission - Archives & Information Services / Laura K. Saegert	1201 Brazos Street P.O. Box 12927 Austin, Texas 78711-2927	512-463.5500	LSaegert@tsl.state.tx.us
Texas State Office of Administrative Hearings	300 W. 15 th Street Austin, Texas 78701-1649	512-475-4993	
Texas State Office of Risk Management / Jonathan Bow	P.O. Box 13777 Austin, Texas 78711-3777	512-475-1440	jonathan.bow@som.state.tx.us
Texas Tech University Health Sciences Center / Denise DeShields	3901 State Jail Road El Paso, Texas 79938	915-849-8039	DeniseDeShields@ttuhsc.edu
Texas Workforce Commission - Governmental Relations / Courtney Yantes Civil Rights - Vickie Covington Project Rio - John Ownby	101 E. 15 th Street Austin, Texas 78778	512-463-1134 512-463-4615 512-463-0834	courtney.yantes@twc.state.tx.us vickie.covington@twc.state.tx.us john.ownby@twc.state.tx.us
Texas Youth Commission Melissa Headrick CFO - Robin McKeever Deidre Hernandez	P.O. Box 4260 Austin, Texas 78765	512-424-6005 512-424-6261 512-424-6421	Melissa.headrick@tyc.state.tx.us Robin.McKeever@tyc.state.tx.us

The University of Texas at Austin – School of Social Work / Dr. Marilyn Armour	1 University Station D3500 Austin, Texas 78712	512-471-3197	marmour@mail.utexas.edu
United States Attorney's Office / John E. Murphy	816 Congress Ave. Ste. 1000 Austin, Texas 78701	512-916-5858	USATXW.webmaster@usdoj.gov
United States Equal Employment Opportunity Commission – Houston Office / R.J. Ruff, Jr.	1919 Smith St. Houston, Texas 77002-8049	800-669-4000	info@ask.eeoc.gov
University of Texas Medical Branch – Clinical Services / Owen Murray	130 Medical Center Parkway, Ste. 2 Huntsville, Texas 77340	936-293-3655	ojmsm@earthlink.net
Windham School District / Debbie Roberts	P.O. Box 40 Huntsville, Texas 77342	936-291-5304	debbie.roberts@wsdtx.org

XI. Additional Information

A. Fill in the following chart detailing information on complaints regarding your agency. Do not include complaints received against people or entities you regulate. The chart headings may be changed if needed to better reflect your agency's practices.

Texas Department of Criminal Justice Complaints Against the Agency c FY 2009 and 2010		
	FY 2009	FY 2010
Number of complaints received	*19,880	*15,483
Number of complaints resolved	*19,880	*15,483
Number of complaints dropped/found to be without merit	unknown	Unknown
Number of complaints pending from prior years	0	0
Average time period for resolution of a complaint	30 days public; 10 days legislators	10 days public; 5 days legislators

*Includes all inquiries received by ombudsman offices.

B. Fill in the following chart detailing your agency's Historically Underutilized Business (HUB) purchases. See Exhibit 17 Example or [click here to link directly to the example](#).

Texas Department of Criminal Justice Purchases from HUBs				
FISCAL YEAR 2008 <i>(Totals may differ due to rounding)</i>				
Category	Total \$ Spent	Total HUB \$ Spent	Percent	Statewide Goal
Heavy Construction	\$16,374	\$14,924	91.1%	11.9%
Building Construction	\$25,175,126	\$11,817,889	46.9%	26.1%
Special Trade	\$16,408,926	\$3,141,435	19.1%	57.2%
Professional Services	\$11,960,098	\$272,585	2.3%	20.0%
Other Services	\$46,135,938	\$1,885,864	4.1%	33.0%
Commodities	\$231,421,529	\$29,020,309	12.5%	12.6%
TOTAL	\$331,117,993	\$46,153,010	13.9%	
Texas Department of Criminal Justice Purchases from HUBs				
FISCAL YEAR 2009 <i>(Totals may differ due to rounding)</i>				
Category	Total \$ Spent	Total HUB \$ Spent	Percent	Statewide Goal
Heavy Construction	\$280,467	\$20,817	7.4%	11.9%
Building Construction	\$14,135,516	\$3,708,893	26.2%	26.1%
Special Trade	\$15,427,265	\$4,707,393	30.5%	57.2%
Professional Services	\$15,283,304	\$125,617	0.8%	20.0%
Other Services	\$52,634,256	\$2,319,425	4.4%	33.0%
Commodities	\$251,556,660	\$25,501,644	10.1%	12.6%
TOTAL	\$349,317,470	\$36,383,792	10.4%	
FISCAL YEAR 2010 <i>(Totals may differ due to rounding)</i>				
Category	Total \$ Spent	Total HUB \$ Spent	Percent	Statewide Goal
Heavy Construction	\$3,025,789	\$472,885	15.6%	11.9%
Building Construction	\$2,684,907	\$1,323,780	49.3%	26.1%
Special Trade	\$18,961,729	\$5,051,463	26.6%	57.2%
Professional Services	\$16,164,858	\$252,178	1.6%	20.0%
Other Services	\$50,478,174	\$2,338,717	4.6%	33.0%
Commodities	\$235,128,850	\$28,665,217	12.2%	12.6%
TOTAL	\$326,444,310	\$38,104,242	11.7%	

