# CRIMINAL JUSTICE UNIFORM COST REPORT FISCAL YEARS 2004–2006



# LEGISLATIVE BUDGET BOARD JANUARY 2007

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# CRIMINAL JUSTICE UNIFORM COST REPORT FISCAL YEARS 2004–2006

# January 2007

One responsibility of the Criminal Justice Data Analysis Team of the Legislative Budget Board is to calculate cost per day information for various adult and juvenile correctional populations for use in funding determinations and to provide a basis of comparison between correctional programs and previously published cost figures.

This report summarizes uniform cost information for programs, services, and facilities operated or contracted by the Texas Department of Criminal Justice (TDCJ), the Texas Youth Commission (TYC), and the Texas Juvenile Probation Commission (JPC). The appendices detail the methodology used for data collection and cost per day calculations; provide an overview of each agency's operations and programs; and provide other comparisons to cost per day figures nationally.

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### **Texas Youth Commission**

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## **Texas Juvenile Probation Commission**

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This Legislative Budget Board (LBB) report, *Criminal Justice Uniform Cost Report, Fiscal Years 2004–2006*, provides cost per day information for various adult and juvenile correctional operations, facilities, and programs for use in funding determinations and to provide a basis of comparison for the Eightieth Legislative Session.

One responsibility of the Criminal Justice Data Analysis Team is to calculate cost per day information. This report summarizes uniform cost information for programs, services, and facilities operated or contracted by the Texas Department of Criminal Justice (TDCJ), the Texas Youth Commission (TYC), and the Texas Juvenile Probation Commission (JPC). The appendices detail the methodology used for data collection and cost per day calculations; provide an overview of each agency's operations and programs; and provide other comparisons to cost per day figures nationally.

Texas Department of Criminal Justice: The Texas Department of Criminal Justice's (TDCJ) mission is to provide public safety, promote positive change in offender behavior, reintegrate offenders into society, and assist victims of crime. TDCJ is organized into multiple divisions. Three of the agency's divisions carry out the majority of its responsibilities regarding supervision of adult offenders: the Correctional Institutions Division, the Parole Division, and the Community Justice Assistance Division. The Correctional Institutions Division (CID) manages and operates the adult correctional institutions. The Parole Division (PD) is responsible for processing offenders for release from prison onto parole or mandatory supervision and providing supervision and rehabilitative services to these offenders. The Community Justice Assistance Division (CJAD) addresses the goal of diverting offenders from traditional prison incarceration through the use of community supervision (adult probation) and other community-based programs.

**Texas Youth Commission:** The Texas Youth Commission's (TYC) mission is to protect the public by controlling unlawful acts by youth committed to agency-supervised facilities. Youth are confined under conditions that emphasize their positive development, accountability for their conduct, and discipline training. TYC operates both institutional and community-based residential programs for juvenile offenders and supervises youth after release. Additionally, TYC contracts with private sector providers for treatment, secure facilities, and community-based programs.

Texas Juvenile Probation Commission: The Texas Juvenile Probation Commission's (JPC) mission is to work in partnership with local juvenile boards and their juvenile probation departments to provide a comprehensive range of community-based probation services that ensure public safety, offender accountability, and assistance to offenders in becoming productive, responsible, law-abiding citizens. The agency provides alternatives to the commitment of juveniles to the Texas Youth Commission by allocating financial aid to local juvenile boards for maintaining and improving probation services, maintaining uniform probation standards, and improving communications between state and local entities within the juvenile justice system.

### REPORTING GUIDELINES

The LBB staff's data collection methodology is based on agency budgets and reported expenditures. Participating agencies were asked to provide a detailed accounting of all agency expenditures including administration, selected residential and non-residential programs, and facilities by the object of expense categories reported in their Legislative Appropriations Request. Agencies were provided with templates to account for all expenditures and the populations served with those expenditures.

LBB staff met with agency personnel to review the data collection templates and project methodology. Among those attending the meetings were the agency director, agency chief financial officer, agency director of research, respective LBB budget analyst, and LBB Criminal Justice Data Analysis team staff. Each agency was given the opportunity to provide comment prior to the official request for information.

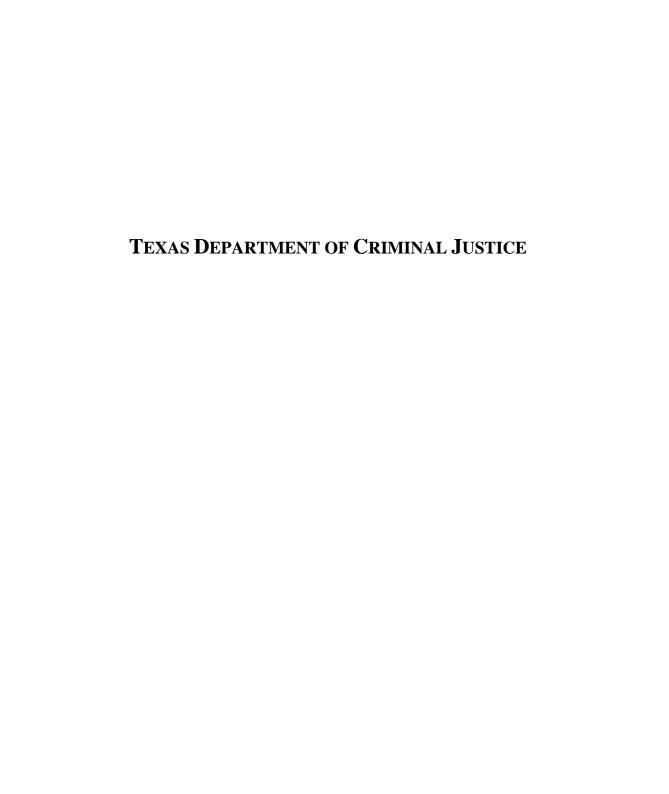
The following list highlights the reporting methodology. A more detailed methodology can be found in Appendix A.

- 1. Uniform Cost Formula is the cost per day = ([program expenditures/average population]/days in a fiscal year); or, where specifically indicated, a cost per participant = (program expenditures/number of program participants).
- 2. Agencies did not include fringe benefits in the program expenditures. Fringe benefits were calculated by LBB staff based on the actual amount paid by the Employees Retirement System of Texas and the Comptroller of Public Accounts for each agency.
- 3. Agencies reported indirect administration costs separately. Indirect administration costs are those costs not readily identifiable to a specific program but associated with operating the agency and overseeing its operations regardless of which programs are in operation. LBB staff allocated the indirect administration costs to each program area based on the amount of total direct expenditures in the program area.
- 4. For juvenile probation, total local expenditures were available for fiscal years 2004 and 2005. These expenditures were distributed to each program area based on the amount of total state direct expenditures in the program area (similar to indirect administration costs). Fiscal year 2006 expenditures were estimated based on funding rates for fiscal year 2005.
- 5. Agencies reported expenditures for medical, psychiatric, and special need facilities separate from those that serve a more general offender population.
- 6. The LBB staff used the cost per day formula to calculate a uniform cost for state-operated, privately operated, and contract facilities.
- 7. Major capital expenditures and debt service were excluded.
- 8. For TDCJ, correctional industry costs and revenues were excluded.

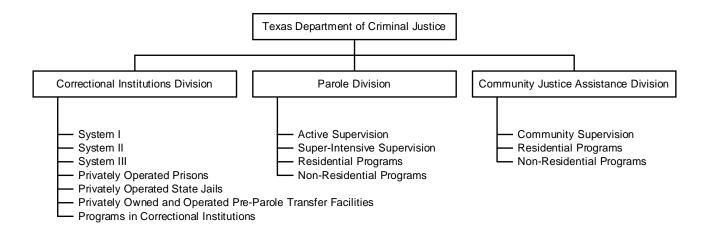
# UNIFORM COST HIGHLIGHTS\*

- TDCJ's Correctional Institutions Division (State-Operated Facilities) The systemwide average cost per day for operating state correctional facilities was \$40.05 in fiscal year 2005 and \$42.54 in fiscal year 2006.
- TDCJ's Correctional Institutions Division (State-Operated versus Privately Operated Facilities) State-Operated System II 1,000-bed prototype units are most comparable to privately operated prison facilities. The cost for operating these state facilities in fiscal year 2006 was \$37.90 compared to \$35.23 for private prisons. One aspect of the cost differences is that Privately Operated Facilities did not incur certain fixed costs such as offender transportation and offender classification. These costs are included in the state cost per day amount.
- TDCJ's Adult Parole Supervision The average cost per day for active parole supervision was \$3.20 in fiscal year 2005 and \$3.51 in fiscal year 2006.
- Adult Community Supervision (TDCJ and local community supervision and corrections departments) The average cost per day for basic direct community supervision (adult probation) for felons and misdemeanants was \$2.37 in fiscal year 2005 and \$2.55 in fiscal year 2006.
- Texas Youth Commission The average cost per day for confining youth in state-operated facilities in fiscal year 2006 was \$162.88. An additional \$28.26 per day was expended orienting and assessing all youth during the first 55 days of confinement. The private contract rate for fiscal year 2006 was \$128.66 per day. One aspect of the cost differential between state and private facilities is that a youth's medical and psychiatric condition is considered prior to placement in either a state-operated facility or contract care facility. Youth with serious needs are kept in state-operated facilities. Youth in contract facilities often receive education services from local school districts. In contrast, the Texas Youth Commission provides education services to youth within state-operated facilities.
- Texas Juvenile Probation Commission The average cost per day for basic community supervision (juvenile probation) was \$15.32 in fiscal year 2005 and \$14.93 in fiscal year 2006.

<sup>\*</sup> Detailed program descriptions and terms are defined in Appendix B.



