

# A DECADE OF COMMITMENT AND SERVICE

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U.S. Department of Justice  
National Institute of Justice

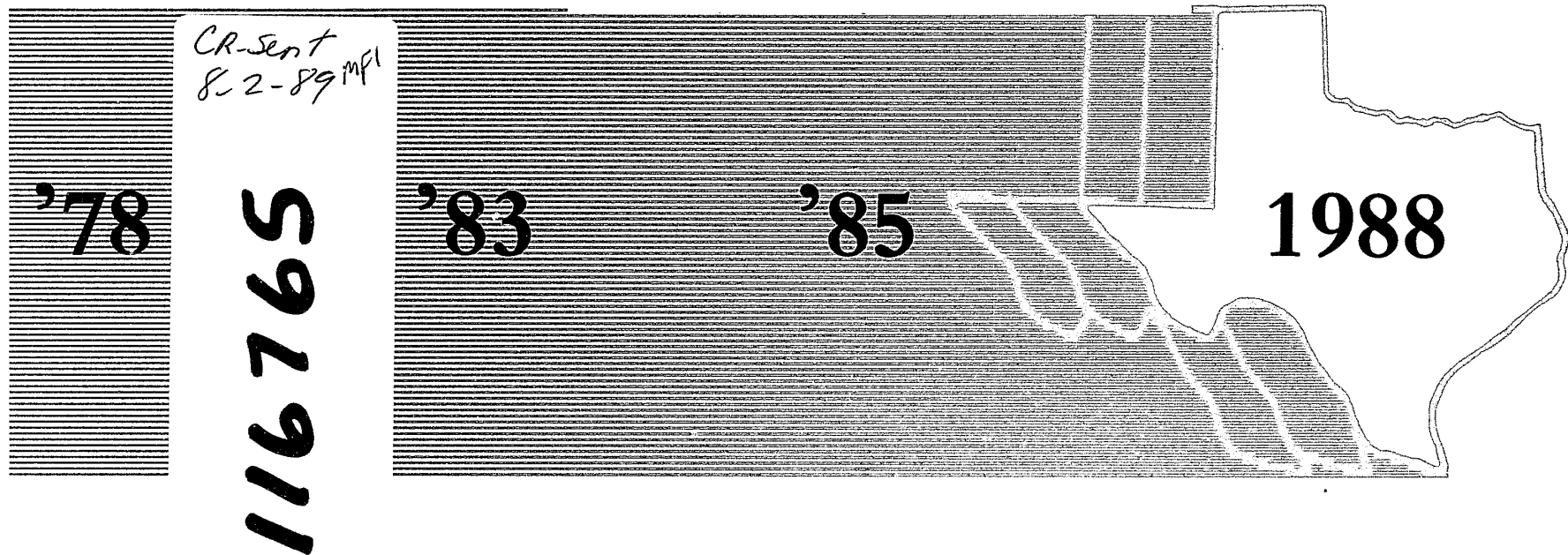
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Texas Adult Probation  
Commission

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Texas Adult Probation Commission

## COMMISSIONERS

Chairman, Judge Clarence N. Stevenson, Victoria  
Vice-Chairman, Mrs. Diana S. Clark, Dallas  
Secretary, Judge B. B. Schraub, Seguin

Judge Rufus J. Adcock, Fort Worth  
Monsignor Dermot N. Brosnan, San Antonio  
Judge Sam W. Callan, El Paso

Judge Donald Carroll, Tyler  
Judge George E. Dowlen, Amarillo  
Mr. E. L. Farley, Beaumont

Judge Richard H. Garcia, Edinburg  
Judge Joe N. Kegans, Houston  
Judge John R. Saringer, Abilene

Executive Director  
Jim McDonough

Director of Fiscal Services  
Edmond J. Peterson, C.P.A.

Director of Program Services  
Malcolm MacDonald

Director of Data Services  
Don Buckmaster

General Counsel  
David J. Spencer

*"...The Commission shall make a report to the governor and to the legislature each year covering its operations and the condition of probation services in Texas during the previous year and making whatever recommendations it considers desirable..."*

— Section 3.07 of Article 42.121, Texas Code of Criminal Procedure



TEXAS  
ADULT PROBATION  
COMMISSION

8100 Cameron Road • Suite 600, Building B • Austin, Texas 78753 • (512) 834-8188

The Honorable William P. Clements, Jr., Governor of Texas  
The Honorable William P. Hobby, Lieutenant Governor  
Members, Texas Senate and House of Representatives, Texas Legislature

In 1988 we celebrated the anniversary of the first state-aid payment to a judicial district adult probation department and in so doing, the Texas Adult Probation Commission and system of adult probation departments across our state marked a decade of commitment and service to the citizens of Texas.

It is our pleasure to share with you, in the context of this report, the accomplishments and performance of the adult probation departments of Texas achieved through mutual cooperation with our agency.

Throughout the past ten years, the Texas adult probation system has matured and developed. Its evolution has brought innovations in probation programming to Texas and the nation. The increased focus on correctional issues in our state during these past ten years has caused an accelerated interest in the performance of adult probation programs to help reduce prison overcrowding. Despite a variety of influences, our adult probation system continues to meet the challenges offered it during this decade of change.

We anticipate the next decade of service by the adult probation system will surpass the achievements of the past ten years; while preparing us for meeting the corrections needs of Texas for the next century.

