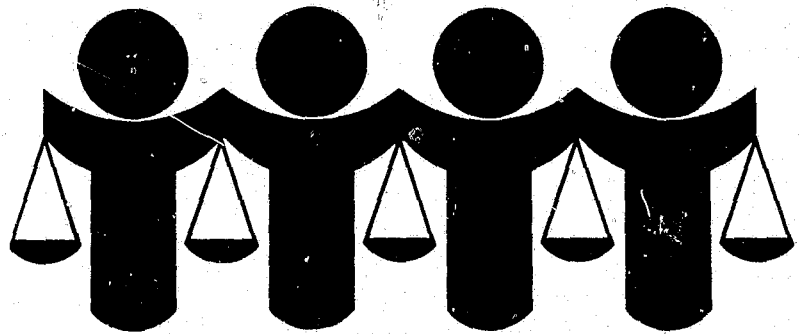


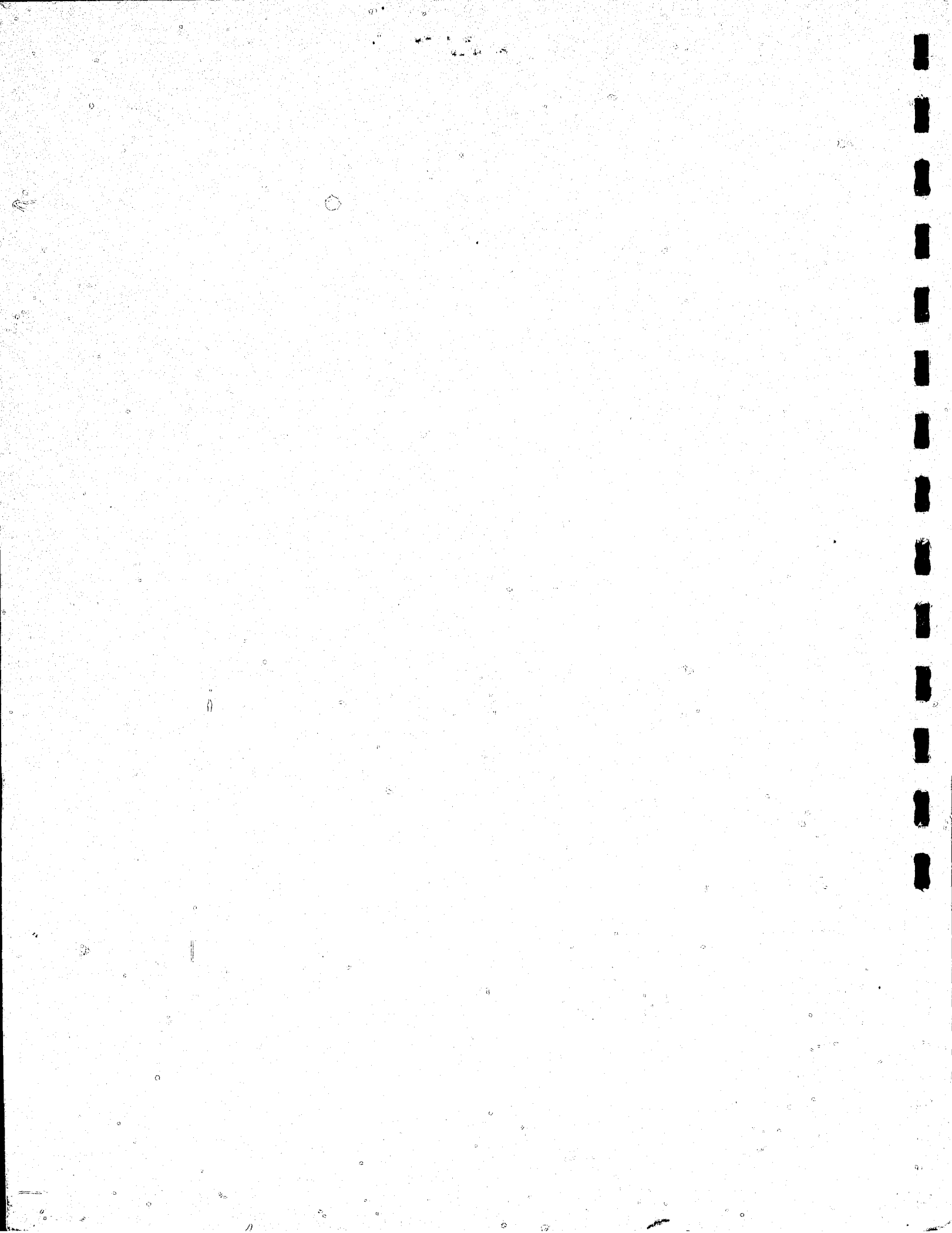
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1978 CRIMINAL JUSTICE PLAN FOR TEXAS