The Texas Department of Criminal Justice (TDCJ) is responsible for incarcerating adult felons, supervising adult felons on parole, and providing state funding for supervising felons and misdemeanants under community supervision. Uniform costs are reported for the Correctional Institutions Division (CID), Parole Division (PD), and Community Justice Assistance Division (CJAD), the divisions that carry out the majority of these responsibilities. The figure below highlights the areas for which uniform costs were computed. Detailed descriptions of the agency, facilities, and programs for which expenditures were collected are located in Appendix B.



- TDCJ indirect costs were distributed across CID and PD based on each division's total expenditures. CJAD's indirect costs were distributed based their administration expenditures only, since the remainder of their expenditures are funds distributed to local community supervision and corrections departments (CSCDs).
- In addition to the aforementioned divisions, other expenditures include the Board of Pardons and Paroles (BPP) and the Texas Correctional Office on Offenders with Medical or Mental Impairments (TCOOMMI). These expenditures are not factored into TDCJ's cost figures and are reported separately on page 13.

The Correctional Institutions Division is responsible for the confinement of adult felony offenders sentenced to prison or state jail. In addition to operating the facilities, the division provides support operations, such as offender classification, correctional training and staff development, food and laundry service, and the administration and monitoring of privately operated facilities. A detailed description of facility types can be found in Appendix B.

Table 1 – Correctional Institutions Division: State – Operated Facilities

Fiscal Year

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		2004 <sup>4</sup>		2005	2006
Systemwide Cost Per Day		\$40.29		\$40.05	\$42.54
System I <sup>1</sup>	\$	39.90	\$	39.25	\$41.49
System II <sup>2</sup>					
1,000 Bed Prototype Units	\$	35.54	\$	35.58	\$37.90
2,250 Bed Prototype Units	\$	38.08	\$	38.17	\$40.30
System III <sup>3</sup>					
State Jails	\$	33.91	\$	33.49	\$36.53
Substance Abuse Felony Punishment Facilities (SAFPFs)	\$	47.78	\$	47.47	\$50.39
Transfer Facilities	\$	33.57	\$	33.43	\$35.62
Medical	\$	550.93	\$	545.25	\$578.49
Psychiatric	\$	106.82	\$	108.01	\$116.09
Mentally Retarded Offender Program	\$	52.18	\$	55.73	\$60.24

- The increases in the costs per day in fiscal year 2006 are caused in part by the four percent salary increase for state employees plus increases in hazardous duty and longevity pay.
- The systemwide total includes the costs of operating a variety of programs offered at specific prison units (i.e., sex offender treatment, rehabilitation tier program, substance abuse, etc). Additionally, any medical care provided at a unit is included in that unit's costs. Programs offered at a variety of units are reported separately on the next page.
- Certain expenditures such as offender classification and records, transportation, regional
  maintenance, warehousing, freight transportation, agriculture, and other expenditures not
  directly associated with specific units, but associated with the overall operation of the
  correctional institutions, were allocated to each state-operated facility by the agency. The
  agency refers to these as fixed allocated costs and distributed \$2.98 per day per offender
  in fiscal year 2005 and \$3.29 in fiscal year 2006.
- The 2,250-bed prototype units cost slightly more per day per offender because they require different staffing patterns to address the various offender custody levels. The 2,250-bed prototype units house offenders requiring administrative segregation and close custody.

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<sup>&</sup>lt;sup>1</sup> System I – Consists of 25 facilities constructed prior to 1986 that have, because of design, distinctly different staffing patterns and, as a result, different associated costs.

<sup>&</sup>lt;sup>2</sup> System II – Consists of the 10 prototype 2,250 and 16 prototype 1,000-bed units built in the 1980s and 1990s. These facilities are called prototype units because they were initially constructed according to a specific design. Over time, expansions were made to some of the prototype units so they house more offenders than their initial design capacity.

<sup>&</sup>lt;sup>3</sup> System III – Consists of 43 facilities that house a variety of offenders including state jail confinees, those in transit status, and those with special needs.

<sup>&</sup>lt;sup>4</sup> Fiscal year 2004 cost figures were updated from the previous Uniform Cost Report to include additional funds appropriated during the Seventy-ninth Regular Legislative Session, 2005 for fiscal year 2004 expenses.

## CORRECTIONAL INSTITUTIONS DIVISION – PROGRAMS IN CORRECTIONAL INSTITUTIONS

There are three primary programs that are not specific to a particular unit, which serve a variety of eligible offenders throughout the system. These programs, along with their costs, are listed below. The cost per day figures in the table below are for offenders who participated in the programs available at their units. Because these programs are not available at all units the costs for programs in correctional institutions would be in addition to incarceration costs presented on the previous page but only for those offenders served by these programs. A detailed description of each program can be found in Appendix B.

Table 2 – Correctional Institutions Division: Programs in Correctional Institutions

		Fiscal Year	
	2004	2005	2006
Serious and Violent Offender Reentry Initiative Program (SVORI) <sup>5</sup>	\$ 40.70	\$8.87	\$9.82
Project Reintegration of Offenders (RIO)	\$ 0.31	\$0.31	\$0.38
Windham School District	\$ 8.11	\$7.19	\$6.46

- Programs listed above are made available to eligible offenders incarcerated within correctional institutions, although all programs are not offered on every unit.
- The programs listed above are offered only at state-operated facilities.
- SVORI, which began serving offenders at the Estelle Unit in fiscal year 2004, was established with a federal grant and served an average of 106 offenders in administrative segregation during fiscal years 2005 and 2006. This program is not currently available at any other unit.
- Offenders in privately operated facilities that want access to programs offered by the Windham School District or Project RIO may request to be transferred to a state-operated facility that offers them.
- TDCJ indirect administration costs were not allocated to Windham School District. Windham School District receives its funding from the Texas Education Agency.
- The decrease in the cost per day for Windham School District from fiscal years 2004 to 2006 was caused by an increase in the average number of offenders served. The increase in the average number of offenders served was caused by a policy change within the Windham School District in which the use of substitute teachers was reinstated. The reinstatement of substitute teachers increased both the total number of offenders served and the total number of contact hours.

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<sup>&</sup>lt;sup>5</sup> Fiscal year 2004 SVORI cost figures include expenditures for curriculum and development and supplies purchased during the first year of the program.

TDCJ currently contracts for operations at seven prisons, five state jails, and two pre-parole transfer facilities. TDCJ is responsible for providing oversight and monitoring of privately operated secure facilities that house state offenders. All facility costs include indirect administration costs. A detailed description of the facility types can be found in Appendix B.

Table 3 – Correctional Institutions Division: Privately Operated Facilities

	Fiscal Year				
	2004	2005	2006		
Privately Operated Prisons	\$ 34.43	\$ 34.61	\$ 35.23		
Privately Operated State Jails	\$ 28.63	\$ 27.08	\$ 27.63		
Privately Owned and Operated Pre-Parole Transfer Facilities	\$ 30.22	\$ 31.25	\$ 31.71		
Contracted Temporary Capacity		\$ 41.49	\$40.79		

- Privately operated facilities do not incur certain costs associated with managing offenders. Expenditures such as offender classification and records, transportation, regional maintenance, warehousing, freight transportation, agriculture, and other expenditures not directly associated with specific units, but associated with the overall operation of the correctional institutions, are allocated only to state-operated facilities. TDCJ refers to these as fixed allocated costs and distributed \$2.98 per day per offender in fiscal year 2005 and \$3.29 in fiscal year 2006 to state-operated facilities.
- Medical costs for private facilities are assumed by the Texas Department of Criminal Justice through a contract with the Correctional Managed Health Care Committee (CMHC).
- Although operated by contractors, the prison and state jail facilities were constructed and are owned by the state, and major repairs are the responsibility of TDCJ.

Table 4 – State-Operated Facilities versus Privately Operated Facilities: 1,000 Bed Prototype Units versus Private Prisons

	Fiscal Year											
		20	04			20	05		2006			
System II - 1,000 Bed Prototype Units and Private Prisons	Op	tate- erated cilities	Op	ivately erated cilities	Op	state- erated cilities	Op	vately erated cilities	Op	tate- erated cilities	Op	vately erated cilities
Salaries and Wages	\$	24.00	\$	-	\$	23.77	\$	-	\$ :	25.54	\$	-
Medical	\$	4.46	\$	-	\$	4.65	\$	3.40	\$	4.67	\$	5.53
Other Professional Fees and Services	\$	0.01	\$	-	\$	0.01	\$	-	\$	0.01	\$	-
Other Operating Expenses	\$	4.25	\$	33.13	\$	4.17	\$	29.93	\$	4.69	\$	28.46
Food	\$	1.72	\$	-	\$	1.85	\$	-	\$	1.81	\$	-
Capital Expenditures	\$	0.05	\$	-	\$	0.10	\$	-	\$	0.08	\$	-
Indirect Cost	\$	1.05	\$	1.30	\$	1.03	\$	1.27	\$	1.10	\$	1.24
Total	\$	35.54	\$	34.43	\$	35.58	\$	34.61	\$	37.90	\$	35.23

Table 5 – State-Operated Facilities versus Privately Operated Facilities: State Jails

	Fiscal Year							
		20	04	20	005	2006		
State Jails	Ope	tate- erated cilities	Privately Operated Facilities	State- Operated Facilities	Privately Operated Facilities	State- Operated Facilities	Privately Operated Facilities	
Salaries and Wages	\$	23.13	\$ -	\$ 22.52	\$ -	\$ 24.99	\$ -	
Medical	\$	4.28	\$ -	\$ 4.47	\$ 4.44	\$ 4.55	\$ 4.23	
Other Professional Fees and Services	\$	0.03	\$ -	\$ 0.01	\$ -	\$ 0.02	\$ -	
Other Operating Expenses	\$	3.78	\$ 27.55	\$ 3.65	\$ 21.64	\$ 4.10	\$ 22.42	
Food	\$	1.64	\$ -	\$ 1.78	\$ -	\$ 1.73	\$ -	
Capital Expenditures	\$	0.05	\$ -	\$ 0.10	\$ -	\$ 0.08	\$ -	
Indirect Cost	\$	1.00	\$ 1.08	\$ 0.97	\$ 1.00	\$ 1.06	\$ 0.98	
Total	\$	33.91	\$ 28.63	\$ 33.49	\$ 27.08	\$ 36.53	\$ 27.63	

- State-operated System II 1,000-bed prototype facilities are most comparable to private prisons based on size, structure, and the custody levels of housed offenders.
- All expenditures for privately operated facilities are reported as one amount under "Other Operating Expenses."
- The indirect administration costs added to privately operated facilities include TDCJ's costs for contract monitoring.
- Certain expenditures such as offender classification and records, transportation, regional maintenance, warehousing, freight transportation, agriculture, and other expenditures not directly associated with specific units, but associated with the overall operation of the correctional institutions, were allocated to each state-operated facility by the agency.
- Capital expenditures reported are not associated with facility construction but with the replacement of operational items (e.g., kitchen equipment, laundry equipment, and computers).