Respectfully submitted,

Jim McDonough, Executive Director

CHAIRMAN  
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Victoria

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Fort Worth  
Dermot N. Brosnan  
San Antonio

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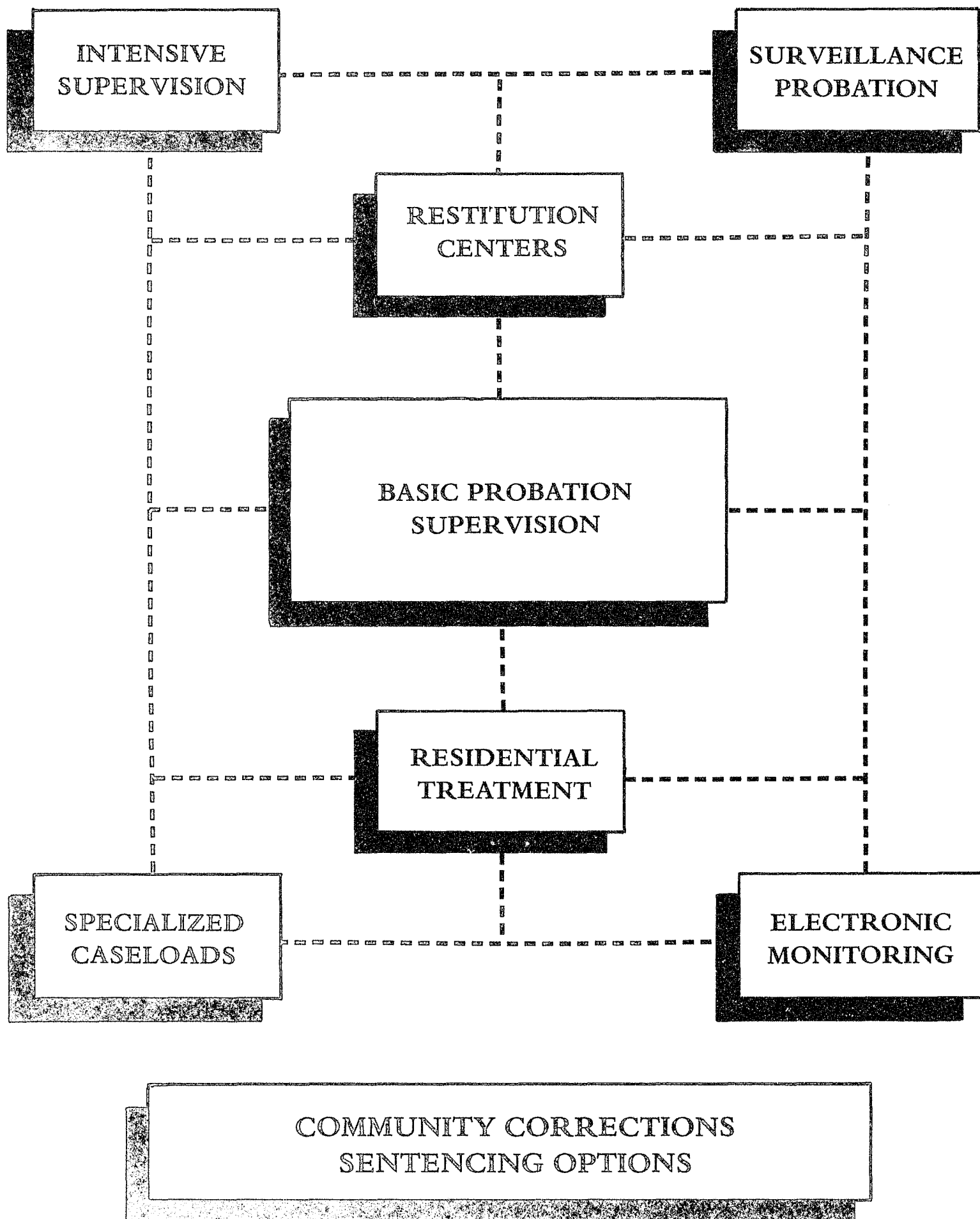
EXECUTIVE DIRECTOR  
Jim McDonough

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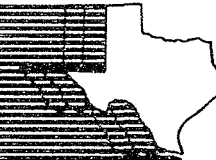
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ACQUISITIONS



# COMMISSION



Created in 1977 by the 65th Texas Legislature, the Texas Adult Probation Commission is a twelve-member body comprised of judges and citizen members. Article 42.121 of the Texas Code of Criminal Procedure calls for the membership (six district court judges, three county court-at-law judges, and three citizens) be appointed by the Chief Justice of the Texas Supreme Court and the Presiding Judge of the Texas Court of Criminal Appeals.

Each of the members is appointed for a six-year term. If any member resigns or expires, a replacement is appointed to serve the remainder of the unexpired term. Members are not entitled to compensation, but are eligible to receive reimbursement for expenses incurred in performing their official duties.