C. Does your agency have a HUB policy? How does your agency address performance shortfalls related to the policy? (Texas Government Code, Sec. 2161.003; TAC Title 34, Part 1, rule 20.15b)

Yes, the TBCJ adopted the rules of the Texas Comptroller of Public Accounts codified in 34 Texas Administrative Code, Part 1, Chapter 20, Subchapter B, relating to the HUB Program. The TDCJ is firmly committed to promoting and increasing contracting opportunities with Historically Underutilized Businesses. The agency seeks to address performance shortfalls by using a highly structured program that is presented as the TDCJ HUB Action Plan. Other good faith efforts include the following:

- Agency partnership with the Texas Association of Mexican American Chambers of Commerce (TAMACC) and the Texas Association of African American Chambers of Commerce (TAAACC).
- HUB forum programs to have HUB suppliers present their products and services to TDCJ personnel.
- Continuous revolving one on one training of TDCJ purchasers in locating and using HUB vendors.
- Attendance at economic opportunity forums and HUB oriented trade fairs with bid opportunities.
- Attend construction pre-bid conferences and introduce HUB subcontractors to prime contractors.
- Assist HUB contractors in re-certification at agency offices or by traveling to their location if necessary.
- Assistance to and training of HUB vendors and contractors as necessary.
- Sponsoring HUB trade shows and vendor orientations for TDCJ personnel to meet HUB vendors.
- Promote, monitor, and continue to expand a successful Mentor-Protégé program.
- Participation in contract administration.
- Distribution of Electronic State Business Daily opportunities twice weekly to minority organizations and HUBs.
- Prepare detailed and informative HUB subcontractor lists for solicitations that require HUB Subcontracting Plans.
- Periodic presentations and departmental HUB performance reporting to TDCJ management.
- Present agency required HUB training to purchasing staff on a quarterly basis.

The TDCJ believes that these programs demonstrate our “Good Faith Effort” to improve participation of Historically Underutilized Businesses with the agency’s contracting opportunities. TDCJ also believes that success in the HUB Program requires executive commitment and oversight, as well as cooperation, integration, and a close working relationship between the Contracts and Procurement staff and the HUB Program staff. This continued

commitment is vital to the agency's success for creating and increasing contracting opportunities for Historically Underutilized Businesses.

D. For agencies with contracts valued at \$100,000 or more: Does your agency follow a HUB subcontracting plan to solicit bids, proposals, offers, or other applicable expressions of interest for subcontracting opportunities available for contracts of \$100,000 or more? (Texas Government Code, Sec. 2161.252; TAC Title 34, Part 1, rule 20.14)

Yes. The agency does utilize the HUB Subcontracting Plan (HSP) developed by the office of the Comptroller of Public Accounts, revised October 2007. HUB program staff presents the HSP at pre-bid conferences and instruct potential prime contractors of our goals with HUBs, the importance of the completeness of the HSP, and the required "Good Faith Effort".

E. For agencies with biennial appropriations exceeding \$10 million, answer the following HUB questions.

	Response / Agency Contact
1. Do you have a HUB coordinator? (Texas Government Code, Sec. 2161.062; TAC Title 34, Part 1, rule 20.26)	Sharon Schultz HUB Director Two Financial Plaza, Suite 525 Huntsville, Texas 77340 936-437-7026 (phone), 936-437-7088 (fax) Sharon.schultz@tdcj.state.tx.us
2. Has your agency designed a program of HUB forums in which businesses are invited to deliver presentations that demonstrate their capability to do business with your agency? (Texas Government Code, Sec. 2161.066; TAC Title 34, Part 1, rule 20.27)	TDCJ hosts a HUB forum every year in cooperation with Sam Houston State University, Walker County and the City of Huntsville. This year's forum was held March 22, 2011. In addition, businesses regularly meet with purchasers and TDCJ staff throughout the year to give presentations about the products and services their company has to offer the agency.
3. Has your agency developed a mentor-protégé program to foster long-term relationships between prime contractors and HUBs and to increase the ability of HUBs to contract with the state or to receive subcontracts under a state contract? (Texas Government Code, Sec. 2161.065; TAC Title 34, Part 1, rule 20.28)	TDCJ has developed a mentor-protégé program and is currently sponsoring two mentor-protégé relationships. Additionally, the agency is currently working to build two more mentor-protégé relationships.