# TEXAS DEPARTMENT OF CRIMINAL JUSTICE PAROLE DIVISION

The Parole Division (PD) is responsible for the supervision of offenders released from correctional institutions by decision of the Board of Pardons and Paroles to serve the remainder of their sentence in the community. All program costs include indirect administration costs. A detailed description of facilities and programs can be found in Appendix B.

- The increases in the costs per day in fiscal year 2006 are caused in part by the four percent salary increase for state employees plus increases in hazardous duty and longevity pay.
- The cost per day for electronic monitoring includes all associated caseload costs in addition to the cost of the monitoring unit.
- The Substance Abuse
   Treatment Program provides
   aftercare for those
   previously served by In Prison Therapeutic
   Communities (IPTCs) and
   Substance Abuse Felony
   Punishment Facilities (SAFPFs).

Table 6 – Parole Division

	Fiscal Year					
	2	2004 <sup>6</sup>		2005	2	2006 <sup>7</sup>
Active Supervision	\$	3.12	\$	3.20	\$	3.51
Super-Intensive Supervision	\$	21.05	\$	20.98	\$	23.84
Electronic Monitoring	\$	13.22	\$	12.93	\$	14.97
Substance Abuse Treatment						
Residential	\$	32.48	\$	32.22	\$	33.16
Non Residential	\$	18.68	\$	18.75	\$	19.13
Special Needs Sex Offenders	\$291.82/yr. \$270.97/		270.97/yr.	\$323.69/yr.		
Special Needs-Mentally Impaired/Retarded	\$672.97/yr		\$600.30/yr.		\$670.91/yr.	
Halfway Houses						
State Cost	\$	31.46	\$	30.66	\$	33.62
Client Cost	\$	1.25	\$	1.58	\$	1.86
Total Cost	\$	32.71	\$	32.24	\$	35.48
County Jail Work Release Program	\$	48.23	\$	47.85	\$	48.70
Intermediate Sanction Facilities						
State-Operated	\$	29.99	\$	32.34	\$	35.27
Privately Owned/Operated	\$	33.90	\$	32.95	\$	33.70
Work Facilities	\$	32.05	\$	32.38	\$	33.34

- The cost per participant for the Special Needs-Sex Offenders Program (SOTP) and the Special Needs-Mentally Impaired/Retarded Program (SNOP) are for treatment only and do not include the costs associated with supervision. The increase in the cost per participant in the SOTP was caused by an increase in costs for polygraph tests, a decrease in the number of offenders served, and an increase in the amount of time indigent offenders remain in the program. Employed offenders participating in the SOTP must pay for their treatment.
- The County Jail Work Release Program, currently available in two counties, is for offenders who have not yet found a residence in the community and are difficult to place (e.g., sex offenders). Costs are based on contract rates between TDCJ and the participating county jails.
- During the Seventy-ninth Regular Legislative Session an additional \$10 million was appropriated for the biennium to the Texas Department of Criminal Justice - Parole Division to provide substance abuse treatment as an alternative to reincarceration because of testing positive for drug use while on parole supervision. Fiscal year 2006 cost figures include the additional appropriated funds.

<sup>&</sup>lt;sup>6</sup> Fiscal year 2004 cost figures were updated from the previous Uniform Cost Report to include reconciled expenditure data.

<sup>&</sup>lt;sup>7</sup> Additional funds appropriated by the Seventy-ninth Legislature were used to provide substance abuse treatment to parolees needing treatment. The additional funds appropriated to the Parole Division were allocated to the Substance Abuse Counseling Program which serves offenders on Active Supervision, Super-Intensive Supervision and Electronic Monitoring. Parolees under all types of parole supervision with a need for substance abuse treatment were eligible to receive services.

The Texas Department of Criminal Justice (TDCJ) – Community Justice Assistance Division (CJAD) provides funding and state oversight of community supervision, or adult probation, in Texas. Offenders on community supervision serve their sentences in the community rather than in jail, prison, or state jail. All program costs include CJAD's indirect administration costs. A detailed description of programs can be found in Appendix B.

**Table 7 – Community Justice Assistance Division** 

	Fiscal Year					
		2004		2005	2	2006
Community Supervision <sup>8</sup>						
State Cost	\$	1.09	\$	1.11	\$	1.19
Local Cost (Participant Fees)	\$	1.18	\$	1.26	\$	1.36
Total	\$	2.27	\$	2.37	\$	2.55
Intensive Supervision Probation						
State Cost	\$	9.67	\$	10.45	\$	3.59
Local Cost (Participant Fees)	\$	1.18	\$	1.26	\$	1.36
Total	\$	10.85	\$	11.71	\$	4.95
Electronic Monitoring						
State Cost	\$	3.91	\$	3.96	\$	3.97
Local Cost (Participant Fees)	\$	1.57	\$	1.41	\$	1.53
Total	\$	5.48	\$	5.37	\$	5.50
Specialized Caseloads						
State Cost	\$	2.12	\$	2.64	\$	3.41
Local Cost (Participant Fees)	\$	1.20	\$	1.28	\$	1.37
Total	\$	3.32	\$	3.92	\$	4.78
Specialized Caseload - Mentally Impaired Caseloa	ds					
State Cost	\$	3.35	\$	3.32	\$	3.22
Local Cost (Participant Fees)	\$	1.18	\$	1.26	\$	1.36
Total	\$	4.53	\$	4.58	\$	4.58

- Participant fees were distributed across all supervision caseloads.
- During the Seventy-ninth Regular Legislative Session an additional \$55 million was appropriated for the biennium to the Texas Department of Criminal Justice Community Justice Assistance Division for caseload reductions and residential treatment and sanction beds. Fiscal year 2006 cost figures include the additional appropriated funds.
- The increases in the costs per day in fiscal year 2006 are caused in part by the additional funds appropriated to adult probation for caseload reductions.
- The decrease in the cost per day for Intensive Supervision Probation (ISP) in fiscal year 2006 was caused by a decrease in the number of CSCDs providing this supervision (Brazos, Harris, El Paso, and Reeves counties no longer provide ISP).

<sup>&</sup>lt;sup>8</sup> The cost per day for community supervision was calculated using the average number of felony and misdemeanor offenders under direct supervision and does not include those offenders under electronic monitoring, within specialized caseloads, or under intensive supervision probation.

Offenders can be placed in residential programs for rehabilitative purposes or as an alternative to incarceration. With the exception of part of the Treatment Alternatives to Incarceration Program, all programs in the following table are residential. All program costs include indirect administration costs. A detailed description of programs can be found in Appendix B.

Table 8 - Community Justice Assistance Division: Programs within Community Supervision

•			Fis	cal Year			
	2	2004 <sup>9</sup>		2005		2006	
Restitution Centers							
State Cost	\$	56.00	\$	58.06	\$	51.41	
Local Cost (Participant Fees)	\$	13.80	\$	12.12	\$	10.70	
Total	\$	69.80	\$	70.18	\$	62.11	
Court Residential Treatment Centers							
State Cost	\$	61.27	\$	60.01	\$	62.74	
Local Cost (Participant Fees)	\$	6.97	\$	6.88	\$	7.09	
Total	\$	68.24	\$	66.89	\$	69.83	
Substance Abuse Treatment Facilities							
State Cost	\$	64.22	\$	62.01	\$	62.27	
Local Cost (Participant Fees)	\$	3.37	\$	2.82	\$	2.51	
Total	\$	67.59	\$	64.83	\$	64.78	
Local Boot Camps							
State Cost	\$	72.79	\$	85.32	\$	72.38	
Local Cost (Participant Fees)	\$	0.75	\$	4.70	\$	4.13	
Total	\$	73.54	\$	90.02	\$	76.51	
Intermediate Sanction Facilities <sup>10</sup>							
State Cost	\$	64.76	\$	59.92	\$	47.42	
Local Cost (Participant Fees)	\$	4.52	\$	2.36	\$	1.96	
Total	\$	69.28	\$	62.28	\$	49.38	
Contract Services for the Mentally Impaired <sup>11</sup>							
State Cost	Φ	45.54	Φ	136.70	\$	78.45	
Local Cost (Participant Fees)	\$	-	\$	0.72	\$	0.57	
Total		45.54		137.42	\$	79.02	
Treatment Alternative to Incarceration Program				137.42	Ψ	17.02	
State Cost		43.19	\$	38.37	\$	41.42	
Local Cost (Participant Fees)		2.52	\$	0.61	\$	0.60	
Total		45.71	\$	38.98	\$	42.02	
Treatment Alternatives to Incarceration Progra					Φ	72.02	
State Cost		- Non-R 3.48	esia \$	3.67	\$	3.64	
	\$	0.20	\$	0.05	\$	0.06	
Local Cost (Participant Fees)	\$		\$ \$		\$		
Total	Э	3.68	Э	3.72	Э	3.70	

• During the Seventy-ninth Regular Legislative Session an additional \$55 million for the biennium was appropriated to the Texas Department of Criminal Justice – Community Justice Assistance Division for caseload reductions and residential treatment and sanction beds. The caseload reduction funding was distributed to 26 Community Supervision and Corrections Departments (CSCDs) to fund additional community supervision officers in order to reduce caseloads consisting of medium and high risk offenders. The residential treatment and sanction bed funding was distributed to eight CSCDs to fund treatment and sanction beds. However, a significant portion of these residential treatment and sanction funds were not expended during fiscal year 2006 because of a delay in opening the Bexar county and Harris county residential facilities.