The following lists the current membership of the Commission and the date their term expires:

Judge Clarence N. Stevenson, Chairman, Victoria (1993)  
Mrs. Diana S. Clark, Vice-Chairman, Dallas (1993)  
Judge B. B. Schraub, Secretary, Seguin (1993)  
Judge Rufus Adcock, Commissioner, Fort Worth (1989)  
Monsignor Dermot N. Brosnan, Commissioner, San Antonio (1989)  
Judge Sam W. Callan, Commissioner, El Paso (1989)  
Judge Donald Carroll, Commissioner, Tyler (1991)  
Judge George E. Dowlen, Commissioner, Amarillo (1991)  
Mr. E. L. Farley, Commissioner, Beaumont (1991)  
Judge Richard Garcia, Commissioner (1993)  
Judge Joe N. Kegans, Commissioner (1989)  
Judge John R. Saringer, Commissioner (1991)



*Commissioners: Seated (l to r) Judge B.B. Schraub, Judge Clarence N. Stevenson, Mrs. Diana S. Clark  
Standing (l to r) Mr. E.L. Farley, Judge Donald Carroll, Monsignor Dermot N. Brosnan, Judge Rufus J. Adcock, Judge Joe N. Kegans, Judge George E. Dowlen, Judge Sam W. Callan, Judge John R. Saringer  
Not Pictured: Judge Richard H. Garcia*

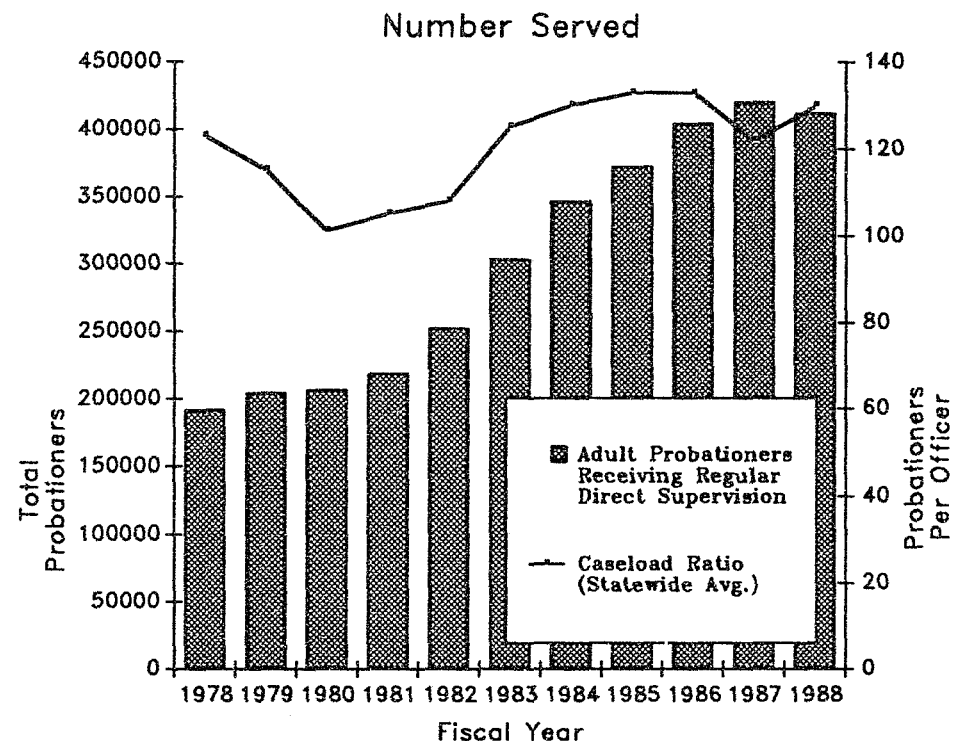
The Commission is charged by law to meet quarterly, to establish statewide standards for adult probation services, and to distribute state-aid to judicial district adult probation departments in compliance with state standards. It achieves these objectives through the policy directives it adopts.

# BASIC PROBATION

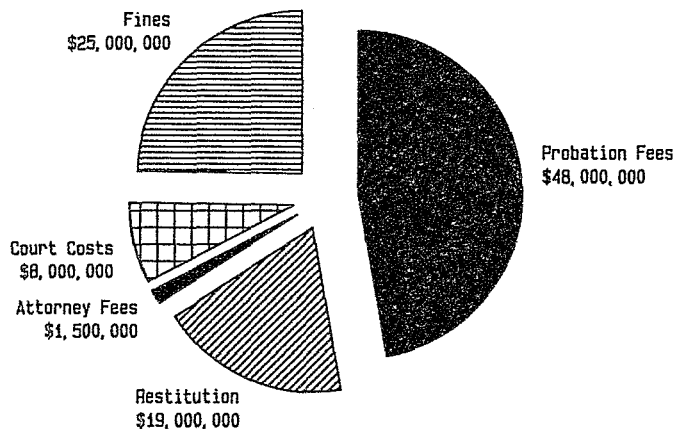


"Probation," as defined in Article 42.12 of the Texas Code of Criminal Procedure, means the release of a convicted defendant by the court under conditions imposed by the court for a specified period during which the imposition of the sentence is suspended. The law suggests the conditions which the court might impose on the offender, but allows the court to modify or alter any of the conditions at any time.

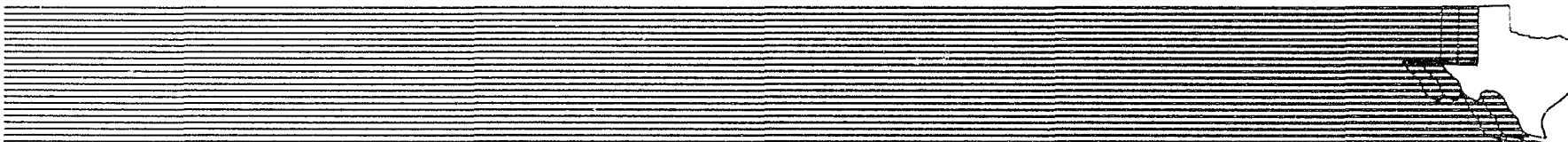
Since the Commission began collecting statewide data on the adult probation system in 1978 the number of persons served has dramatically increased in the past 10 years. Of equal importance has been the trend where the average caseload ratio (the number of probationers supervised by a probation officer) has risen significantly, causing concern as to the efficacy of the system providing adequate protection of the public and properly supervising the offenders.