F. Fill in the chart below detailing your agency's Equal Employment Opportunity (EEO) statistics.¹ See Exhibit 18 Example or [click here to link directly to the example](#).

Texas Department of Criminal Justice Equal Employment Opportunity Statistics							
FISCAL YEAR 2008							
Job Category	Total Positions	Minority Workforce Percentages					
		Black		Hispanic		Female	
		Agency	Civilian Labor Force %	Agency	Civilian Labor Force %	Agency	Civilian Labor Force %
Officials/Administration	543	13.6%	6.6%	9.3%	14.2%	28.2%	37.3%
Professional	4681	25.6%	8.3%	14.3%	13.4%	48.2%	53.2%
Technical	84	9.5%	12.4%	7.1%	20.2%	41.7%	53.8%
Administrative Support	2949	18.0%	11.2%	17.5%	24.1%	94.7%	64.7%
Service Maintenance	28,603	29.1%	13.8%	18.7%	40.7%	41.4%	39.0%
Skilled Craft	1358	4.5%	6.0%	11.0%	37.5%	5/5%	4.8%
Texas Department of Criminal Justice Equal Opportunity Employment Statistics							
FISCAL YEAR 2009							
Job Category	Total Positions	Minority Workforce Percentages					
		Black		Hispanic		Female	
		Agency	Civilian Labor Force %	Agency	Civilian Labor Force %	Agency	Civilian Labor Force %
Officials/Administration	559	14.3%	9.0%	9.3%	23.7%	29.9%	38.8%
Professional	4834	25.9%	11.7%	14.0%	19.9%	48.6%	54.5%
Technical	87	10.3%	17.0%	6.9%	27.0%	43.7%	55.6%
Administrative Support	3035	18.6%	13.2%	17.5%	31.9%	94.4%	66.2%
Service Maintenance	30,738	28.9%	12.8%	19.3%	44.8%	40.2%	39.7%
Skilled Craft	1373	4.7%	5.1%	11.6%	46.9%	5.0%	5.1%

¹ The Service/Maintenance category includes three distinct occupational categories: Service/Maintenance, Para-Professionals, and Protective Services. Protective Service Workers and Para-Professionals are no longer reported as separate groups. Please submit the combined Service/Maintenance category totals, if available.

FISCAL YEAR 2010							
Job Category	Total Positions	Minority Workforce Percentages					
		Black		Hispanic		Female	
		Agency	Civilian Labor Force %	Agency	Civilian Labor Force %	Agency	Civilian Labor Force %
Officials/Administration	555	15.0%	7.5.0%	10.5%	21.17%	30.5%	37.5%
Professional	4484	27.4%	9.7%	14.6%	18.8%	49.9%	53.3%
Technical	86	11.6%	13.9%	7.0%	27.1%	43.0%	53.9%
Administrative Support	2716	19.2%	12.7%	17.9%	31.9%	94.4%	67.1%
Service/Maintenance	30,751	29.1%	14.4%	19.4%	49.9%	39.6%	39.1%
Skilled Craft	1463	5.2%	6.6%	11.4%	46.3%	5.0%	6.0%

G. Does your agency have an equal employment opportunity policy? How does your agency address performance shortfalls related to the policy?

Yes, the policy is incorporated in personnel directive (PD)-12, "Equal Employment Opportunity." The policy states, "No applicant or employee of the TDCJ shall be discriminated against because of race, color, religion, sex (gender), national origin, age, disability or genetic information." PD-12 identifies that procedures are followed that reflect the agency's commitment to equal employment opportunity (EEO) compliance.

Shortfalls relating to underutilization are addressed in the Recruitment Plan, which is published for each state fiscal biennium. The purpose of the Recruitment Plan is to develop and implement a comprehensive recruitment program that includes marketing or publicizing job vacancies in a manner that is designed to attract applicants from underutilized groups of workers.