<sup>&</sup>lt;sup>9</sup> Fiscal year 2004 cost figures were updated from the previous Uniform Cost Report to include reconciled expenditure data.

<sup>&</sup>lt;sup>10</sup> During fiscal year 2005, the Bexar County Intermediate Sanction Facility converted to a Substance Abuse Treatment Facility.

<sup>&</sup>lt;sup>11</sup> Contracted services for mentally impaired offenders provided services to 30 offenders in fiscal year 2005 and 45 offenders in fiscal year 2006.

There are two other functions not within the Correctional Institutions Division, Parole Division, or the Community Justice Assistance Division but whose services target specific agency processes and correctional populations and impact agency operations. The expenditures for these functions are not part of the TDCJ cost per day figures and are reported separately below.

# **BOARD OF PARDONS AND PAROLES (BPP)**

The mission of the Texas Board of Pardons and Paroles is to perform its duties as specified by Article IV, Section 11 of the Texas Constitution and to determine which prisoners are to be released on parole or mandatory supervision, to determine conditions of parole and mandatory supervision, to determine revocation of parole and mandatory supervision, and to recommend the resolution of clemency matters to the Governor. The total expenditures for fiscal year 2005 were approximately \$8.2 million and for fiscal year 2006 were approximately \$9.1 million.

• During fiscal years 2005 and 2006 the parole board considered 84,539 and 89,198 cases, respectively, and conducted 19,311 and 19,759 hearings, respectively.

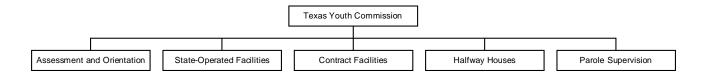
# TEXAS CORRECTIONAL OFFICE ON OFFENDERS WITH MEDICAL OR MENTAL IMPAIRMENTS (TCOOMMI)

The mission of TCOOMMI is to provide a formal structure for criminal justice, health and human services, and other affected organizations to communicate and coordinate on policy, legislative, and programmatic issues affecting offenders with special needs. Special needs offenders include offenders with serious mental illnesses, mental retardation, terminal or serious medical conditions, physical disabilities, and those who are elderly. The total expenditures for fiscal year 2005 were approximately \$14.2 million and for fiscal year 2006 were approximately \$15.4 million.

- TCOOMMI's community-based programs include: juvenile and adult probation/parole case management and treatment services, pre-trial and continuity of care for local jails and detention facilities, and jail diversion programs including specialized mental health deputies and mental health court services.
- TCOOMMI's institutional services for juveniles and adults include: continuity of care for offenders with special needs, processing of offenders eligible for release to Medically Recommended Intensive Supervision, administering the pre-release Social Security/Social Security Insurance Application for released offenders, screening, referral, and medical/psychiatric assessment of offenders nearing release from incarceration, and post-release aftercare services.

# **TEXAS YOUTH COMMISSION**

The Texas Youth Commission (TYC) is responsible for the confinement of juveniles adjudicated of felony level offenses. TYC operates facilities and oversees contract facilities for juvenile offenders, in addition to supervising them after release. Uniform costs are reported for the areas that carry out the major responsibilities for the supervision of youth. The figure below highlights the areas for which uniform costs were computed. Detailed descriptions of the facilities and programs operated or managed by TYC are located in Appendix B.

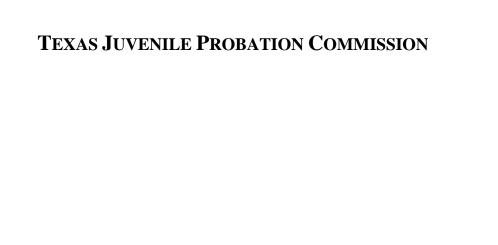


- State-operated facilities include indirect administration and certain fixed costs including transportation and education.
- TYC indirect costs were distributed across program areas based on total direct expenditures in the program area.

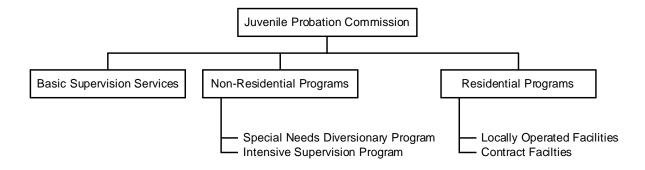
Table 9 - Texas Youth Commission: Cost Per Day Per Youth

	Fiscal Year					
	2004	2005	2006			
Assessment and Orientation	\$ 26.64	\$ 26.72	\$ 28.26			
State-Operated Facilities	\$155.02	\$153.20	\$162.88			
Contract Facilities	\$123.59	\$123.19	\$128.66			
Halfway Houses	\$141.29	\$139.83	\$147.13			
Parole Supervision	\$ 10.51	\$ 11.33	\$ 10.95			

- The expenditures associated with the assessment and orientation process were computed separately since all youth committed to the Texas Youth Commission are processed through the Marlin Orientation and Assessment Unit prior to placement in either a state-operated or contract facility. Youth spend an average of 55 days receiving assessment and orientation services before they are assigned an appropriate facility. After youth are placed in an appropriate facility and are no longer receiving assessment and orientation services, the cost per youth per day decreases and is dependent upon the facility type (state-operated or contract facility).
- Contract versus State-Operated Facilities
  - Contract facility costs include expenditures for state employees who are employed as quality assurance and contract specialist staff.
  - According to the agency, a youth's medical and psychiatric condition is considered prior to placement in a facility. Youth with serious medical or psychiatric needs, or who are major security risks, are kept in state-operated facilities.
  - Contract facilities often receive education services from local school districts. In contrast, the Texas Youth Commission provides education services to youth within state-operated facilities. During fiscal year 2005, the Texas Youth Commission paid \$21.24 per youth per day and \$21.27 per youth per day in 2006 for education and workforce services.
- The increases in the costs per youth per day in fiscal year 2006 are caused in part by the four percent salary increase for state employees plus increases in hazardous duty and longevity pay.



The Texas Juvenile Probation Commission (JPC) is responsible for providing state funding and oversight for the supervision of juveniles in the community as an alternative to commitment to the Texas Youth Commission. JPC allocates funds to local probation departments that provide supervision, and residential and non-residential programs, to youth on probation. Uniform costs are reported for the areas that carry out the major responsibilities for the supervision of youth. The figure below highlights the areas for which uniform costs were computed. Detailed descriptions of the residential and non-residential programs are located in Appendix B.



• JPC indirect costs were distributed across program areas based on total state direct expenditures in the program area.

- The increase in the local cost for the Intensive Supervision Program is caused in part by better reporting of local expenditure data to the Juvenile Probation Commission (JPC).
- During fiscal year 2006, there were four locally operated facilities in which youth on juvenile probation could be placed. The decrease in the average daily cost for locally facilities operated caused by a decrease in state direct expenditures and an increase in the average daily population.

**Table 10 – Texas Juvenile Probation Commission: Cost Per Day Per Youth** 

Fiscal Year

	$2004^{12}$	2005	$2006^{13}$
Basic Supervision Services <sup>14</sup>			
State Cost	\$ 4.90	\$ 4.78	\$ 4.36
Local Cost	\$10.57	\$10.54	\$10.57
Total	\$ 15.47	\$15.32	\$14.93
Intensive Supervision Program			
State Cost	\$ 7.31	\$ 7.65	\$ 7.32
Local Cost	\$ 5.60	\$ 6.08	\$ 8.80
Total	\$12.91	\$13.73	\$16.12
Special Needs Diversionary Program 15			
State Cost	\$11.83	\$12.39	\$13.37
Total	\$11.83	\$12.39	\$13.37
Residential - Locally Operated Facilities <sup>16</sup>			
State Cost	\$ 25.87	\$28.38	\$21.31
Local Cost	\$54.76	\$62.29	\$51.52
Total	\$80.64	\$ 90.67	\$72.83
Residential - Privately Operated Facilities			
State Cost	\$23.82	\$ 28.15	\$19.86
Local Cost	\$50.43	\$61.74	\$47.97
Total	\$74.25	\$89.89	\$67.83
Juvenile Justice Alternative Education	A # 0 0 0	<b>4.70.00</b>	A #0 C C
Program State Reimbursement Rate	\$ 59.00	\$ 59.00	\$ 59.00

- During fiscal year 2006, six privately operated facilities were closed and/or reverted to public operation. The decrease in the cost per day for privately operated facilities is partially caused by a substantial decrease in state direct expenditures as a result of facility closings.
- The Juvenile Justice Alternative Education Program (JJAEP) reimbursement rate is set by rider in the General Appropriations Act at \$59.00 per day per mandatory student. Local jurisdictions provide additional funds to supplement services delivered to juveniles removed from schools under mandatory and discretionary expulsion policies. During the 2004–2005 school year, approximately \$26 million in local expenditures were used to supplement JJAEP services.