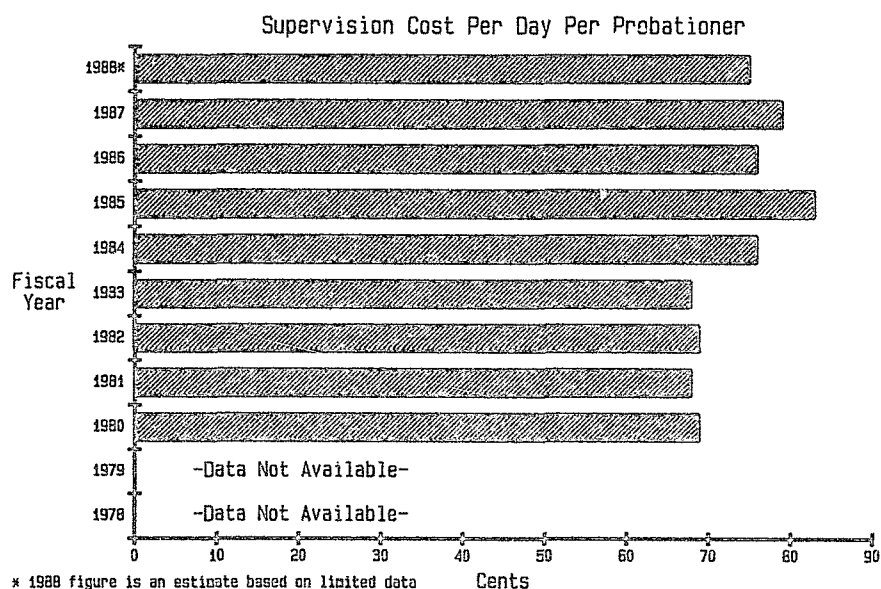
FY 88 Collections  
(estimated based on partial data)



Economic sanctions often imposed on offenders as a condition of probation are designed to assess financial responsibility for the offender's involvement in the corrections system. The fines and fees paid by the probationer help defray some of the costs of processing and supervising the offender's case through the system. Required restitution payments to the victim by the offender recognize the victim's loss as the result of the crime and are therapeutic for the offender.

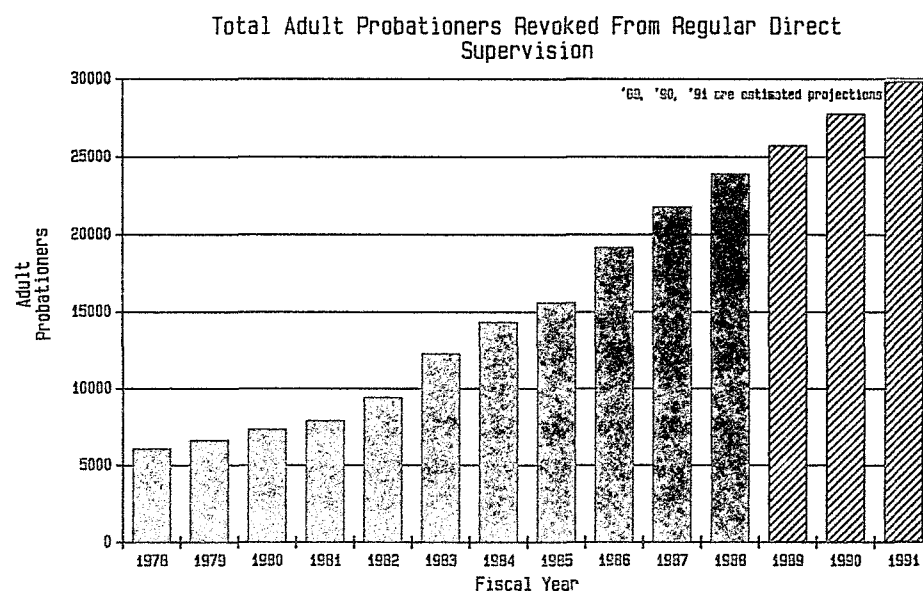


The 118 judicial district adult probation departments in Texas, under the leadership of judges trying criminal cases, are funded from probation fees paid by probationers and state aid distributed by the Commission. County governments provide facilities, utilities, and equipment for the probation departments. The statewide average costs per probationer supervised has yet to exceed \$ 1.00 per day for regular probation services.



Probation officers, of which there are nearly 2,100 in our state, provide the courts with relevant information about offenders before sentencing and, protect the community through close monitoring and surveillance of the probationer's activities. If an offender chooses to violate the conditions of probation, the probation officer after documenting the

violations will seek a hearing with the judge to determine whether the offender's probation should be revoked. If revocation occurs, the offender may be incarcerated for the length of the original sentence. Revocations seemed to have risen as resources within the adult probation system have been stretched further and further.



Basic probation services continue to be the nucleus of the Texas adult probation system. While innovative specialized probation programs have been developed this past decade, they are effective because of the concepts and experiences of basic probation.

# DIVERSIONARY PROGRAMS



## Intensive Supervision Probation (ISP)

A special program designed to divert certain felony offenders from going to prison and instead places them in caseloads of no more than 40 offenders per probation officer.

