



Strategic Plan
1994 - 1999
Criminal Justice Policy Council

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U.S. Department of Justice
National Institute of Justice

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Agency Strategic Plan

NCJRS

For the 1994 - 1999 Period

AUG 4 1995

by

ACQUISITIONS

Criminal Justice Policy Council

Honorable Ann Richards, Governor	Chairperson	Austin
Honorable Bob Bullock, Lt. Governor	Vice-chair	Austin
Honorable Pete Laney, Speaker of the House	Vice-chair	Austin
Honorable John Whitmire, Senate	Statutory appointment	Houston
Honorable Allen Hightower, House	Statutory appointment	Huntsville
Honorable Barry Telford, House	At pleasure of Speaker	DeKalb
Honorable Alan Place, House	Statutory appointment	Gatesville
Sheriff Sonny Keesee	At pleasure of Governor	Lubbock
Honorable Victor Trevino	At pleasure of Governor	Houston
Col. James Adams	At pleasure of Governor	Austin

June 1, 1994

Signed: Tony Fabelo

Tony Fabelo
Executive Director, Criminal Justice Policy Council

Approved: Ann Richards

Governor Ann Richards
Chair, Criminal Justice Policy Council

Statewide Perspective

Mission

"We envision a Texas where all people have the skills and opportunities they need to achieve their individual dreams; a Texas where people enjoy good health, are safe and secure from harm, and share quality standard of living; a Texas where we and future generations can enjoy our bountiful natural beauty and resources."

From: Texas Tomorrow

Our Philosophy as Texas Public Servants

"Public service is a public trust. As public servants, we take pride in the service we perform for our fellow citizens. We will be open, ethical, responsive, accountable, and dedicated to the public we serve--providing legendary customer service. We will foster a working environment free of bias and respectful of the individual. We will operate efficiently and spend the public's money wisely."

From: Texas Tomorrow

Statewide Functional Goals

- 05-01 Our citizens will be protected from crime.
- 05-02 Our courts will mete out justice fairly and efficiently.
- 05-03 We will break the cycle of crime so that all individuals, especially juveniles, may be responsible, productive citizens.
- 05-04 Those who commit crimes will pay their debt to society.

From: Texas Tomorrow

Mission

The mission of the Criminal Justice Policy Council is to conduct quality non-partisan strategic research, planning and program evaluations to help the Governor and the Legislature in developing plans, programs, and proposed legislation for improving the effectiveness of the criminal justice system.

Philosophy

The Criminal Justice Policy Council will conduct strategic planning, policy research and program evaluations responsive to the needs of policy makers while maintaining the validity, integrity and credibility of the information. The Criminal Justice Policy Council will:

- Act as an expert resource to policy makers by developing choices; including the consequences of each choice, based on scientific information that explicitly present the assumptions used in policy analyses.
- Develop computerized simulation models to aid in the most effective implementation of policies adopted by the Governor and the legislature.
- Use the best expert judgment to maintain and promote the credibility and integrity of the work done by the agency.
- Maintain excellence by striving for the highest standards.
- Conduct all agency activities efficiently and cost-effectively.
- Demand the highest ethical standards in the conduct of all the activities of the agency.

External/Internal Assessment

Overview of Agency Scope and Functions

Introduction

The Criminal Justice Policy Council activities are directed at developing and improving the state criminal justice information systems for law enforcement, courts, and correctional operational purposes as well as for policy analysis. The complexities of managing and evaluating a large criminal justice agency or system puts increasing demands on executive and legislative policy makers to maximize resources through the better utilization of information. Information is critical for generating awareness of needs, problems, and shortcomings in services and to generate strategies to deal with these needs. It is also the key element to measure the "key indicators of success" as specified in Texas Tomorrow for the goals to be achieved by the state to "ensure the safety of our communities."

Agency Activities

The Criminal Justice Policy Council works in four areas to help the state policy makers in the enactment of more effective policies and in the evaluation of the implementation and impact of policies adopted.