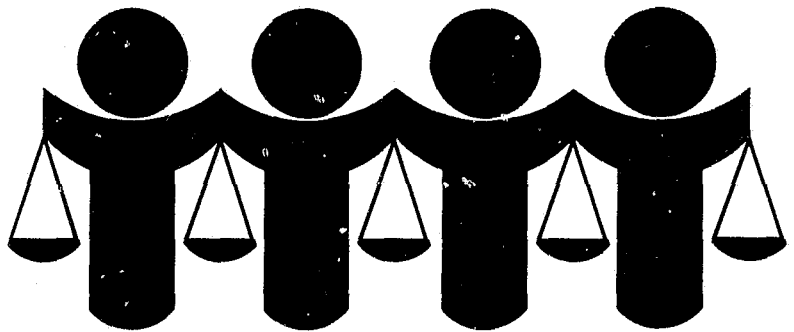
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Robert C. Flowers, Executive Director



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ACQUISITIONS



1978 CRIMINAL JUSTICE PLAN FOR TEXAS

DOLPH BRISCOE, GOVERNOR

Robert C. Flowers, Executive Director



Fellow Texans:

The *Criminal Justice Plan for Texas* for 1978 reflects the hard work of police, courts and corrections professionals, planners and citizens from across the state of Texas.

It is a Plan that reflects their can-do spirit—a spirit that lives throughout this state in every aspect of our society. It gives me great optimism for the future of Texas in our fight against crime.

It was the late Vice President, John Nance Garner, who said that there are two basic functions of government—the first is to protect the lives and property of the people, and the second is to make it possible for each person to achieve his highest potential.

Through the programs and approaches outlined in this document, Texans can look forward to achieving that first goal—a Texas where every citizen, urban or rural, can walk about at night without fear of crime or violence.

A handwritten signature in black ink, appearing to read 'Dolph Briscoe', written in a cursive style.

Dolph Briscoe
Governor of Texas

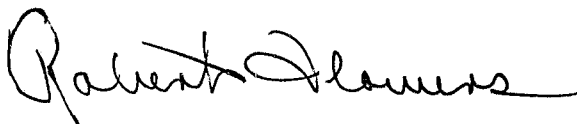
Foreword

Cost effectiveness—getting the most service from every criminal justice dollar spent in Texas—is an important effect of criminal justice planning.

The *1978 Criminal Justice Plan for Texas*, a statewide statement of strategies and programs in the fight against crime, can assist local government in achieving cost effectiveness through careful planning. It is a management tool of serious usage to local leaders in the fight against crime.

Primary goals of the *1978 Criminal Justice Plan for Texas* are twofold—reducing crime, and improving the criminal justice system. At all levels—from emphasis on programs to prevent juvenile delinquency, to police work, to expediting the court process, to corrections—the *1978 Criminal Justice Plan* offers solid and meaningful directions.

The fight against crime is a fight that is being won in Texas.