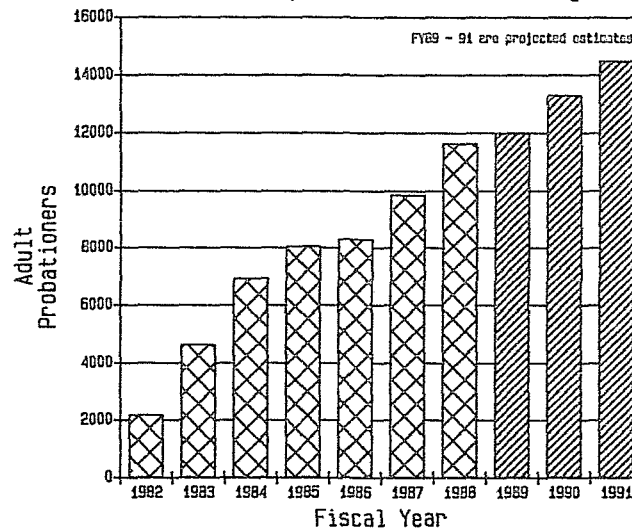
These felony offenders have had either: previous convictions, prior commitments to jail or prison, documentable chronic unemployment, alcohol or drug dependency, limited mental capacity or emotional problems, or committed a serious offense.

## Surveillance Probation

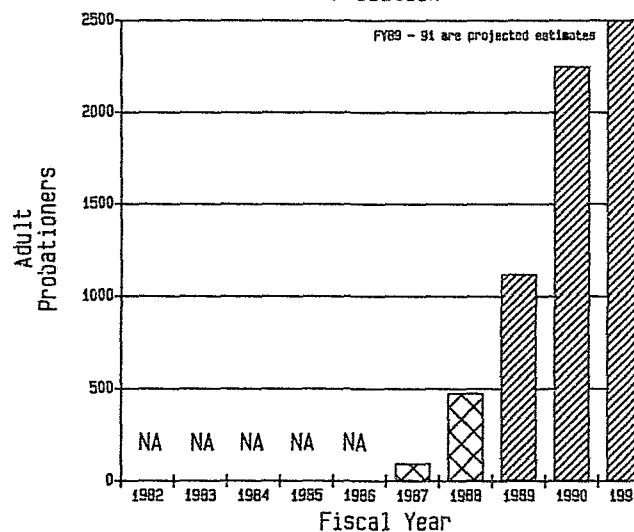
The most intense level of non-residential probation supervision to felony offenders who would have been incarcerated in prison.

Two probation officers supervise a caseload of no more than 25 probationers for a maximum of 90 days. An extension of the 90-day period is permissible if documentation substantiates the need. The officers conduct a minimum of five contacts per week with each probationer. A mandatory curfew is placed on the probationers, sometimes electronic monitoring is used and frequent drug/alcohol screenings are performed.

Number of Probationers Served in Intensive Supervision Probation Program



Probationers Served by Surveillance Probation

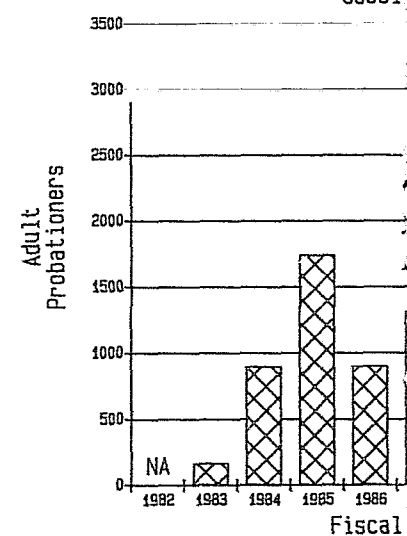


## Specialized Caseload

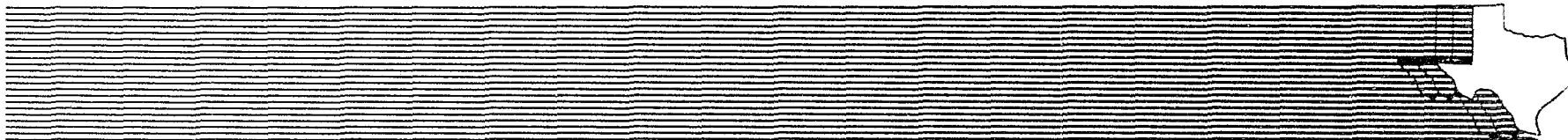
A limited number of probationers, fewer than 40, who share the supervision of a probation officer specially trained to handle offenders with the difficulty.

Caseloads have been established for offenders with problems of drug abuse, sexual behavior, mental retardation, and assaultive behavior.

Probationers Served by Specialized Caseload





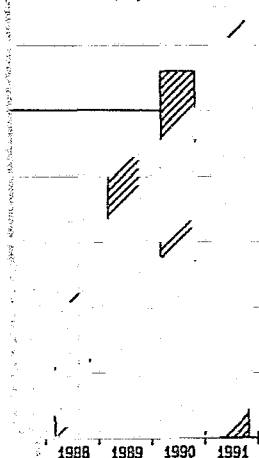


tioners, usually no more  
me type of problem are  
ne supervision of a proba-  
ed and skilled in dealing

lished for probationers  
, alcohol abuse, criminal  
ardation, mental health,

by Specialized  
ads

FY89 - 91 are projected estimates



## Restitution Centers

Also referred to in the law as "Community Rehabilitation Centers," these are facilities where non-violent felony offenders diverted from prison, live, work, and pay restitution to their victims and the community. Texas has a total of 17 restitution centers operational.