Criminal Justice Information Authority

The Criminal Justice Information Authority activities of the Criminal Justice Policy Council seek to improve data and information systems for law enforcement, courts and corrections. Designing the Texas Criminal Justice Information System (TCJIS) and planning for its implementation with county representatives, the Texas Department of Public Safety and the Texas Department of Criminal Justice and streamlining paper reporting requirements imposed by the state on local governments are the most recent examples of activities in this area.

The Criminal Justice Policy Council plays a key role in the design and implementation of TCJIS. This system will provide state-of-the-art offender tracking information and a wealth of information for operational use, policy analysis and strategic planning. The Criminal Justice Policy Council builds linkages between local, state and national experts to support the design and implementation of a cost-effective information sharing system. A successful model for the electronic transmission of court disposition information to the TCJIS has been tested and integrated in the implementation of the system. Electronic reporting will make criminal history information more reliable and will greatly reduce the need for paper reporting between the localities and the state. The Criminal Justice Policy Council also works to develop and implement analytical models to use the information in the TCJIS for the management of the criminal justice system and to enhance analyses for policy development by the Governor and the Legislature.

The Criminal Justice Policy Council develops models for the effective use and application of information for policy making and strategic planning. The computerized simulation JUSTICE model, for example, provides a comprehensive framework to analyze criminal justice offender based and processing information. The model serves the state leadership in projecting the impact of sentencing policies on the correctional system and in developing alternate policies. Projections generated by JUSTICE are also used by the Texas Department of Criminal Justice - Institutional Division to develop their statutorily mandated four year construction plans. JUSTICE projections are instrumental in responding to the court mandates of the Alberti ruling and other litigation concerning jail overcrowding impacted by state policies.

Research and Evaluation

The Research and Evaluation activities use the data available in the state criminal justice information systems or gather new information, if necessary, to provide criminal justice managers and state policy makers with program evaluations and policy analysis.

Long-term process and outcome evaluations of criminal justice programs are conducted to measure the effectiveness of new initiatives. This is particularly important because budget constraints demand the most efficient utilization of limited state resources. Example of on-going program evaluations are the following:

- (1) Treatment Alternative to Incarceration Program
- (2) In-prison Therapeutic Community Substance Abuse Treatment Program
- (3) Substance Abuse Punishment Facility program
- (4) Juvenile Probation Intake and Intervention Process, Dallas
- (5) State Jail Performance Monitoring program
- (6) Parole Guidelines Development and Monitoring program
- (7) Community Corrections Evaluation Infrastructure
- (8) Inmate Release Statistics Monitoring
- (9) Standardized Operational Correctional Cost-Per-Day Monitoring

Special Projects

The Criminal Justice Policy Council has nationally recognized staff that routinely provides assistance to the state leadership for policy development. This help is provided through "special projects" assigned by the legislature or through assignments by the Governor or other members of the Criminal Justice Policy Council.

- Resource to the Office of the Governor. The Criminal Justice Policy Council provides the Office of the Governor with analyses of policies under consideration or analyses for developing policy initiatives. Special reports or memorandum are prepared as needed for the Governor's staff on selected issues.

- Resource to the Legislature. Interim "special projects" are conducted for the legislature. These special projects are assigned through legislation or assigned by the executive director following directions from policy council members.

Interagency Projects

The Criminal Justice Policy Council serves as coordinator/facilitator for selected criminal justice initiatives with federal, state and local impact. Among recent initiatives are: managing the Texas participation in the U.S. Department of Justice Criminal History Records Improvement (CHRI) Project through which Texas received over \$840,000 in federal discretionary funds; joint management with the Office of the Governor, Criminal Justice Division of the U.S. Department of Justice Criminal Justice Records Improvement (CJRI) Project that provides approximately \$1.2 million annually in federal funds to localities for improving the reporting of criminal history tracking information to the state; and managing the Texas participation in the U.S. Department of Justice National Criminal Alien Tracking Center (NCATC) Project. In addition, numerous state-local forums have been created to insure that decisions on projects, which affect local governments, are not made in a state agency vacuum.