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<sup>&</sup>lt;sup>12</sup> Fiscal year 2004 cost figures were updated from the previous Uniform Cost Report to include local expenditure data.

<sup>&</sup>lt;sup>13</sup> With the exception of the Intensive Supervision Program, local expenditures were not available for fiscal year 2006. Local costs for fiscal year 2006 were estimated by allocating the total amount of local expenditures reported in fiscal year 2005 to basic supervision services, locally operated facilities, and privately operated facilities based on the total amount of state direct expenditures in fiscal year 2006.

<sup>14</sup> The cost per day per youth under basic supervision includes the costs of all services provided to juveniles under supervision

The cost per day per youth under basic supervision includes the costs of all services provided to juveniles under supervision while the cost of the Intensive Supervision Program (ISP) includes only those costs directly associated with the ISP.

15 The cost per day per youth served in the Special Needs Diversionary Program includes program supervision costs only. The

The cost per day per youth served in the Special Needs Diversionary Program includes program supervision costs only. The costs for mental health care are funded through Texas Correctional Office on Offenders with Medical or Mental Impairments (TCOOMMI).

<sup>&</sup>lt;sup>16</sup> The cost per day per youth served in the locally and privately operated facilities include the average cost and population for all pre-adjudication, post-adjudication secure, and post-adjudication non-secure placements. To calculate expenditure data reported to LBB staff, JPC determines the total expenditures for pre and post adjudication placements and then allocates the funding to private versus locally operated facilities based on the proportion of total bed days in the year in each of those types of facilities. During fiscal year 2006 six privately operated facilities closed or reverted to public operation. Because of this, fewer juveniles were placed in privately operated facilities and a smaller proportion of total bed days were allocated to privately operated facilities. In fiscal year 2005 6.6% of total bed days were allocated to privately operated facilities compared to 2.7% in fiscal year 2006.

# APPENDIX A UNIFORM COST PROJECT METHODS

#### **FORMULA**

The basic formula for calculating the cost per youth/adult per day is the total program expenditures divided by the average daily population, which is then divided by the number of days in the fiscal year.

# Cost Per Day = ([program expenditures/average daily population]/days in a fiscal year)

In some cases it was not appropriate to use the cost per day calculation but rather a participant cost. The basic formula for calculating the cost per participant is the total program expenditures divided by the number of program participants.

# **Cost Per Participant = (program expenditures/number of program participants)**

All juvenile cost figures for fiscal years 2005 and 2006 are costs per youth per day. The Texas Department of Criminal Justice operates some programs in which it was appropriate to apply the cost per participant. All cost per participant figures have been clearly marked.

### **BENEFITS**

Each agency was asked to report their salary expenditures, without benefits, because benefits are not paid by the agency but by the Employees Retirement System of Texas and the Comptroller of Public Accounts. Benefits were based on the actual amount of benefits paid and were calculated specific to each agency by fiscal year. The benefits as a percentage of salaries and wages were as follows: the Texas Department of Criminal Justice - 33.70 percent for fiscal year 2005 and 35.57 percent for fiscal year 2006; the Texas Youth Commission - 30.75 percent for fiscal year 2005 and 31.79 percent for fiscal year 2006; and the Texas Juvenile Probation Commission – 24.80 percent for fiscal year 2005 and 24.67 percent for fiscal year 2006. The percentages used to calculate benefits in 2006 included a four percent salary increase approved by the Seventyninth Legislature.

### INDIRECT EXPENDITURES

Each agency was required to submit data for indirect expenditures. Indirect expenditures are the expenses the agency incurs regardless of the number of programs it operates or oversees. These indirect expenditures were allocated proportionally across agency programs and facilities based on the total direct expenditures in each area. For example, a program or facility receiving the greatest amount in total direct expenditures would also be allocated the greatest proportion of the agency's indirect expenditures. LBB staff did not apply indirect administration costs to the Windham School District.

#### LOCAL EXPENDITURES

The Texas Juvenile Probation Commission (JPC) and the Texas Department of Criminal Justice's Community Justice Assistance Division (CJAD) both reported local expenditures. The Community Justice Assistance Division reported actual expenditures for each of the program areas requested. Local expenditure data reported by CJAD were primarily participant fees. The majority of the participant fees were reported as expenditures associated with direct supervision. An average participant cost was computed and distributed across all supervision caseloads. A total cost was computed for those program areas where participant fees were reported.

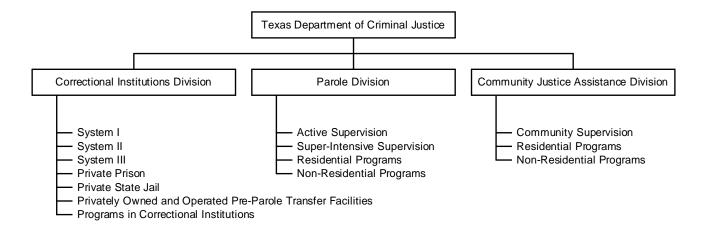
# **UNIFORM COST PROJECT METHODS**

The Texas Juvenile Probation Commission was able to report local expenditures for fiscal year 2005 only because fiscal year 2006 data for most programs were not yet available. JPC does not currently collect local expenditure data by program area. Because of this, an expenditure breakdown was calculated by LBB staff for the residential and non-residential programs (excluding the Juvenile Justice Alternative Education Program, Intensive Supervision Probation, and the Special Needs Diversionary Program).

Local costs for each program area were estimated by allocating the total amount of local expenditures reported in fiscal year 2005 to basic supervision services, locally operated facilities, and contract facilities based on the total amount of state direct expenditures in each program area in fiscal year 2006

# APPENDIX B PROGRAM DESCRIPTIONS

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. TDCJ is organized into multiple divisions, three of which carry out its major responsibilities regarding the supervision of offenders: the Correctional Institutions Division, the Parole Division, and the Community Justice Assistance Division. The Correctional Institutions Division (CID) manages and operates the state jail and state prison systems. It provides for the proper care, treatment, feeding, clothing, and management of adult offenders sentenced to state jail, prison, or substance abuse felony punishment facilities (SAFPFs). The Parole Division (PD) is responsible for processing offenders for release from prison onto parole or mandatory supervision and providing supervision and rehabilitative services to these offenders. The Community Justice Assistance Division (CJAD) addresses the goal of diverting offenders from traditional prison incarceration through the use of community supervision (adult probation) and other community-based programs.



The Texas Department of Criminal Justice created the Correctional Institutions Division (CID) in September 2003 through a merger of the Institutional Division, Operations Division, Private Facilities Division, and the State Jail Division. CID is responsible for the confinement of adult felony offenders, state jail felony offenders who are sentenced to prison, and offenders sentenced to Substance Abuse Felony Punishment Facilities (SAFPFs). The division oversees state prison facilities, pre-release facilities, psychiatric facilities, a mentally retarded offender program facility, medical facilities, transfer facilities, state jail facilities, and SAFPFs. Expansion cellblock facilities, additional medical facilities, boot camps, and work camps are also co-located within several of the facilities mentioned above. The division is also responsible for support operations such as offender classification and records, correctional training and staff development, offender transportation, food and laundry service, and administering and monitoring privately operated facilities.

TDCJ categorizes its correctional facilities into three different system groups: System I, System II, and System III. System I is comprised of the older prison facilities constructed prior to the first 2,250 bed prototype units, which were brought on-line in 1987. System II includes all 2,250 and 1,000 bed prototype facilities brought into operation since that time. System III includes all remaining facilities open as of August 31, 2004. Following are additional details on each system type and the units included in each category.

**SYSTEM I FACILITIES:** The System I facilities include the 25 TDCJ facilities built prior to 1986. The staffing patterns of these older facilities are different than the newer ones and, therefore, costs are presented separately. The following are categorized as System I facilities: Beto, Byrd, Central, Clemens, Coffield, Darrington, Eastham, Ellis, Estelle, Ferguson, Gatesville, Goree, Hilltop, Huntsville, Jester III, Luther, Mt. View, Pack, Powledge, Ramsey, Scott, Stringfellow, Terrell, Vance, and Wynne.

SYSTEM II FACILITIES: The System II facilities include 10 prototype 2,250 and 16 prototype 1,000 bed facilities built in the late 1980s through the 1990s. These facilities are called prototype facilities because they were initially constructed according to a specific design. Over time, expansions were made to some of the prototype units, so they house more offenders than their initial design capacity. The configuration of these units requires a different staffing pattern than the older facilities. These facilities also house offenders in administrative segregation and those requiring close custody. The following are categorized as System II 2,250 bed prototype facilities: Allred, Clements, Connally, Hughes, McConnell, Michael, Polunsky, Robertson, Stiles, and Telford. The 1,000 bed prototype facilities include: Boyd, Briscoe, Dalhart, Daniel, Hightower, Hobby, Jordan, Lewis, Lynaugh, Murray, Neal, Roach, Smith, Stevenson, Torres, and Wallace.

**SYSTEM III FACILITIES:** The System III facilities consist of 43 facilities that house state jail confinees, offenders in transit status, and those with special needs. Following is a brief description of each facility type and the housing units within each type.

State Jails: A state jail is a facility that houses offenders who receive state jail sentences. State jail sentences cannot exceed two years for one offense, but a repeat offender may receive overlapping state jail sentences not to exceed three years. The offenders are usually convicted of property and low-level controlled substance offenses. State Jails also temporarily house transfer offenders. The following are categorized as state jail facilities: Cole, Dominguez, Formby, Gist, Havins, Henley, Hutchins, Kegans, Lopez, Lychner, Ney, Plane, Sanchez, Travis County, Woodman, and Wheeler.