Shortfalls relating to discrimination in the workplace are addressed in the Executive Director's letter Equal Employment Opportunity and Sexual Harassment. The letter encourages employees who believe they have been subjected to any form of discrimination to contact any agency official, contact the Employee Relations Intake Team, file a complaint in accordance with PD-31, "Discrimination in the Workplace" or PD-13, "Sexual Harassment and Discourteous Conduct of a Sexual Nature", or contact the TWF – Civil Rights Division, and/or the U.S. Equal Employment Opportunity Commission. When the agency receives a discrimination complaint, a fact-finding inquiry is conducted in accordance with PD-31 or PD-13. If the fact-finding inquiry finds that any rule violations have occurred, appropriate disciplinary action is administered in accordance with PD-22, "General Rules of Conduct and Disciplinary Action Guidelines for Employees".

The TDCJ EEO Section is provided a copy of all documentation regarding the resulting corrective action. In addition, the warden or department head may contact the TDCJ Intake Office and request the complainant and respondent participate in the agency's dispute resolution process. The agency's EEO investigative process has been revised to exclude senior agency

officials from the prehearing investigation that is conducted in accordance with the discipline guidelines for employees.

XII. Agency Comments

No additional comments.

ATTACHMENTS

Submit the following supplemental data or documents with the hard copy of the Self-Evaluation Report. Label each attachment with its number (e.g., Attachment 1). As part of the electronic version, attach a list of items submitted, but do not attach the actual documents to the electronic submission.

Attachments Relating to Key Functions, Powers, and Duties

1. A **copy** of the agency's enabling statute.
2. A **copy** of each annual report published by the agency from FY 2006 – 2010.
3. A **copy** of each internal or external newsletter published by the agency from FY 2009 – 2010.
4. A **list** of publications and brochures describing the agency.
5. A **list** of studies that the agency is required to do by legislation or riders.
6. A **list** of legislative or interagency studies relating to the agency that are being performed during the current interim.
7. A **list** of studies from other states, the federal government, or national groups/associations that relate to or affect the agency or agencies with similar duties or functions.

Attachments Relating to Policymaking Structure

8. Biographical information (e.g. education, employment, affiliations, and honors) or resumes of all policymaking body members. See Attachment 6 Example or [click here to link directly to the example](#).
9. A **copy** of the agency's most recent rules.

Attachments Relating to Funding

10. A **copy** of the agency's Legislative Appropriations Request for FY 2012 – 2013.
11. A **copy** of each annual financial report from FY 2008 – 2010.
12. A **copy** of each operating budget from FY 2009 – 2011.

Attachments Relating to Organization

13. If applicable, a map to illustrate the regional boundaries, headquarters location, and field or regional office locations.

Attachments Relating to Agency Performance Evaluation
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14. A **copy** of each quarterly performance report completed by the agency in FY 2008 – 2010.
15. A **copy** of any recent studies on the agency or any of its functions conducted by outside management consultants or academic institutions.
16. A **copy** of the agency's current internal audit plan.
17. A **copy** of the agency's current strategic plan.
18. A **list** of internal audit reports from FY 2007 – 2011 completed by or in progress at the agency.
19. A **list** of State Auditor reports from FY 2007 – 2011 that relate to the agency or any of its functions.
20. A **copy** of any customer service surveys conducted by or for your agency in FY 2010.

Texas Department of Criminal Justice
Texas Sunset Advisory Commission
Self Evaluation Report
August 31, 2011

Attachments

Attachments Relating to Key Functions, Powers, and Duties
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1. A **copy** of the agency's enabling statute.

A copy of the agency's enabling statute has been provided.

2. A **copy** of each annual report published by the agency from FY 2006 – 2010.

Copies of the following annual reports have been provided.

Administrative Review and Risk Management

Offender Grievance Program – Fiscal Year Summaries from FY 2006 – 2010

Office of the Ombudsman – Fiscal Year Summaries from FY2006 – 2010

Employee and Offender Injuries and Workers' Compensation Claims Cost – FY2006 – 2010

Correctional Institutions Division

Safe Prisons Program Annual Reports – FY2006 - 2010

Executive Administrative Services

Fiscal Year Statistical Report – FY2006 – 2010

TDCJ Annual Review – FY2006 – 2010

Information Technology Division

Biennial Operating Plan – FY2008 - 2009

Biennial Operating Plan – FY2010 - 2011

Manufacturing and Logistics Division

Manufacturing and Logistics Annual Report – FY2006, 2008-2009, and 2010 (2007 not published)

Reentry and Integration Division

Biennial Report of the Texas Correctional Office on Offenders with Medical and Mental Impairments – 2007, 2009, 2011

Victim Services Division

Victim Services Division FY2010 Annual Report

3. A **copy** of each internal or external newsletter published by the agency from FY 2009 – 2010.
Copies of the following internal or external newsletters have been provided.