External Factors - Key Trends Influencing Success

Key Trends

In the 1970's and early 1980's, state policy makers in Texas were slow to react to the growing demands placed on the state correctional system by the increasing state population, increasing crime, new anti-drug abuse enforcement initiatives, and federal court orders related to prison crowding. Since 1987, state policy makers have engaged in a "hyperactive" period of reforms. This hyperactivity has been in response to growing public pressure to get tough on crime, and pressure from county officials demanding relief from jail crowding caused by a growing backlog in local jails of offenders sentenced to prison. No one can reasonably argue that these reforms are a significant attempt to restore the operational balance in an overwhelmed criminal justice system. The totality of reforms enacted since 1987 have been the most far-reaching in the nation.

- In 1987, for the first time in the history of the state, the legislature authorized the issuance of general obligations bonds to pay for the construction of over 10,000 additional prison beds. Revenue bonds were also authorized for contracted capacity in four privately run prisons of 500 beds each.
- In 1988 and 1989, two criminal justice "summits" of state and county officials led to a coalition supporting H.B. 2335, enacted during the 71st legislative session in 1989. The legislation included community corrections initiatives and consolidated the state's probation, prison and parole agencies into the Texas Department of Criminal Justice. Senator Bob McFarland (the chair of the Senate Criminal Justice Committee during the 1989 session), called H.B. 2335 the *"most sweeping single-shot reform of a criminal justice system that any state has ever undertaken"* (Austin American-Statesman, May 20, 1989).
- In 1989, the legislature authorized the construction of 10,800 additional prison beds using bonds.
- In 1991, House Bill 93 authored by Representative Allen Hightower and Senator Ted Lyon, added to the reforms by establishing a state "duty to accept" convicted felons by September 1, 1995. The bill authorized payments to the counties for holding state convicted felons in the county jails. The legislation also abolished the state's sentencing code as of September 1994 and created a sentencing commission charged with revamping the system before that date. Senator Ted Lyon described H.B. 93 as *"one of the most revolutionary criminal justice bills that's been introduced in any state in the nation in this century"* (Austin American-Statesman, August 23, 1991).

- House Bill 93 provided for the construction of 25,000 additional prison beds financed by bonds. The largest scale correctional substance abuse treatment program in the world also established by dedicating up to 12,000 of these new beds for treatment. Representative Mark Stiles of the House Corrections committee called this initiative the "*biggest reform we have ever tested*" (Austin American-Statesman, August 24, 1991).
- In 1993, the legislature approved an emergency appropriation of close to \$250 million to cover a shortfall in payments to the counties for the backlog and to build 10,000 state jail transfer facilities for backlogged offenders.
- Senate Bill 1067, authored by Senator John Whitmire, chair of the Senate Criminal Justice Committee, completely revamped the state sentencing system by creating a state jail felony offense category for property and drug offenses. Offenders convicted of a state jail felony are not eligible for prison sentences but are eligible to serve calendar time in a new state jail system. The reform also doubled the minimum calendar time served in prison for aggravated offenders (to 50% of sentence from 25%). Senate Bill 532 set the state jail system and provided authorization from bond proceeds for the construction of 22,000 state jail beds. Lt. Governor Bob Bullock commented that this legislation "*will do more than anything that has been done at any time in the last 20 years to make Texas a safer place to live*" (Austin American-Statesman, May 28, 1993).

The Most Far-Reaching Criminal Justice Initiatives in the Nation

Nobody can reasonably argue that Texas is not addressing the problems of the criminal justice system. According to the State Comptroller's estimates, the \$921.1 million general revenue budget increase to address prison-related issues was the second largest increase in the 1994-1995 budget approved by the 73rd Legislature, after health and human services (Fiscal Notes, Texas Comptroller of Public Accounts, July 1993). The prison appropriation includes payment to counties of approximately \$205 million for the convicted felon backlog. In 1992-1993, this compensation paid to counties was \$245 million. Moreover, authorization for spending general obligation bonds between fiscal years 1988 and 1995 to build correction facilities will amount to a total of \$1,987 million dollars--almost two billion dollars.