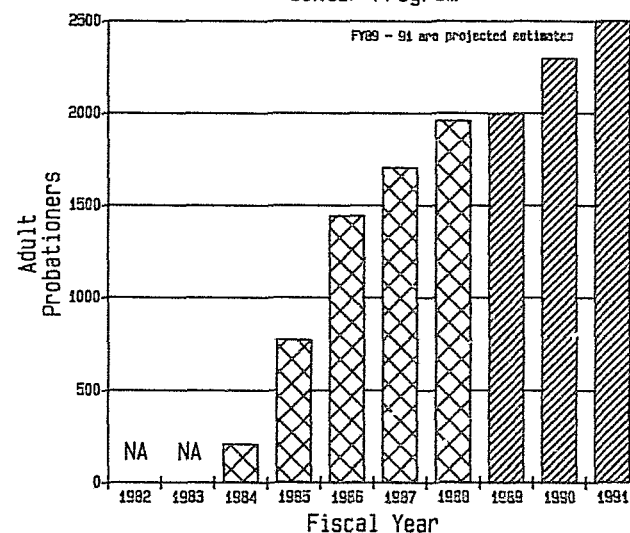
The salary earned by the probationer is turned over to the director of the center for payment of restitution to the victim, support of dependents, court-ordered fines and fees, and room and board expenses. In off-work hours, residents are required to perform community service restitution work for local non-profit agencies.

## Residential Treatment

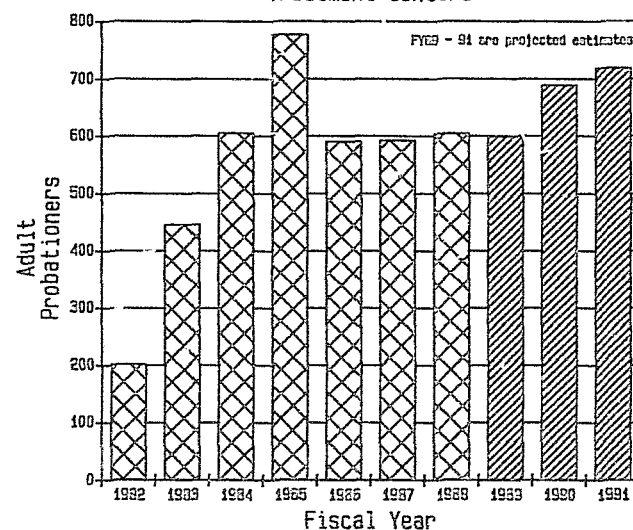
Probationers suffering from dependency on alcohol or drugs and in some instances from mental disabilities or emotional problems can best have those problems addressed in a residential setting with treatment and counseling services available on-site.

Three adult probation departments in the state operate court residential treatment facilities, while in other parts of the state, probation departments use state-aid funds to contract for services with private non-profit service providers who operate residential programs for bed-spaces.

Probationers Served by Restitution Center Program



Probationers Served by Court Residential Treatment Centers



# PROFESSIONAL SERVICES



**FIRST CERTIFICATION CLASS**

## Training and Certification

In addition to being a college graduate and having a minimum of one-year's experience or graduate study, Texas law now calls for adult probation officers to be certified under a program designed by the Commission.

The certification program is comprised of an intensive 40-hour curricula covering the major components involving adult probation work and culminates with a 2½ hour examination. Officers hired after September 1, 1987 have one year in which to complete the certification process. Once certified, the officers meet certification eligibility for employment by all probation departments within the state. The certification law calls for the Commission to reprimand, suspend, or revoke the certification of a probation officer who violates any provision of the certification law or a rule of the Commission.

The standards of the Commission require adult probation officers receive 20 hours of in-service training annually. At least half of the required hours must be obtained in workshops and courses which are offered by other probation departments or agencies. The training program of the Commission is active in offering courses on case classification, strategies for case supervision, and a variety of special seminars on probation supervision and management techniques.

The certification and training of adult probation officers has brought this career service to a professional status in Texas. Both the training and certification programs will continue to evolve to reflect and meet the needs and specialization of adult probation supervision.

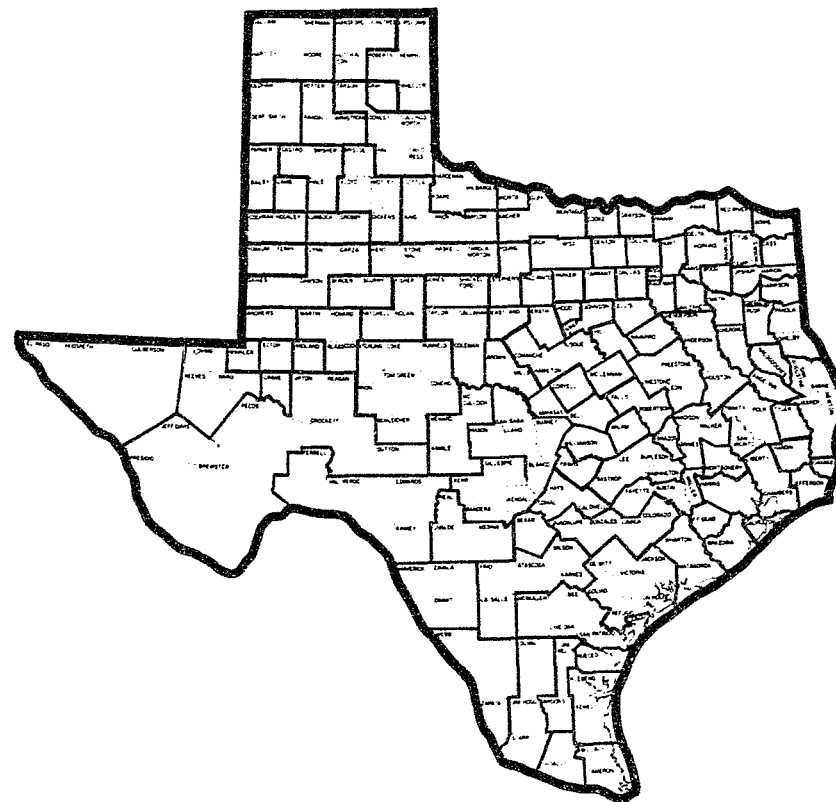


## Monitoring and Technical Assistance

Ensuring adult probation departments are in compliance with state standards is an important function of the Commission. Accomplishment of this objective is achieved through the Commission's financial and program auditing staffs.