Substance Abuse Felony Punishment Facilities: A Substance Abuse Felony Punishment Facility (SAFPF) is a facility that provides an intensive six-month therapeutic community program for offenders who are sentenced by a judge as a condition of community supervision or as a modification of parole/community supervision. The following are categorized as SAFPF facilities: Glossbrenner, Halbert, Jester I, Johnston, and Sayle.

**Transfer Facilities:** A transfer facility acts as a transitional placement for offenders moving from one type of facility to another. The offender may be awaiting transfer to a community supervision type program, or transfer to a more appropriate facility to meet individual offender needs or to meet the conditions of their sentence. The following are categorized as transfer facilities: Cotulla, Duncan, Ft. Stockton, Garza East, Garza West, Goodman, Gurney, Hamilton, Holliday, LeBlanc, Middleton, Moore, Rudd, Segovia, Tulia, and Ware.

*Medical Facilities:* TDCJ medical facilities are designed to meet the overall medical needs of the offender population. The facilities provide all types of medical service. The following are categorized as medical facilities: Galveston Hospital, Young Regional Medical, and West Texas Regional Medical (within the Montford unit).

**Psychiatric Facilities:** A psychiatric facility specializes in the acute psychiatric needs of the offender population. Psychiatric facilities provide an intensive therapeutic environment for offenders who are in need of immediate psychiatric assistance. The following facilities are categorized as psychiatric facilities: Jester IV Psychiatric, Montford Psychiatric, and Skyview Psychiatric.

Mentally Retarded Offender Program Facility: The Mentally Retarded Offender Program (MROP) Facility specializes in serving offenders who are mentally impaired. The Hodge Unit is the only MROP facility designated in this category. Female offenders receive MROP services at the Gatesville Unit.

Table 11 – Average Number of Offenders Served Daily by Facility Type

Facility Type	Fiscal Year 2004	Fiscal Year 2005	Fiscal Year 2006
System I	41,667	41,784	41,777
System II – 2,250 prototype	30,363	30,338	30,391
System II – 1,000 prototype	22,760	22,867	22,867
System III – State Jail	18,527	19,048	18,546
System III SAFPFs	2,714	2,720	2,719
System III – Transfer	18,557	19,572	19,461
System III – Medical	580	603	573
System III Psychiatric	1,920	1,895	1,918
System III – MROP	895	835	844
<b>Total State Funded Facilities</b>	137,983	139,662	139,096

Source: Reported by TDCJ as part of the Uniform Cost Project

**PROGRAMS IN CORRECTIONAL INSTITUTIONS** There are three major programs that are not specific to a particular correctional unit that serve a variety of eligible offenders throughout the system. Each is specifically detailed and operating costs were reported separately.

Serious and Violent Offender Reentry Initiative Program: The Serious and Violent Offender Reentry Initiative (SVORI) Program is offered to offenders who are being released from administrative segregation. The offender must meet certain criteria to qualify. The program is intended to reduce recidivism by better preparing offenders to reenter the community.

**Project RIO:** Project Re-integration of Offenders (RIO) is intended to assist offenders in securing employment. The program works with the Texas Workforce Commission to locate employment for offenders who will be paroled within Texas.

Windham School District: The Windham School District (WSD) is the education system within the Texas correctional system. WSD was established by the Texas Legislature as an entity separate and distinct from TDCJ, with the Texas Board of Criminal Justice (TBCJ) serving as the Board of Trustees for the school district. It is the policy of the Board that the WSD provide academic, as well as career and technology education, to eligible offenders incarcerated within TDCJ. Windham provides a variety of academic classes, along with career and technology education (CTE) to incarcerated offenders. WSD operates over 80 schools, serving the correctional institutions of TDCJ. Most participants in the literacy program attend classes for 15 hours per week, and most of those participating in CTE programs attend 30 hours of classes per week. The WSD receives the majority of its funding from the Texas Education Agency.

Table 12 - Average Number of Offenders Served Daily in Programs in Correctional Institutions

Program Type	Fiscal Year 2004	Fiscal Year 2005	Fiscal Year 2006
SVORI Program	51	111	100
Project RIO	38,521	37,012	31,952
Windham School District	26,271	29,294	33,027

Source: Reported by TDCJ as part of the Uniform Cost Project

**PRIVATE FACILITIES:** TDCJ currently contracts for operations at seven prisons, five state jail facilities, two pre-parole transfer facilities, and five county facilities. TDCJ is responsible for providing oversight and monitoring of privately operated facilities that house state offenders.

**Private Prisons:** TDCJ currently oversees the operations of seven privately operated prisons that house correctional institution offenders. These offenders are classified as minimum custody and may remain in a private facility as long as they maintain their minimum custody status. The following are private facilities: B. Moore, Bridgeport, Cleveland, Diboll, Kyle, Sanders Estes, and Lockhart.

**Private State Jails:** There are currently five privately operated state jails under the oversight of the Correctional Institutions Division (CID). State jail felons, as well as transfer offenders within CID may be housed at a private state jail facility. Standards of service for all state jail facilities, whether they are state or privately operated, are the same. The following are private state jail facilities: Bartlett, Bradshaw, Dawson, Lindsey, and Willacy.

**Pre-Parole Transfer Facilities (PPTs):** There are currently two privately owned and operated PPTs under the oversight of the correctional institutions. These facilities provide secure, pre-parole housing where programming such as life skills, substance abuse education, and vocational training is offered to offenders who are within one year of their presumptive parole or mandatory supervision release date. The following are privately owned and operated pre-parole transfer facilities: Bridgeport and Mineral Wells.

Contracted Temporary Capacity: TDCJ contracts with counties for the use of county beds on a temporary basis to meet capacity requirements. The following counties provide contracted temporary capacity: Bowie County, Guadalupe County, Jefferson County, Limestone County, and Newton County.

Table 13 – Average Number of Offenders Served Daily in Private Facilities

Facility Type	Fiscal Year	Fiscal Year	Fiscal Year
	2004	2005	2006
Privately Operated Prisons	4,069	4,067	4,068
Privately Operated State Jails	7,167	7,197	7,140
Privately Owned and			
Operated Pre-Parole Transfer Facilities	2,231	2,253	2,258
Contracted Temporary Capacity		87	1,338
<b>Total Private Owned/Operated Facilities</b>	13,467	13,604	14,804

Source: Reported by TDCJ as part of the Uniform Cost Project

The Parole Division (PD) supervises offenders released from prison who are serving out their sentences in Texas communities. The division also performs some pre-release functions by investigating the parole plans proposed by offenders and by tracking parole eligible cases and submitting them for timely consideration to the Board of Pardons and Paroles (BPP). In addition, the Parole Division supervises offenders in two pre-release programs – the Pre-Parole Transfer Program and the Work Program. Offenders participating in the pre-release programs remain in secure facilities until paroled by the BPP.

The Parole Division does not make release decisions, nor does it decide whose parole should be revoked or what special conditions should be placed on releasees. Authority for those decisions rests with the Board of Pardons and Paroles. The division works closely with the board and provides board members with the documentation needed to make informed decisions.

**ACTIVE PAROLE SUPERVISION:** Persons released on parole and mandatory supervision must abide by certain rules while in the community and are subject to revocation or other sanctions for violations of release conditions. Examples of release conditions include: reporting to a supervising parole officer; obeying all municipal, county, state, and federal laws; and obtaining the parole officer's written permission before changing residence. Offenders also agree to abide by all rules of parole and laws relating to the revocation of parole and mandatory supervision, including appearing at any required hearings or proceedings. Offenders are required to pay monthly supervision and administrative fees to the Parole Division for each month they are required to report to their parole officers.

**NON-RESIDENTIAL PROGRAMS:** In addition to parole supervision, offenders may be placed into a variety of treatment and surveillance programs based on their needs and special conditions of parole release. Some of the non-residential supervision options are listed below.

Super-Intensive Supervision Program: The Super-Intensive Supervision Program (SISP) is the highest level of non-residential supervision and offender accountability provided by TDCJ's Parole Division or county jails for offenders on parole or mandatory supervision. The offenders remain in the program for the duration of their term of supervision or until removed by the Board of Pardons and Paroles. All offenders are monitored by some form of electronic monitoring 24 hours a day, seven days a week.

**Electronic Monitoring:** Electronic Monitoring (EM) augments a parole officer's supervision of an offender by electronically detecting any violations of curfew or home confinement rules.

Substance Abuse Treatment Program: The Substance Abuse Treatment Program administers a range of therapeutic, outpatient, and resource programs to offenders on parole. It oversees and coordinates these interrelated programs for substance abuse treatment and makes use of case management and drug and alcohol testing to assist in supervising offenders.

Sex Offender Treatment: The Sex Offender Treatment program provides for the placement of sex offenders into a specialized caseload. These offenders must have a current conviction or history of convictions involving a sexual offense, admission by the offender of having committed sexually deviant behavior, or as required by the BPP as a condition of release. The program provides counseling and treatment in addition to offender supervision.

Special Needs Offender Programs: The Special Needs Offender Program (SNOP) includes Mentally Impaired, Mentally Retarded, Terminally Ill, Physically Handicapped, and Medically Recommended Intensive Supervision Caseloads. SNOP maximizes the treatment provided to offenders diagnosed with mental impairments, mental retardation, terminal illness, and physical impairments by providing specialized supervision. The program provides counseling and treatment that are in addition to offender supervision.