The spending increases and criminal justice reforms enacted in Texas during the last six years have resulted in the most far-reaching criminal justice initiatives in the nation.

- Texas is managing the largest correctional construction project in the world. Between 1992 and 1996, close to 90,000 correctional beds will be added to the system.

- In only four years, the state correctional capacity will more than double from 55,000 in 1992 to approximately 146,000 by 1996. This may be the largest prison system in the nation after California. To manage this growth, the Texas Department of Criminal Justice is expected to hire over 12,000 new employees during the 1994-1995 fiscal years.
- The above capacity includes the largest correctional substance abuse program in the world (12,000 treatment beds) and one of the most extensive systems of incarceration facilities to sanction non-violent offenders in community corrections in the country (the state jail system).
- Texas will have one of the toughest parole policies in the country with the most violent offenders serving 50% of their sentence in actual time and capital offenders sentenced to life serving 40 years of actual time before parole consideration.
- By the year 2000, Texas is likely to have the largest population under the control of a criminal justice system of any Western democracy. If present trends continue, Texas is expected to have close to 700,000 offenders on felony and misdemeanor probation supervision, in county jails, in prison or on parole supervision by the year 2000. This represents 1 out of 21 adults in the Texas population compared to 1 out of 58 adults in 1982.

Performance Challenge

No criminal justice system in the nation has seen so many initiatives at such massive cost in such a relatively short time.

The effective implementation of these massive reforms demands that criminal justice agencies focus on tasks that are not traditionally emphasized as part of their operations. These tasks are:

- Systemic planning;
- Effective coordination among federal agencies, state agencies, local government agencies and private service providers;
- Negotiations based on performance goals and measures;
- Credible monitoring of fiscal accountability and performance, and;
- Energetic state agency leadership to define, achieve and assess the implementation goals.