Robert C. Flowers
Executive Director
Criminal Justice Division





Table of Contents

Letter from Governor Dolph Briscoe	iii
Foreword	iv
Part One: Crime In Texas--An Analysis	3
Part Two: Texas' System for Responding to Crime	19
Part Three: Toward Integrated Analysis	39
Part Four: Multiyear Plan and 1978 Program Descriptions	43
A. Preventing Crime	
78-A1. Crime Prevention and Citizen Involvement	45
B. Detection and Apprehension	
78-B1. Police Training and Education	51
78-B2. Combined Law Enforcement Services	57
78-B3. Law Enforcement Professional Aides	61
78-B4. Law Enforcement Special Units and Programs	65
78-B6. Law Enforcement Communication	71
C. Delinquency Reduction	
78-C1. Delinquency Prevention and Treatment	75
78-C2. Juvenile Diversion Projects	79
78-C3. Deinstitutionalization of Status Offenders	83
78-C4. Local Juvenile Detention and Correctional Facilities	87
D. Pretrial and Adjudication	
78-D1. Defense	91
78-D2. Prosecution	95
78-D3. Judicial Agencies	99
E. Corrections	
78-E1. Correctional Personnel Training, Education, and Development	105
78-E2. Community-Based Correctional Services	111
78-E3. County Correctional Facilities	115
78-E4. State Agency Correctional Projects	119
78-E6. Alcohol and Drug Abuse Programs	125

F. Technology and Information

78-F1. Information Systems 129

Part Five: Appendices

Appendix A. Local Criminal Justice Planners 135
Appendix B. CJD Organization and Administration 139
Appendix C. General Program Requirements 149
Appendix D. Continuation Funding Policy 151
Appendix E. Mini-Block Participation 153
Appendix F. Tape Logging Equipment Restrictions 157
Appendix G. Requirements for Planning, Construction, and Renovation of Correctional Facilities . . . 159
Appendix H. Texas Department of Public Welfare Licensing 163
Appendix I. CJD Grant Application Form and Instructions 165
Appendix J. Project Assessment Requirements 183
Appendix K. Reporting Forms for Courts and Prosecution Projects 185
Appendix L. Consultant Services Form for Program 78-E1 203
Appendix M. Reporting Form for Program 78-E2 205
Appendix N. Institution Readmission Matrix 209
Appendix O. Definition of Terms 213



Part One Part Two Part Three

Parts One, Two, and Three of the *1978 Criminal Justice Plan for Texas*, describing the crime problem in Texas and system resources available to respond to the problem, have been summarized for inclusion in this publication. A copy of the full text of these sections is available upon request. Please forward your request to :

System Research and Planning
Criminal Justice Division
Office of the Governor
411 West 13th Street
Austin, Texas 78701 — (512) 475-6016



Part One

Crime in Texas - An Analysis

A detailed study of all facets of the crime problem is an integral part of criminal justice planning.

Traditionally, planners in all disciplines have used historical data and information to provide a better understanding of current conditions and to form a basis for projections. This concept is a cornerstone of modern management planning and program development in all fields, including criminal justice.

DPS-UCR Program

On January 1, 1976, Texas Department of Public Safety began collecting uniform crime statistics statewide as part of the Federal Bureau of Investigation's national uniform crime reporting (UCR) program.

Accurate, complete, and timely local and state crime data were available throughout 1976 to provide a basis for comprehensive analysis and criminal justice planning.

Texas DPS UCR bureau has a manager and computer programmer (funded by CJD), three clerical personnel for report verification and office operation, a keypunch operator, and six field representatives. Data processing facilities are provided by DPS.

All bureau operations have contributed to the program's success. Particularly evident has been use of field representatives. The six representatives are located throughout the state to provide one-to-one contact between local law enforcement agencies and the UCR bureau. They are responsible not only for insuring timely and complete reporting but also for offering on-site training and assistance to each agency. Increased reporting experienced during the first year's operation has been attributed largely to "recruitment" of reporting agencies by these representatives. This personal and continuing contact has proved especially important with smaller agencies that require frequent training because of rapid turnover of clerical staff.