Table 14 – Average Number of Offenders Served Daily in Parole Programs

Program Type	Fiscal Year	Fiscal Year	Fiscal Year
110grum 1ype	2004	2005	2006
Active Parole Supervision	74,574	74,312	74,193
Super-Intensive Supervision Parole	1,144	1,331	1,506
Electronic Monitoring	921	897	997
Sex Offender Treatment Program	1,814	1,934	1,675
Special Needs Offender Program	1,203	1,316	1,188
Substance Abuse Treatment Program			
Residential	1,436	1,394	1,354
Non-Residential	704	706	664

Source: Reported by TDCJ as part of the Uniform Cost Project

**RESIDENTIAL PROGRAMS:** In addition to parole supervision, offenders may be placed into a variety of residential programs based on their needs and special conditions of parole release. Some of the residential options are listed below.

*Halfway House:* Halfway house beds are designed for offenders who require close supervision and/or are lacking community support upon release from a correctional institution. The facilities provide job assistance and require offenders to participate in a monetary savings program.

County Jail Work Release: The County Jail Work Release Program allows offenders to work and contribute to the facility while remaining under parole supervision. The County Jail Work Release Program, currently available in two counties, is for those offenders who have not yet secured a place to stay after release from a correctional institution and who are difficult to place (e.g., sex offenders).

Intermediate Sanction Facility (state-operated and privately owned/operated): An Intermediate Sanction Facility (ISF) is a short term, fully secured facility used for offenders who violate conditions of parole.

Work Facilities Program: The work facilities program is operated by a special unit within a correctional institution, which oversees the Private Sector/Prison Industry Enhancement Certification Program (PS/PIECP), commonly referred to as the PIE Program. Offenders participating in this program agree to pay a percentage of their earned income for room and board, cost of supervision, restitution, crime victim's compensation, savings, and dependent care. Offenders also have the opportunity to participate in educational programs such as adult basic education, GED, and life skills. In addition, vocational programs are offered to enhance opportunities to gain meaningful employment upon release.

Table 15 - Average Number of Offenders Served Daily in Residential Programs

Program Type	Fiscal Year 2004	Fiscal Year 2005	Fiscal Year 2006
Halfway House	1,252	1,275	1,200
County Jail Work Release	26	23	24
Intermediate Sanction Facility (state-operated)	396	373	391
Intermediate Sanction Facility (privately			
owned/operated)	1,271	1,373	1,437
Work Facility Program	493	499	499

Source: Reported by TDCJ as part of the Uniform Cost Project

The Texas Department of Criminal Justice's – Community Justice Assistance Division (TDCJ-CJAD) provides funding and oversight of community supervision, or adult probation, in Texas. Offenders on community supervision serve their sentence in the community, rather than in prison. The statutory basis for community supervision is contained in Article 42.12 of the Texas Code of Criminal Procedure. TDCJ-CJAD does not work directly with offenders; rather, it works with the community supervision and corrections departments (CSCDs), which supervise the offenders. There are 121 CSCDs in Texas, organized within judicial districts, serving 254 counties. CSCDs supervise and rehabilitate offenders who are sentenced to community supervision by local courts.

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

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

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

Offenders under community supervision receive basic supervision services. In addition to the basic conditions of community supervision (e.g., commit no new offense, avoid injurious habits, report regularly, pay fines, etc.), offenders may be placed into a variety of residential and non-residential programs. General descriptions of the non-residential and residential programs for which uniform costs are reported can be found on the following pages.

# COMMUNITY JUSTICE ASSISTANCE DIVISION

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

Table 16 – Average Daily Number of Offenders under Community Supervision

	Fiscal Year 2004		Fiscal Year 2005		Fiscal Year 2006	
	Direct	Indirect	Direct	Indirect	Direct	Indirect
Felons	157,221	75,628	157,323	75,564	158,484	74,925
Misdemeanants	112,316	74,698	110,107	75,433	107,756	76,052
Average Population	269,537	150,326	267,430	150,997	266,240	150,977

Source: Reported by TDCJ as part of the Uniform Cost Project

# NON-RESIDENTIAL PROGRAMS

*Intensive Supervision Probation:* Intensive Supervision Probation (ISP) is a highly structured supervision program with the goal of reducing criminal behavior by reducing the opportunities to engage in criminal activities. ISP usually requires strict surveillance, stringent supervision structure, and intensive participation.

*Electronic Monitoring:* Electronic Monitoring (EM) involves the close monitoring of an offender's activities, including compliance with curfews, through the use of various types of monitoring equipment. The technology is designed to keep an offender, who would otherwise be sentenced to jail or a residential facility, under close surveillance without incurring the costs of incarceration.

*Specialized Caseloads:* Specialized caseloads are used as a strategy to manage high-risk and/or special needs offender populations through the use of targeted supervision services. Specially trained community supervision officers supervise caseloads of 35-60 offenders who share similar problems. Specialized caseloads offered by CSCDs often include caseloads for sex offenders and substance abusers.

Mentally Impaired Caseloads (MIC): Specialized caseloads for the mentally impaired provide targeted mental heath services to offenders with serious mental illness. These caseloads were funded with money specifically appropriated to serve this group of offenders.

Treatment Alternatives to Incarceration Program (Non-Residential): Treatment Alternatives to Incarceration Program (TAIP) provides screening, evaluation, and referral to treatment for persons arrested for an offense in which an element of the offense is the use or possession of alcohol or drugs, or in which the use of alcohol or drugs is suspected to have significantly contributed to the offense. TAIP programs target indigent offenders. Although there are a few TAIP outpatient programs operated by the Community Supervision and Corrections Departments (CSCDs), TAIP primarily contracts for group and individual counseling for the cessation of alcohol or other drug abuse. The average cost for a group hour of counseling through TAIP is approximately \$12 per individual and the average cost for an individual hour of counseling is approximately \$32 per individual.

Table 17 – Average Number of Offenders Served Daily in Non-Residential Programs

Program Type	Fiscal Year 2004	Fiscal Year 2005	Fiscal Year 2006
Intensive Supervision Probation	2,049	1,734	1,570
Electronic Monitoring	416	416	373
Specialized Caseloads	19,315	18,522	18,038
Mentally Impaired Caseloads	3,491	3,753	4,009
Treatment Alternatives to Incarceration	4,203	4,407	3,563

Source: Reported by TDCJ as part of the Uniform Cost Project

### RESIDENTIAL PROGRAMS

**Restitution Centers:** Restitution Centers (RCs) are facilities for offenders who are required by the courts to work to repay their victims and society. The centers target offenders who have problems holding a job or paying court-ordered fees, and who do not appear to have serious substance abuse problems. The centers require offenders to get full-time jobs, attend education and life skills training, and work for free in the community (known as community service restitution or CSR).

**Court Residential Treatment Center:** Court Residential Treatment Centers (CRTCs) treat offenders for substance abuse and alcohol dependency. Education, life skills training, vocational, and employment services may be offered to residents.

Substance Abuse Treatment Facility: Substance Abuse Treatment Facilities (SATFs) primarily provide treatment and rehabilitation to offenders with substance abuse problems. They also offer education and life skills training. Vocational training and 24-hour supervision may also be provided.

**Local Boot Camp:** Boot camps are highly structured residential punishment programs modeled after military basic training. They target young, first-time offenders, and emphasize physical exercise, strict supervision, and discipline. They also offer education and life skills training and require offenders to make restitution to their victims and society. Boot camps may also offer substance abuse education.

### COMMUNITY JUSTICE ASSISTANCE DIVISION

Intermediate Sanction Facility: Intermediate Sanctions Facilities (ISFs) are short-term detention facilities. They target offenders who violate their community supervision and are used as an alternative to revoking an offender's supervision and sending him or her to prison. ISF services include education, life skills training, and community service restitution.

Contract Services for the Mentally Impaired: Contract Services for the Mentally Impaired includes any facility that provides residential services for special needs offenders.

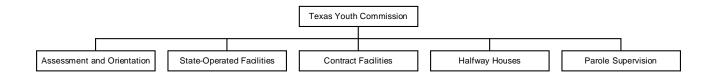
Treatment Alternatives to Incarceration Program (Residential): Treatment Alternatives to Incarceration Program (TAIP) provides screening, evaluation and referral to treatment for persons arrested for an offense, in which an element of the offense is the use or possession of alcohol or drugs, or in which the use of alcohol or drugs is suspected to have significantly contributed to the offense. TAIP programs target indigent offenders and provide contracted residential services to specifically treat offenders who engage in chemical abuse. TAIP residential beds are contracted on a fixed cost per bed per day basis. These programs provide chemical dependency counseling, educational classes, life skills, rehabilitation activities, cognitive-behavioral programs, and social and/or recreational activities.

Table 18 - Average Number of Offenders Served Daily in Residential Programs

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Duognam Tyna	Fiscal Year	Fiscal Year	Fiscal Year
Program Type	2004	2005	2006
Restitution Center	459	420	389
Court Residential Treatment Center	418	436	443
Substance Abuse Treatment Facility	560	834	960
Local Boot Camp	305	50	59
Intermediate Sanction Facility	287	351	377
Contract Services for the Mentally Impaired	7	30	45
Treatment Alternatives to Incarceration Program	257	343	315

Source: Reported by TDCJ as part of the Uniform Cost Project

The Texas Youth Commission (TYC) provides for the care, custody, rehabilitation, and reestablishment of adjudicated youth back into society. Youth are committed to TYC by judges for felony-level offenses committed by juveniles between the ages of 10 and 16. TYC can maintain jurisdiction over these offenders until the age of 21.