Performance of the Criminal Justice System

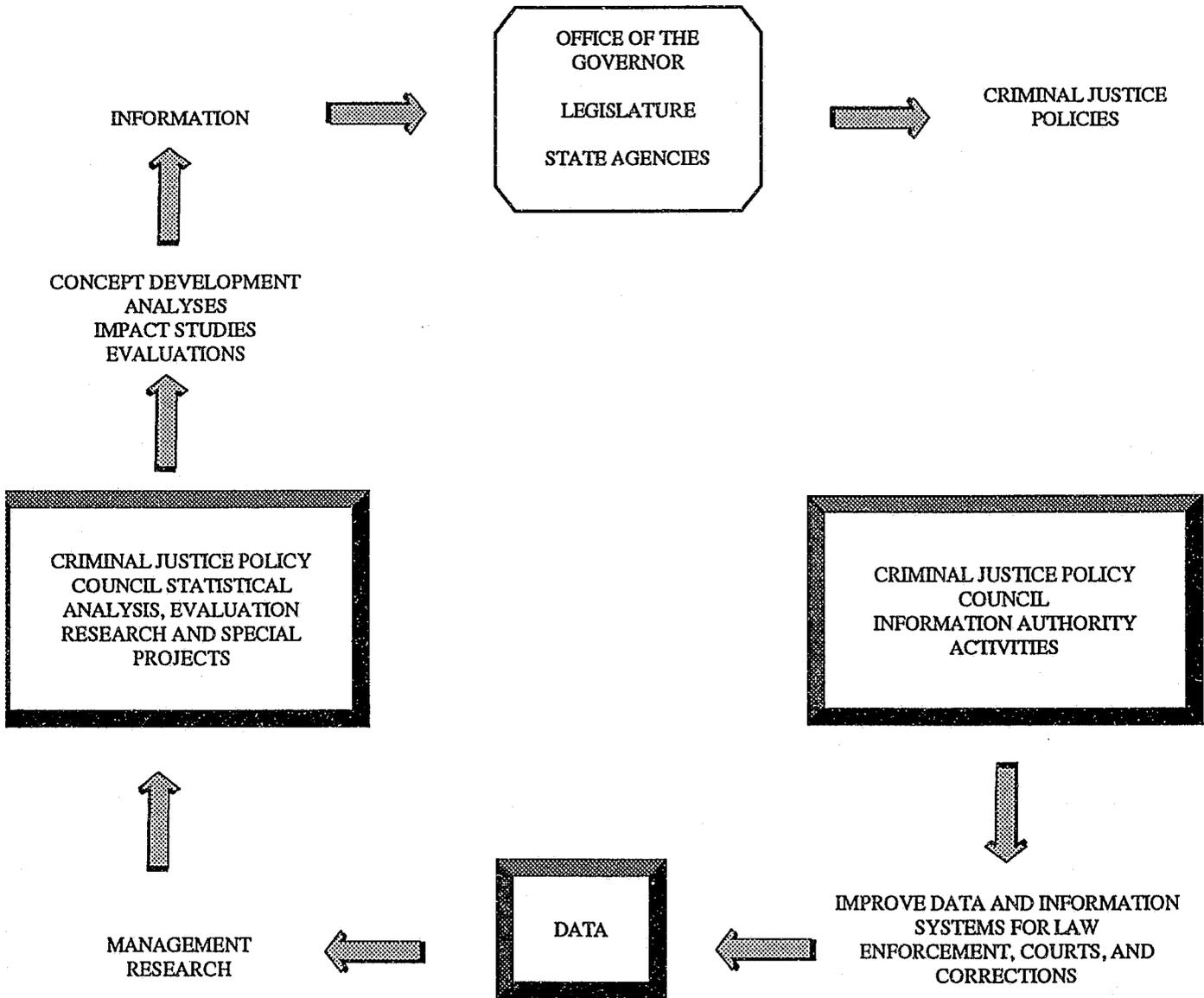
The Criminal Justice Policy Council is the state agency charged by the Legislature to determine the success of the reforms, and report on appropriate changes to be made if the outcome does not meet expectations. For the strategic period of this plan, the agency will develop strategies to answer some of the questions listed below:

- What is a reasonable time before the expected impact of different policies can be seen?
- What administrative/program changes (abolish, enhance, re-design) are most appropriate for a given problem?
- What are the expected indicators of success?
- What is the expected impact of initiatives on crime?
- Is the crime rate expected to decline?
- Will recidivism be reduced, and by how much?
- Will crowding in county jails be significantly eased?
- Will offenders sentenced to prison serve significantly longer?
- What agency will be responsible for producing what outcomes?
- How can accountability measures be integrated into the system so that the system is managed based on performance?
- How can the information infrastructure in the system be developed to more easily and routinely monitor accountability measure?