Executive Administrative Services

TDCJ Connections Newsletter – FY2009 – 2010

Human Resources Division

Recruiting Newsletter – July – Sept 2008

Recruiting Newsletter – July – Sept 2009

Recruiting Newsletter – July – Sept 2010

Wellness Initiative – WIN News – August 2008

Wellness Initiative – WIN News – August 2009 Part 1

Wellness Initiative – WIN News – August 2009 Part 2

Information Technology Division

This is IT – May 2010

This is IT – June 2010

This is IT – July 2010

This is IT – August 2010

Manufacturing and Logistics Division

Highlights – 1st Quarter FY2010

Highlights – 2nd Quarter FY2010

Highlights – 3rd Quarter FY2010

Highlights – 4th Quarter FY2010

Rehabilitation Programs Division

Rehabilitation Programs Division Quarterly Newsletter, Volume 1, Issue 1

Rehabilitation Programs Division Quarterly Newsletter, Volume 1, Issue 2

Rehabilitation Programs Division Quarterly Newsletter, Volume 1, Issue 3

Victim Services Division

The Victim's Informer Volume 13, Number 3

The Victim's Informer Volume 13, Number 4

The Victim's Informer Volume 14, Number 1

The Victim's Informer Volume 14, Number 2

The Victim's Informer Volume 14, Number 3

The Victim's Informer Volume 14, Number 4

The Victim's Informer Volume 15, Number 1

The Victim's Informer Volume 15, Number 2

4. A **list** of publications and brochures describing the agency.
The following is a list of publications and brochures describing the agency:

Administrative Review and Risk Management

Offender Grievance Program Brochure

Risk Management Brochure
Office of the Ombudsman Brochure
Access to Courts Brochure

Business and Finance Division

Historically Underutilized Business Program Brochure

Community Justice Assistance Division

2007 Sentencing Conference Strengthening Community Supervision, 10/31/07
2008 Turnover Survey, 2008
79th Texas Legislature Allocation of Diversion Program Funding, 06/15/05
CJAD Update 35th Annual Chief Probation Officers Conference San Antonio, Texas, 10/1/07
Community Corrections Facility Outcome Study of FY 2004 Discharges, 01/07
Community Supervision & Corrections in Texas, Presentation to House Committee on Corrections, 3/22/06
Community Supervision in Texas, 02/18/09
Community Supervision in Texas Summary Statistics, FY 2009
Community Supervision Officers carry Firearms in TX, 03/01/04
Effective Correctional Programs In Community Corrections Facilities (CCFs), Unknown
Evidence Based Practices, 11/02/05
Existing Community Correctional Facility Beds, FY 2008
Implementation of Community Supervision Funds, 04/19/07
Judicial Advisory Council Orientation Manual, 01/10/08
Legislation Affecting CSCDs & CJAD 79th Legislative Session, Unknown
Legislation Affecting TDCJ-CJAD and CSCDs 81st Legislative Session, 07/27/09
Monitoring and Evaluation of New Diversion Funding, Presented to the Texas House of Representatives, Committee on Appropriations, Subcommittee on Criminal Justice, 04/20/06
New Diversion Funding Urban Counties Briefing, 06/01/05
Report to the Governor and Legislative Budget Board on the Monitoring of Community Supervision Diversion Funds, 12/01/06
Report to the Governor and Legislative Budget Board on the Monitoring of Community Supervision Diversion Funds, 12/01/07
Report to the Governor and Legislative Budget Board on the Monitoring of Community Supervision Diversion Funds, 12/01/08
Report to the Governor and Legislative Budget Board on the Monitoring of Community Supervision Diversion Funds, 12/01/09
Report to the Governor and Legislative Budget Board on the Monitoring of Community Supervision Diversion Funds, 12/01/09
Report to the Governor and Legislative Budget Board on the Monitoring of Community Supervision Diversion Funds, 12/1/10
Standards for CSCD's, 04/01/08
State Contracted Intermediate Sanction Facility Policy & Procedures for Community Supervision Placements, 6/5/09
Strengthening Community Supervision Community Supervision Challenges, 11/12/05
TDCJ-CJAD Financial Management Manual for TDCJ-CJAD Funding, Revised 01/02
TDCJ-CJAD, Legislation Affecting CJAD & Community Supervision & Corrections Departments (CSCD)s 79th Legislative Session, Revised 08/05
Top 30 CSCDs by Direct Offender Population, 08/06
Strengthening Community Supervision, 2/13/09
2008 Salary Survey, 9/5/08
2008 Turnover Survey, 9/5/08
Illegal Immigration Policies and Procedures Utilized by Texas' Probation Departments, 1/31/2008