Texas' UCR program has proved to be, after only one year of operation, one of the most successful and beneficial UCR programs in the country. During the first year's operation, 1,084 local agency personnel were trained in 35 DPS/FBI training seminars held around the state.

DPS added 160 new reporting agencies during the year—a 34 percent increase.

DPS collected and tabulated crime reports from 620 law enforcement agencies representing almost 94 percent of the state's population.¹

Although data provided by DPS for both local and statewide planning are complete and accurate, they cover 1976 only. And although analysis of these data will be the most comprehensive ever possible, it will cover only one year. Reliable trend analysis is not yet possible.

Statewide Analysis

The following analysis discusses UCR Part I index offenses (murder, rape, robbery, assault, burglary, theft, and auto theft) for Texas. This analysis focuses on 1976 crime statistics, but identifies significant trends.

For each index offense, analysis will include number of offenses reported, rate per 100,000 population,² rate of clearance by arrest, offense characteristics, characteristics of victims and arrestees,³ type and value of property stolen and recovered, and time and place of offense occurrence. This analysis will consider these aspects for the state as a whole and for specific population groupings.⁴

TOTAL INDEX

In 1976, Texas reported 665,051 index offenses, a crime rate of 5,702.2 major offenses per 100,000 population. Of this total, 6.5 percent were violent crimes (murder, rape, robbery, and assault), 93.5 percent property crimes (burglary, theft, and auto theft). In 1976, 152,660 offenses were cleared by arrest, a clearance rate of 23 percent. Violent crime clearance rate was 59 percent, property crime 21 percent. Crime in Texas increased 1.6 percent from 1975 to 1976.

Urban Texas has 78 percent of the state's population and reported 90 percent of the state's crime. Overall crime rate of urban areas was about 15 percent higher than that of the state as a whole, while rural Texas ex-

hibited a rate approximately 40 percent lower than the state figure. In comparing composition of the crime index, urban areas showed 6.4 percent violent, 93.6 percent property, while rural areas reported 8.0 percent violent, 92.0 percent property. Comparing clearance rates, rural agencies have higher rates for violent crimes than do urban agencies (64 percent clearance in rural areas and 58 percent in urban areas) but lower for property crimes (18 percent and 21 percent respectively). Overall, the clearance rate of rural agencies was two percentage points lower than that of urban agencies.

During 1976 property valued at \$241,814,188 was stolen in Texas. Less than a third of this amount was recovered. Excluding motor vehicles (discussed separately later), stealing of televisions and radios accounted for the largest losses, almost 16 percent of the total. However, they accounted for less than four percent of property recovered. Stolen property recovery rate, excluding motor vehicles, was less than 13 percent.

Age, sex, and race of persons arrested (both adult and juvenile) varies for each offense. However, males accounted for 74 percent of adults arrested and 79 percent of juveniles arrested. Adults accounted for 63 percent of persons arrested. Even after adjusting to correct for Texas' definition of juveniles,⁵ about one-third of all persons arrested in Texas in 1976 for Part I index offenses were juveniles.

Total crime rate in cities with populations greater than 100,000 was 49 percent higher than that of the state. Cities between 10,000 and 100,000 mirrored the state's index rate. Crime rate of cities with populations less than 10,000 was 20 percent lower than that of the state. Average rate for counties with populations less than 100,000 was less than half that of the state.

Total crime in Texas exhibited some marked patterns in 1976. Urban crime rates were substantially higher than those of rural areas, but so were clearance rates. However, on further division of urban and rural areas into population groupings, marked variations were noted. Only in cities over 100,000 were crime rates exceptionally high. Average rates for cities from 10,000 to 100,000 population and counties over 100,000 tracked the state rate. All other county group and cities under 10,000 showed crime rates substantially less than the state average. Likewise, clearance rates for rural counties less than 100,000 were higher than that of the state as a whole, while cities under 100,000 uniformly mirrored the state average.