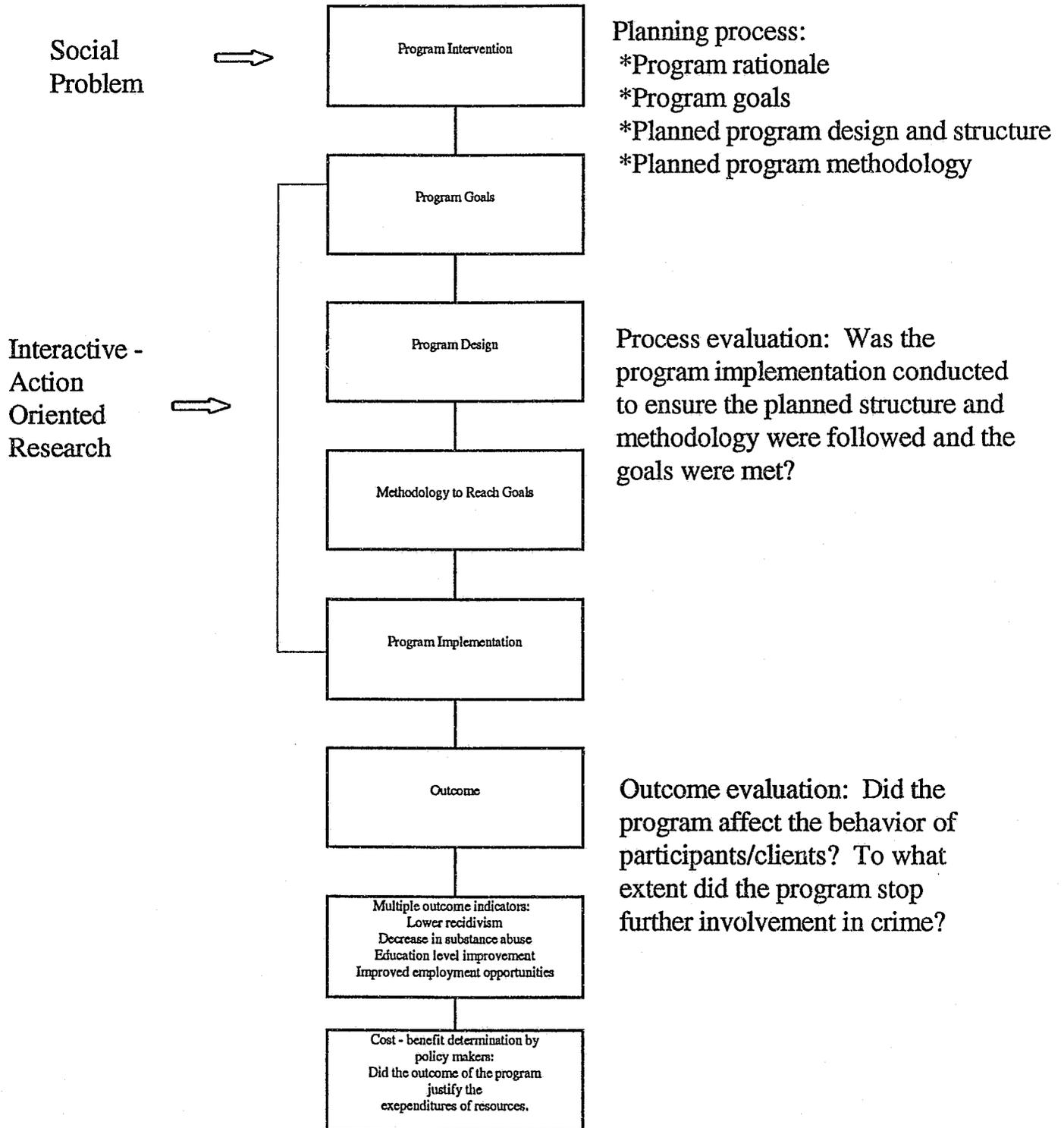
Evaluating the performance of the new initiatives is critical to reduce the long term costs of the criminal justice system. As the Texas Comptroller of Public Accounts states in Forces of Change: Shaping the Future of Texas (p. 186):

"Not that there aren't already a number of prison programs in place. It's just that it's nearly impossible to tell which are working and which aren't because of a lack of performance measures or other evaluation tools. Even recent investments in substance abuse treatment facilities and a new state jail system for non-violent offenders designed to reserve prison space for more hard-core offenders will be doomed to failure without systematic ways to track and evaluate their effectiveness."

Role of Criminal Justice Policy Council in Policy Development



Role of Criminal Justice Policy Council Action Oriented Research for Program Development and Implementation



Internal Assessment

The Criminal Justice Policy Council is the only state criminal justice agency under an operational structure solely dedicated to conduct strategic planning, policy research and program evaluations. The agency staff is nationally recognized for its expertise in a variety of areas of policy research. The JUSTICE model, developed by the agency, is the most complex personal computer based projection and simulation model in criminal justice in the nation. The agency has also taken a nationally recognized role in improving criminal history records systems at both the local and state levels.