Monitoring of Community Corrections Facilities, 10/12/07
 Monitoring, Accountability and Evaluation of Diversion Programs, 02/01/06
 79th Legislature: Community Supervision Diversion Funding, 11/02/05
 Evidence Based Practices, 11/2/05
 Strengthening Community Supervision, 11/02/05
 79th Texas Legislature: Funding Impacting Community Supervision, 08/16/05
 79th Texas Legislature: Funding Impacting Community Supervision, 06/20/05
 Topics In Community Supervision, 4/12/05
 Results Of The 2004 Average Caseload Size Study Of Community Supervision Officers,
 04/11/05
 Plan For Reducing Felony Probation Revocations, 03/03/05
 A Plan To Reduce Technical Revocations Of Probation Supervision, 2/16/05
 A Plan To Reduce Technical Revocations Of Probation Supervision, 2/15/05
 CSCD Funding, 2/15/05
 Strengthening Community Supervision, 02/14/05
 Trends In Technical Revocations Of Probation Supervision , 2/10/05
 2004 Findings and Recommendations, 2/8/05
 El Paso Adult Probation Model for Reducing Technical Revocations, 1/24/05
 Community Supervision And Corrections Depts.(CSCDs) Inclusion In The State's Group
 Benefits Program, 12/14/04
 Community Supervision Survey to Prioritize Services
 Results of the February 2009 Average Caseload Size Report
 Deferred Adjudication and Community Supervision in Texas
 Illegal Immigration Policies and Procedures Utilized by Texas' Probation Departments
 Summary of TDCJ-CJAD Illegal Immigration Survey
 2008 Turnover Survey
 CCF Outcome Evaluation of FY08 Discharges
 CCF Outcome Study of FY06 Discharges Fact Sheet
 TDCJ-CJAD Data Manual
 February 2007 Caseload Report Fact Sheet
 Felony Revocations by CSCD 18 Months after New Funding
 FY2010 Active Supervision Demographic Profile
 FY2007 Statewide Offender Profile
 FY2008 Statewide Offender Profile
 FY2006 Offender Profile Placements
 FY2006 Offender Profile Active Supervision
 FY2006 Offender Profile Terminations
 FY2007 Offender Profile Placements
 FY2007 Offender Profile Active Supervision
 FY2007 Offender Profile Terminations
 FY2008 Statewide Offender Profile
 May 2007 Caseload Report Fact Sheet
 Outcome Evaluation of the Mental Health Initiative Fact Sheet
 Outcome Evaluation of the Mental Health Initiative
 Program Outputs Fact Sheet FY2006
 TDCJ-CJAD Program Reporting Guide
 Residential Outcome Evaluation of FY2004 Discharges
 Outcome Evaluation of Offenders Released from the SAFP and IPTC Programs in FY2004
 Profile of Sex Offenders on Community Supervision in FY2006 Fact Sheet
 FY2009 Community Supervision Stat Book

Outcome Evaluation of the Treatment Alternatives to Incarceration Program
Technical Revocations of Probation FY2006 Fact Sheet
Technical Revocations of Probation

Correctional Institutions Division

Disciplinary Rules and Procedures for Offenders, April 2010 – English
Disciplinary Rules and Procedures for Offenders, April 2010 – Spanish
Offender Orientation Handbook, November 2004
Physical Agility Test Preparation and Safety
Security Threat Groups on the Inside (pamphlet), March 2010
Sexual Assault Awareness, September 2005
Brochure, Prison Rape, by Texas Association Against Sexual Assault (TAASA)

Executive Administrative Services

Unit Profile
General Information Guide for Families
TDCJ Organizational Structure
Records Retention Schedule