These staffs travel throughout the state making site visits of the judicial district adult probation departments. The financial auditors perform audits of the departments' fiscal accounts to verify acceptable accounting principles are used and that allowable expenses have been properly charged. The financial auditors also review expenditure and revenue patterns for compliance with state law and administrative procedures. The program audit staff reviews the program procedures of the adult probation department for compliance with state standards.

Beyond the enforcement aspect of the program monitoring or audit functions, these Commission staff, because of their exposure to a variety of adult probation departments across the state, are in a position to share information and successful techniques used in various jurisdictions. Providing technical assistance to the adult probation departments through the program monitoring procedures has proven to be very valuable and useful in establishing more efficient and effective operational methods among the departments.



# PATTERNS FOR TOMORROW



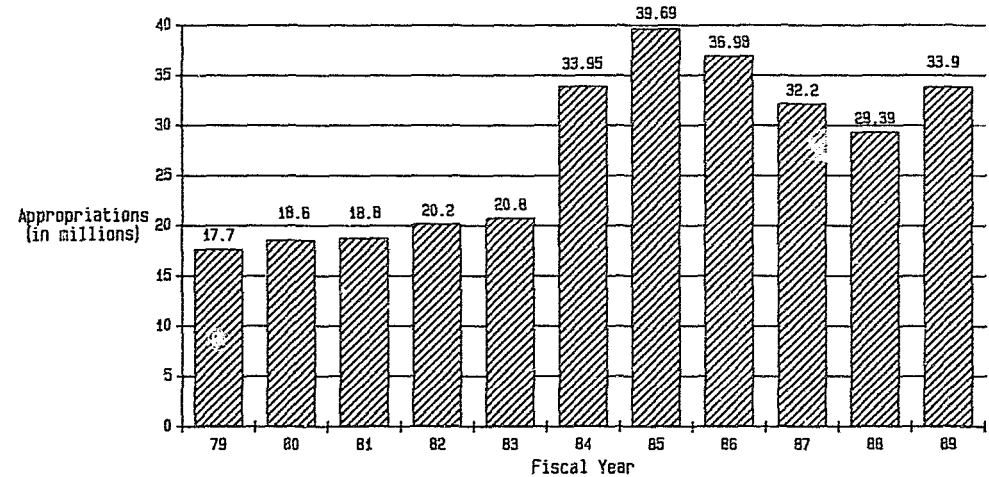
As we enter the second decade of state service and commitment to adult probation, we do so with the experience of these first ten years and with an adult probation system which has progressed into a diverse, dynamic, and responsive system meeting the needs of the courts, the communities, and the offenders.

The partnership of the state, the judicial districts, and the counties has created a blend which has catapulted Texas adult probation into a leadership role nationally. The adult probation system of our state has demonstrated to decision-makers and the public its ability to accept and attempt to effectively implement any of the initiatives offered it.

The future design of adult probation programs will draw heavily on the successful techniques of the past. On the horizon of adult probation in Texas lies further refinement of the structure and programs begun during this past ten years.

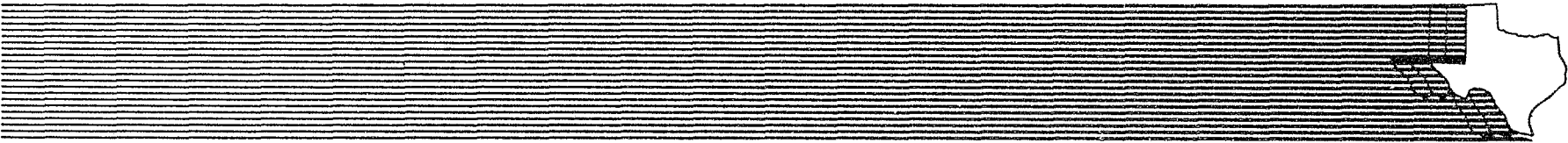
We can expect Texas adult probation to face a growing population and increased demands for service. The continued reliance of the judiciary and state decision-makers on adult probation as a community corrections sanction will require a collateral commitment of adequate resources for the adult probation system to meet its expectations.

TAPC APPROPRIATIONS PATTERNS FOR  
PER CAPITA AND SUPPLEMENTAL STATE-AID



Note: Per Capita and Supplemental State-Aid Supports Regular Probation Services

We can also be assured the adult probation system of our state will respond in the next decade as it has during the past...with a willingness to serve the courts, protect the public and responsibly supervise the offender in the most cost-effective manner possible.