Initiatives and adjustments based on policy research result in better policies. In the early 1980's, the lack of policy analysis in Texas led to the enactment of policies that aggravated the prison crowding crisis. But, with policy research and impact statements that have relied on proven analytical tools, the Criminal Justice Policy Council has supplied policy makers with information and analyses critical to effective decision-making. With the policy research conducted by the agency, policy makers can understand the complexity and interrelationships in the system and the strength and direction of the effect of their proposed policies. In the 1990's, with limited financial resources and increasing needs, designing cost-effective policies and allocation of resources are the most critical issues to be decided in the public arena.

Coalition building and negotiations among interest groups are the essence of legislative policy making in our democracy. In this process, timely and credible information is a critical force that shapes the development of negotiating positions. Policies are developed based on the complex interrelationships and negotiations of interest groups. These interrelationships are in constant flux, but they coalesce in very specific and temporary situations to allow the principals to achieve consensus and enact policies. A legislative leader or agenda setter, like a governor, has to take advantage of the unique timing creating the coalition energy. In this process, the policy research of the Criminal Justice Policy Council is critical for policy makers to achieve consensus - the most important task and challenge of an elected official in a democracy. Specifically, research of the Criminal Justice Policy Council achieves four goals:

- Define the problem needing policy intervention and cohesively conceptualize the base of information required to develop options for policy-making.
- Provide some basic standardized parameters of accountability by which all factions can measure the impact of their negotiating positions.
- Provide credible information for policy makers to balance the advocacy information used by special interests to support their negotiating positions.
- Design performance-based measures to evaluate the impact of the policies adopted.

The research of the Criminal Justice Policy Council in Texas has been directed at meeting the goals listed above. Although that research has not or cannot inform all criminal justice policies considered during a legislative session, it has informed major reforms developed by the state leadership. Recently, the agency played a critical role in conducting research for policy makers who were reforming the Texas sentencing system.

In 1991, the Texas 72nd Legislature created the Punishment Standards Commission (House Bill 93). This interim commission, composed of legislative members and public members appointed by the governor, was charged with reforming the state's penal code and sentencing laws as of September 1, 1994. It also mandated that by September 1, 1995, the state accept within 45 days of sentencing all convicted felons sentenced to prison. This "duty to accept" provision was the result of pressure from county officials who had successfully litigated against the state for compensation for holding a backlog of state inmates in their jails. These officials were ready to pursue larger monetary compensation by consolidating the claims of many counties in one class action lawsuit against the state if the state was not willing to adopt such a provision. The jail backlog at the time the legislation passed in 1991 was 12,862 inmates and was projected to increase to close to 15,000 by 1995. The "sunset" of the state's penal and sentencing codes was designed to put pressure on the sentencing commission to propose a complete overhaul of the sentencing system. Those who supported the creation of this group expected the commission to recommend policies to increase time served in prison for the worst offenders while simultaneously reducing the need for prison space and meeting the duty to accept commitments by September 1995. The Criminal Justice Policy Council was charged with conducting research for the commission, including the first in-depth, large-scale sentencing study in the state. With a short time line of 9 months, the main research goal was to develop a conceptual framework based on empirical data on which the commission could base its deliberations. Without this framework, the commission would have depended exclusively on anecdotes and special-interest-group information to develop its recommendations.

The sentencing study, conducted by the Criminal Justice Policy Council, was based on a large sample of offenders receiving felony deferred adjudication or a felony sentence in seven major metropolitan counties in Texas between January 1 and September 30, 1991. These counties accounted for approximately 58% of the total population of felons convicted or given deferred adjudication in Texas in 1991. A total of 7,729 defendants were sampled, representing 13% of the universe. Approximately 125 prosecutors and administrative staff were employed in the data collection process. All data was cleaned and analyzed using validity and consistency checks. The sample was weighted by a factor equivalent to the proportion each county and offense contributed to the total universe. The data analyzed for the study reflected the total universe of 58,266 felony offenders sentenced in the seven counties in 1991.