Human Resources Division

CO Basic Eligibility Criteria PERS-416 Sep 2009
CO Basic Eligibility Criteria PERS-416 Nov 2010
CO Basic Eligibility Criteria PERS-416 Feb 2011
CO Bookmark Dec 2007
CO Bookmark Sep 2008
CO Bookmark Sep 2009
CO Bookmark Sep 2010
CO Bookmark Feb 2011
CO Employment Opportunities Jan 2009
CO Part-time Flyer Oct 2007
CO Part-time Flyer Sep 2008
CO Part-time Flyer Sep 2009
CO Poster BW Aug 2006
CO Poster BW Aug 2007
CO Poster BW Sep 2008
CO Poster BW Sep 2009
CO Poster BW Nov 2010
CO Poster Color Sep 2009
CO Poster Color Sep Nov 2010
Recruit-A-CO Flyer May 2008
Recruit-A-CO Flyer Sep 2009
Recruit-A-CO Flyer Jun 2010
Recruitment Bonus Bookmark May 2008
Recruitment Bonus Bookmark Nov 2010
Recruitment Bonus Flyer May 2008
Recruitment Bonus Flyer Sep 2009
CO Recruitment Strategies – August 2009

CO Recruitment Strategies – August 2010

Manufacturing and Logistics Division

Manufacturing and Logistics Annual Report
Manufacturing and Logistics Newsletter
Manufacturing and Logistics Strategic Plan
TCI Products and Services Catalog and Brochures
Computer Recovery Brochure
How to Apply for a Correctional Transportation Officer Brochure
Manufacturing and Logistics Division Overview Brochure

Parole Division

Parole in Texas

Rehabilitation Programs Division

Rehabilitation Programs Division Brochure
Rehabilitation Tier (FI-R) Programs Brochure
Baby and Mother Bonding Initiative (BAMBI) Brochure
Sex Offender Rehabilitation Programs (SORP) Brochure
Pre-Release Therapeutic Community (PRTC) Brochure
In-Prison Driving While Intoxicated (DWI) Recovery Program Brochure
Pre-Release Substance Abuse Program (PRSAP) Brochure
Substance Abuse Felony Punishment Facility (SAFPF) Brochure
In-Prison Therapeutic Community (IPTC) Brochure
State Jail Substance Abuse Program (SJSAP) Brochure
Serious and Violent Offender Reentry Initiative (SVORI) Program Brochure

Victim Services Division

Victim Services Division FY 2010 Annual Report
Your Rights; Your Voice; Your Participation
Sus Derechos; Su Voz; Su Participacion
Texas Crime Victim Clearinghouse Brochure
Do You Know Your Additional Rights As a Crime Victim?
It's Your Voice
Victim Impact Statement (VIS)
Crime Victim Assistance Standards
Victim's Informer
Murder: This Could Never Happen to Me
Victim Impact Panel Program (VIPP)
Victim Assistance Resource Directory
VSD Publication order form
Victim's Informer mailing list online form
It's Your Voice
Victim Impact Statement (English)
Hoja de Informacion de la Victima/Declaracion de impacto de la Victima (Espanol)
Victim Impact Statement (Bilingual)
Victim Impact Statement – Just for Kids

Declaracion de Impacto a la Victima Solo para Ninos
Victim Impact Statement – For Victims of Juvenile Offenders
Victim Impact Statement Activity Report

Texas Board of Criminal Justice
TBCJ Orientation Manual - 2011

5. A **list** of studies that the agency is required to do by legislation or riders.
The following is a list of required studies:

Business and Finance Division
Government Code §499.072 Feasibility Study if Relocating the Central Unit

Reentry and Integration Division
Government Code §501.100 (b) Recidivism Study

Rehabilitation Programs Division
Government Code §501.062 Orchiectomy Study

6. A **list** of legislative or interagency studies relating to the agency that are being performed during the current interim.

The following is a list of interagency studies:

Health Services Division
SB 1 General Appropriations Act Article V, Rider 61 – Offender Housing Study

Rehabilitation Programs Division
HB 1, Article V, Rider 54 - Evaluate and identify any process inefficiencies related to parole review and offender release that is based on an offender successful completion of an assigned rehabilitation program.

7. A **list** of studies from other states, the federal government, or national groups/associations that relate to or affect the agency or agencies with similar duties or functions.

Community Justice Assistance Division

Council of State Governments- Justice Center	Justice Reinvesting	06/01/05	Tony Fabelo, Ph.D.	Tony Fabelo, Ph.D.
Council of State Governments- Justice Center	Ten Strategies to Sustaining more effective practices in probation	03/01/09	Tony Fabelo, Ph.D.	Tony Fabelo, Ph.D.
Travis Community Impact Supervision	Conducting Justice and Research	01/01/06	Tony Fabelo, Ph.D.	