## **Objectives for the Future**

- Ensure protection of public through responsible and effective probation services
- Reduce caseloads to a statewide average of 85 per probation officer
- Reduce revocations to positively impact the state's prison population
- Assist in reducing crime through provision of effective supervision and surveillance of probationers
- Offer jurisdictions and the courts a spectrum of probation programs as sanctions and punishment of offenders
- Responsibly manage collection of restitution for victims, court costs, fines, and fees from probationers
- Expand, where appropriate, diversionary programs to increase their capacity in meeting the needs of the courts
- Continue the reasonable classification and placement of offenders into programs based on validated needs and risks
- Work toward improving the adult probation system through refinements in program designs and procedures
- Provide cost-effective community corrections for the state of Texas

# ADMINISTRATION

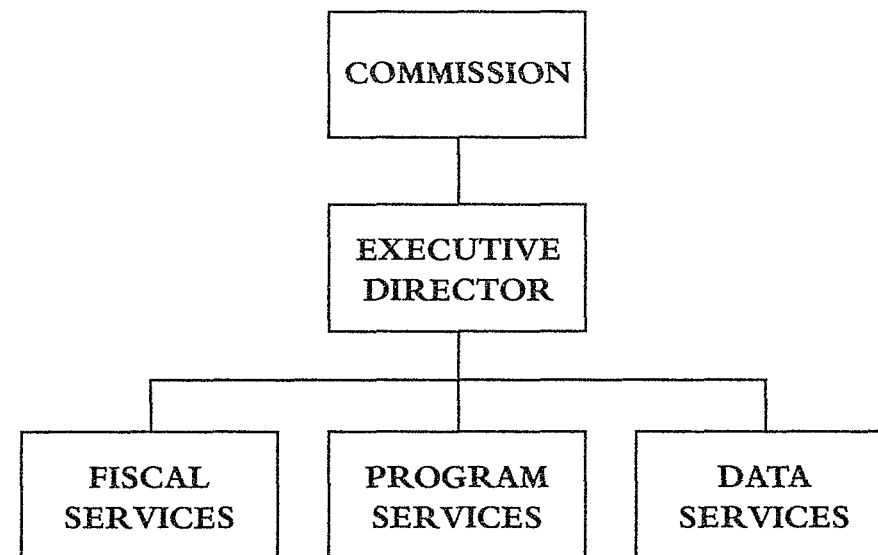


The management of the agency is under the leadership of an Executive Director appointed by the Texas Adult Probation Commission. Following the policy direction of the Commission the Executive Director carries out the administrative duties of ensuring the state agency and the entire adult probation system within the state is efficiently operating and delivering the essential services needed.

The Executive Director has divided the agency into four functional divisions to carry out the tasks assigned by the Legislature and the Commission. The organizational units are: the Executive Division, the Program Services Division, the Fiscal Services Division, and the Data Services Division.

The Executive Division is the central focal point for coordinating activities with the Commissioners, the adult probation departments, the Legislature, the Governor, and other state decision-makers. Included in the division is the agency's General Counsel, public information program, and graphic arts support group.

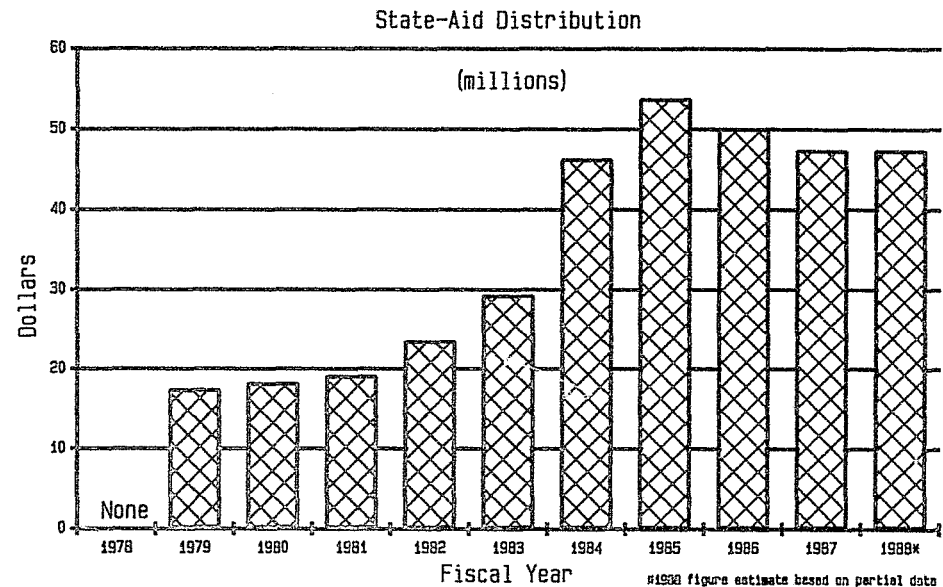
The Program Services Division directly works with the adult probation departments across the state. The sub-units within the division are: Management Audits & Evaluation, Community Corrections Administration, Planning & Development, and Classification, Training, & Certification. Each of these interacts with adult probation departments and personnel to see adult probation services are both maintained and improved.





The Fiscal Services Division is responsible for general accounting, budgeting, personnel records, facilities management, and auditing of the financial systems of adult probation departments. The division sees to the disbursements of the state-aid to the judicial district adult probation departments.

The Data Services Division designs, operates, and maintains the Commission's computerized information systems. The division regularly distributes reports quantifying the transactions occurring within the adult probation system. It assists adult probation departments which are installing computerized information systems by providing technical expertise on software and programming procedures. The division operates the Interstate Probation Compact which manages the transfers of probationers from one state to another.



## **PUBLICATION CREDITS**

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Additional copies of this publication may be obtained at no cost by contacting:

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