Policy research was a critical element in informing the work of the Punishment Standards Commission. The Criminal Justice Policy Council provided the commission with analytical reports targeted to their specific information needs. To an extent not seen

before in criminal justice policy making in the state, the coalition building process of the commission was driven by policy research that was credible for all major constituencies. The information provided by the CJPC was critical in designing the new sentencing and correctional system adopted by the 73rd Texas Legislature in 1993 in Senate Bill 1067 and 532.

Data from the sentencing study was integrated into the Criminal Justice Policy Council's computerized simulation model and used in an interactive process with legislative leaders to identify policies that helped break the gridlock. Specifically, the research was used to identify (a) the impact on correctional populations of various punishment options for different offenses within the diversion group of lower felonies; (b) the projected state jail population under different options; (c) the impact on the prison population of targeting different categories of violent offenders to serve longer sentences; and (d) the impact of all these policies on the projected backlog of state offenders in county jails. Between January and May 1993, the Criminal Justice Policy Council conducted 12 simulations of the impacts of various policy scenarios. These facilitated compromises among the key stakeholders by showing the impact of possible negotiating positions. Each key faction negotiated policies that satisfied at least their minimum demands, based on the accountability for impact provided by credible and timely policy research.

Lastly, policy research can be used in a proactive role to develop programs for criminal justice. In the 1990's, criminal justice policies will demand effective policies to balance the goals of punishment, public safety and rehabilitation with the most efficient allocation of financial resources. Policy research provides information to program managers and policy makers about "what works" and "how well". Without policy research program managers can only speculate about which critical factors affect the result of policies or programs.

Goals, Objectives, Outcomes and Strategies

A. Goal: ENHANCE JUSTICE SYSTEM

Develop means to promote a more effective and cohesive state criminal justice system.

A.1. Objective:

Conduct evaluations of major new state programs.

Outcomes:

Programs Evaluated

A.1.1. Strategy: DIRECTED RESEARCH & EVALUATION

Evaluate the criminal justice programs and assist other agencies in the evaluation of programs as needed.

Outputs:

Programs Designed

A.2. Objective:

Provide Legislature and Governor assistance in policy development.

Outcomes:

Number of Assessment Instruments Developed to Improve

Decision-Making Concerning the Sentencing and Placement of Offenders in the Most Effective Punishment and Substance Abuse Intervention Option.

A.2.1. Strategy: FORECAST/IMPACT STUDIES

Develop prison population projections and impact studies for use by public officials.

Outputs:

Research Reports Distributed

Presentations Made

A.2.2. Strategy: SENTENCING STUDY

Collect sentencing data to study and monitor sentencing patterns in the state to assist in the development and evaluation of sentencing policies, to determine the impact of new sentencing reforms, and to develop scientifically based decision-making instruments.

Outputs:

Research Reports Distributed

Presentations Made

B. Goal

We will establish and carry out policies governing purchasing and public works contracting that foster meaningful and substantive inclusion of historically underutilized businesses.

B.1. Objective:

To include historically underutilized businesses (HUBs) in at least 25 percent of the total value of contracts and subcontracts awarded annually by the agency in purchasing and public works contracting by fiscal year 1999.

Outcome Measure:

Percent of Total Dollar Value of Purchasing and Public Works Contracts and Subcontracts Awarded to HUBs.

B.1.1. Strategy:

Develop and implement a plan for increasing the use of historically underutilized businesses through purchasing and public works contracts and subcontracts.

Output Measures:

1. Number of HUB contractors and subcontractors contacted for bid proposals
2. Number of Non-HUB's contacted for bid proposals
3. Number of HUB contracts and subcontracts awarded
4. Number of Non-HUB contracts and subcontracts awarded
5. Dollar value of HUB contracts and subcontracts awarded
6. Dollar value of Non-HUB contracts and subcontracts awarded

Organizational Chart