Travis Community Impact Supervision	Organizational Assessment of Travis County Community Sup	08/2005	Tony Fabelo, Ph.D.	The JFA Institute
Travis Community Impact Supervision	Travis Community Impact Supervision an Incubator site	01/06/10	Tony Fabelo, Ph.D.	The JFA Institute
Travis Community Impact Supervision	Travis Community Impact Supervision Assessing Sup needs	09/2006	Tony Fabelo, Ph.D.	The JFA Institute
Travis Community Impact Supervision	Travis Community Impact Supervision Better Diagnosis	06/01/06	Tony Fabelo, Ph.D.	The JFA Institute
Travis Community Impact Supervision	Travis Community Impact Supervision Better Diagnosis	06/01/06	Tony Fabelo, Ph.D.	The JFA Institute
Travis Community Impact Supervision	Travis Community Impact Supervision Guiding Justice	08/01/06	Tony Fabelo, Ph.D.	The JFA Institute
Travis Community Impact Supervision	Travis Community Impact Supervision Resource Report	11/01/06	Tony Fabelo, Ph.D.	The JFA Institute
Travis Community Impact Supervision	Travis County Community Impact Supervision an Incubator	01/01/06	Tony Fabelo, Ph.D.	The JFA Institute
Travis Community Impact Supervision	Travis County Risk Score Validation Study Group	03/27/05	Tony Fabelo, Ph.D.	The JFA Institute
Travis Community Impact Supervision	Travis County SCS Pilot Study-Supplemental Analysis	04/01/06	Tony Fabelo, Ph.D.	The JFA Institute

Attachments Relating to Policymaking Structure

8. Biographical information (e.g, education, employment, affiliations, and honors) or resumes of all policymaking body members. See Attachment 6 Example or [click here to link directly to the example](#).

TBCJ Member resumes have been provided.

9. A **copy** of the agency's most recent rules.

Copies of the agency's rules have been provided.

Attachments Relating to Funding

10. A **copy** of the agency's Legislative Appropriations Request for FY 2012 – 2013.

Copies of the Legislative Appropriations Requests have been provided.

11. A **copy** of each annual financial report from FY 2008 – 2010.

Copies of the Annual Financial Reports have been provided.

12. A **copy** of each operating budget from FY 2009 – 2011.

Copies of the Operating Budget have been provided.

Attachments Relating to Organization

13. If applicable, a map to illustrate the regional boundaries, headquarters location, and field or regional office locations.

Maps illustrating the boundaries, headquarters location, and field or regional offices have been provided for the TDCJ Correctional Institutions Division, Parole Division, and Private Facilities Contract Monitoring / Oversight Division.

Attachments Relating to Agency Performance Evaluation

14. A **copy** of each quarterly performance report completed by the agency in FY 2008 – 2010.

Copies of the performance measures reports are attached.

15. A **copy** of any recent studies on the agency or any of its functions conducted by outside management consultants or academic institutions.

Copies of the following studies conducted by outside management consultants or academic institutions are attached.

Correctional Institutions Division

MGT of American - Security Audit of the Estelle High Security Unit

Victim Services Division

University of Texas Research Project – Victim Offender Mediation / Dialogue Program –

16. A **copy** of the agency's current internal audit plan.

A copy of the Internal Audit Annual Audit Plan has been provided

17. A **copy** of the agency's current strategic plan.

A copy of the agency's strategic plan has been provided.

18. A **list** of internal audit reports from FY 2007 – 2011 completed by or in progress at the agency.

A list of internal audit reports completed or in progress has been provided.

19. A **list** of State Auditor reports from FY 2007 – 2011 that relate to the agency or any of its functions.

A list of State Auditor reports has been provided.

20. A **copy** of any customer service surveys conducted by or for your agency in FY 2010.

Copies of the following customer service surveys have been provided.

Business and Finance

2010 Report on Customer Service

Human Resources

Survey of Employee Engagement – TDCJ Administration – Executive Summary 2010

Survey of Employee Engagement – TDCJ Administration – Data Report 2010

Survey of Employee Engagement – Corrections – Executive Summary 2010

Survey of Employee Engagement – Corrections – Data Report 2010

Survey of Employee Engagement – All – Executive Summary 2010

Survey of Employee Engagement – All – Data Report 2010

Survey of Employee Engagement – Survey Constructs and Related Items

Information Technology Division

2010 Automated Information Systems Survey

2010 ACA Automated Information System Survey – Part I

2010 ACA Automated Information System Survey – Part II

Manufacturing and Logistics

Texas Correctional Industries – Customer Service Surveys

Victim Services Division

Victim Offender Mediation / Dialogue Post Mediation Questionnaire – Victim

Victim Offender Mediation / Dialogue Post Mediation Questionnaire - Offender