The mission of TYC includes the four following primary functions:

Protection – To protect the public and control the commission of unlawful acts by youth committed to the agency by confining them under conditions that ensure their basic healthcare, emphasize their positive development, accountability for their conduct, and discipline training (Family Code, Section 51.01(1), (2) and (4) and Human Resources Code, Section 61.101(c));

*Productivity* – To rehabilitate youth committed to the agency to become productive and responsible citizens who are prepared for honorable employment through ongoing education and workforce development programs (Human Resources Code, Section 61.034(b) and 61.076(a)(1));

Rehabilitation – To rehabilitate and re-establish in society youth committed to the agency through a competency-based program of resocialization (Human Resources Code, Section 61.002, 61.047, 61.071, 61.072, 61.076(a)(1)(2) and 61.0761); and

*Prevention* – To study problems of juvenile delinquency, focus public attention on special solutions for problems, and assist in developing, strengthening, and coordinating programs aimed at preventing delinquency (Human Resources Code, Section 61.031, 61.036 and 61.081 (c)).

Most youth are committed to TYC until their 21<sup>st</sup> birthday. In accordance with their classifying offenses, youth are assigned minimum lengths-of-stay, which is the minimum amount of time they must spend in a residential program before parole consideration. TYC youth are required to demonstrate progress in rehabilitation and education programs prior to parole release, even if this results in confinement for longer than their minimum lengths-of-stay. Some youth are committed to TYC under the Determinate Sentencing Law, which provides for sentences of up to 40 years for the most serious crimes. Regardless of sentence length, the sentence begins at TYC; however he or she can be transferred to the adult prison system (Texas Department of Criminal Justice) to complete the sentence.

The agency operates both institutional and community-based residential programs for adjudicated youth and supervises them after release. Additionally, TYC contracts for additional capacity, community-based programs, and non-residential services.

ASSESSMENT AND ORIENTATION: The Marlin Orientation and Assessment Unit (MOAU) provides assessment and orientation services for youth committed to TYC. Services at the MOAU consist of a physical examination and medical history, educational and psychological testing, psychiatric evaluation, if necessary, specialized needs assessment, and initial assignment recommendations. Each youth spends an average of 55 days at the Marlin facility. Youth are re-assessed for medical or mental health reasons, if needed, by qualified clinical professionals at their initial placement facilities. Individuals who are recommitted may go through the intake process at Marlin again.

STATE-OPERATED FACILITIES: After completing assessment and orientation, youth are assigned to either a state-operated or contract facility. The youth are confined under conditions that emphasize their positive development, accountability for their conduct, and discipline training. Further, youth are rehabilitated through education and productive work to become responsible citizens and reintegrated into society through a competency-based program of resocialization. Following are the 13 state-operated facilities: Al Price State Juvenile Correctional Facility, Corsicana Residential Treatment Center, Crockett State School, Evins Regional Juvenile Center, Gainesville State School, Giddings State School, McLennan County State Juvenile Correctional Facility, Marlin Orientation and Assessment Unit, Ron Jackson State Juvenile Correctional Complex, San Saba State School, Sheffield Boot Camp, Victory Field Correctional Academy, and West Texas State School.

**CONTRACTED FACILITIES:** Contract care facilities are outside the TYC institutional system and provide services for particular needs that generally cannot be provided in an institution. These facilities include 24-hour residential treatment and services for female offenders with infants (WINGS program), sex offenders, and youth affected by chemical dependency. During fiscal years 2005 and 2006, 21 and 18 contract facilities provided services to Texas youth, respectively.

**HALFWAY HOUSES:** Halfway houses are used to provide youth with a transition between secure residential placement and parole supervision. While staying in a halfway house, youth can participate in education, employment, and community service programs, as well as acquire the skills necessary for independent living. During fiscal years 2005 and 2006, nine halfway houses provided services to Texas youth.

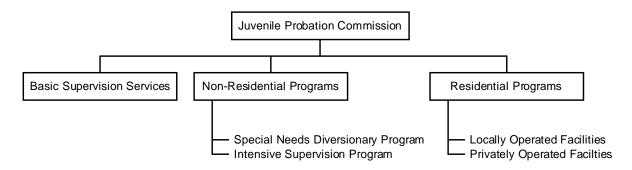
**PAROLE SUPERVISION:** Youth released from TYC residential programs are supervised on parole for a period of time equivalent to the minimum length-of-stay associated with their classifying offenses. While under parole supervision youth are required to complete community service hours and may receive specialized treatment and counseling services as part of their parole plans.

Table 19 – Average Number of Youth Served Daily by Program Type

Program Type	Fiscal Year 2004	Fiscal Year 2005	Fiscal Year 2006
Assessment and Orientation	409	426	439
State-Operated Facilities	3,935	4,127	4,059
Contracted Facilities	608	562	427
Halfway Houses	210	221	219
Parole Supervision	2,975	2,729	2,958

Source: Reported by TYC as part of the Uniform Cost Project

The Texas Juvenile Probation Commission (JPC) was created in 1981 under Chapter 141 of the Texas Human Resources Code. This statute mandates the following purposes for the agency: 1) to make probation services available to juveniles throughout the state; 2) to improve the effectiveness of juvenile probation services; 3) to provide alternatives to the commitment of juveniles by providing financial aid to juvenile boards to establish and improve probation services; 4) to establish uniform standards for the community-based juvenile justice system; 5) to improve communications among state and local entities within the juvenile justice system; and 6) to promote delinquency prevention and early intervention programs and activities for juveniles.



The stated mission of JPC is to work in partnership with local juvenile boards and juvenile probation departments to support and enhance juvenile probation services throughout the state by providing funding, technical assistance, and training; establishing and enforcing standards; collecting, analyzing, and disseminating information; and facilitating communications between state and local entities. This mission is accomplished through a continuum of services and programs that:

- include prevention, early intervention, and rehabilitative programs;
- maximize family participation and accountability;
- are community-based, family-oriented and as least restrictive as possible;
- include a mix of residential and non-residential services, which reduce commitments to the Texas Youth Commission; and
- are a balance of public and private services and resources.

The agency's goals include ensuring public safety and offender accountability and rehabilitating juvenile offenders through a comprehensive, coordinated, community-based juvenile justice system. The strategies used to accomplish these goals related to direct offender supervision are basic supervision services, community corrections services, and the Juvenile Justice Alternative Education Program (JJAEP). These programs are funded with a combination of state and local funds.

# **TEXAS JUVENILE PROBATION COMMISSION**

BASIC SUPERVISION SERVICES: The basic supervision program consists of youth under three types of supervision: adjudicated probation, deferred prosecution, and supervision prior to disposition. Adjudicated probation is a form of community-based supervision for a specified period of time. Deferred prosecution is a voluntary alternative to adjudication with court-imposed conditions and supervision requirements. Supervision prior to disposition includes juveniles under temporary supervision pending a disposition or court action and juveniles conditionally released from detention. All juveniles under supervision receive a wide variety of services in addition to supervision. These services include mental health and substance abuse assessments and evaluations, educational assessments, drug testing, medical and dental services, community service, restitution and programming to address the needs of the juvenile.

**COMMUNITY CORRECTIONS:** Community corrections programs are those programs designed to divert juveniles from commitment to the Texas Youth Commission. Three major components of the community corrections strategy are: Intensive Supervision Probation (ISP), Special Needs Diversionary Program, and Residential Placements.

*Intensive Supervision Probation:* Intensive supervision probation provides increased monitoring and officer contact to youth. This type of program provides an alternative for youth for whom commitment is a strong possibility.

*Special Needs Diversionary Program:* This program provides targeted, family-based, mental health services to juveniles with severe emotional disturbances to prevent their removal from the home and further involvement with the juvenile justice system.

**Residential Placements:** Residential facilities are operated by both local juvenile probation departments and private vendors. Pre-adjudication residential placements provide a safe and secure setting to juveniles held prior to disposition. Post-adjudication residential placements provide an alternative to more costly incarceration at the state level for at-risk juveniles who have been sentenced to at least six months of placement. Post-adjudication programs provide increased monitoring of youth for whom traditional probation has failed and institutional commitment is an imminent possibility.

**JUVENILE JUSTICE ALTERNATIVE EDUCATION PROGRAM:** The Juvenile Justice Alternative Education Programs (JJAEPs) are operated by the local juvenile boards and provide off-campus alternative education programs for students expelled from public schools. A General Appropriations Act rider for JPC allows for a reimbursement rate of \$59 per youth per day that the student is in attendance to counties whose students are required to be expelled under Section 37.011 of the Texas Education Code for specific felony offenses.

Table 20 – Average Number of Youth Served Daily by Program Type

Drogram Type	Fiscal Year	Fiscal Year	Fiscal Year
Program Type	2004	2005	2006
Basic Supervision	40,791	42,675	43,527
Intensive Supervision Probation	3,179	3,088	3,296
Special Needs Diversionary Program	475	439	410
Residential – Locally Operated	4,346	4,117	4,765
Residential – Contract	400	270	142
JJAEP – State Mandated			
Regular School Year	728	802	828
Summer School	369	173	244

Source: Reported by JPC as part of the Uniform Cost Project

# APPENDIX C COMPARISON TO OTHER COST PER DAY FIGURES

# COMPARISON TO OTHER COST PER DAY FIGURES

The table in this section is to provide cost figures reported by other states and the federal government. The cost per day figures below are the most recent national data available and are as reported in the *State Prison Expenditures*, 2001. Similar cost figures for juveniles were not available.

**Table 21 – National Comparison** 

State or Agency	Cost Per Day Per Adult Offender Incarcerated in State-Operated Institutions
California	\$68.64
Colorado	\$69.61
Federal Bureau of Prisons	\$62.01
Florida	\$55.32
Illinois	\$59.85
New York	\$100.92
Texas	\$37.83
National Average	\$62.05

Source: Bureau of Justice Statistics - State Prison Expenditures, 2001