MURDER

Although it is the index offense occurring least frequently (0.2 percent of all index offenses), murder is classed the most serious. In 1976 Texas reported 1,468

murders. Murder was the index offense with the highest clearance rate, 86 percent. Texas' 1976 murder rate was 12.6 offenses per 100,000, a 5.2 percent decrease from 1975.

The typical murder victim was a white male age 20 to 35. Eighty-two percent of all victims were male, 60 percent were white. Firearms were used in 75 percent of all murders, and handguns represented three-fourths of all firearms. In studying the relationship between murder victim and alleged offender, it was found that one-third were related by blood or marriage, another third were acquaintances, and the rest were strangers or unknown. Less than 15 percent of all murders could be attributed to another crime, but more than half were preceded immediately by an argument or fight.

Like the victim, the typical murder arrestee was a white male age 20 to 35. Of all persons arrested, 93 percent were adults, 83 percent were males. Of the juveniles arrested, 82 percent were males. Whites accounted for 59 percent of the adult arrestees and 64 percent of the juveniles.

Murder rates were substantially higher in urban than in rural areas, with marked differences between cities over 100,000 and cities under 100,000 population. Clearance rates were 20 percent higher in urban areas than in rural areas. In urban areas the victim also was more likely to know the alleged offender. Urban victims were equally likely to be black or white. While this ratio is also true for the arrestee in cities over 100,000, in all other urban and all rural groupings blacks accounted for only one-fourth to one-third of those arrested. Rural victim was more often white (two to one). In all population groups a firearm was the weapon most frequently used, arguments or fights usually preceded death, and adults accounted for more than 90 percent of those arrested.

In 1976, 12 Texas law enforcement officers were killed in the line of duty by felonious criminal action.

RAPE

While accounting for only 0.6 percent of all index crime, rape is classed as the second most serious offense. In 1976 Texas recorded 3,557 rapes, 23 percent of which were attempts. Rape rate was 30.5 offenses per 100,000 population, a 2.1 percent increase over 1975. Statewide clearance rate for rape was 59 percent.

Most persons arrested for rape were male. However, 11 of the 1,244 adults and three of the 282 juveniles arrested were females. Adults accounted for 81 percent of those arrested. Whites accounted for 56 percent of the adults and 51 percent of the juveniles arrested. Age distribution was fairly uniform from age 18 to 40 for adults and from 13 years up for juveniles. There was a

slight peak at the 25 to 30 year bracket.

Rape per 100,000 was exceptionally high in large cities and relatively low everywhere else. Clearance rates were low in cities and counties with populations greater than 100,000 and high in all other urban and rural population groupings. Blacks comprised more than 50 percent of those arrested in large cities. In all other groupings (rural and urban), blacks accounted for 25 to 30 percent of arrestees. One-fifth of those arrested in all urban areas were juveniles, but a very small percentage of rural arrestees were juveniles.

ROBBERY

In 1976 Texas reported 17,120 robberies, 146.8 offenses per 100,000 population. Rate decreased 7.3 percent from 1975 to 1976. Statewide robbery clearance rate was 41 percent.

Almost half of all robberies involved firearms, 25 percent strong-arm techniques (use of hands, fist, feet, etc.). About 30 percent of all robberies occurred in the open, another 25 percent in chain stores. In 1976 Texans were robbed of property valued at more than 7.6 million dollars. Average robbery net was \$440. Seven percent of all murders in 1976 occurred during a robbery.

The typical person arrested for robbery statewide was white (53 percent of adults and 55 percent of juveniles), adult (78 percent), and male (91 percent for both adults and juveniles).

Cities over 100,000 exhibited a high offense rate (twice the state average). All other city groups and counties over 100,000 were about average, smaller county groups were well below average. Clearance rates in all city groups were average, those in small counties were above average. Clearance rates in large counties (over 100,000) were unexpectedly low.

Firearms were used in more than 50 percent of all robberies throughout the state, with strong-arm techniques the next most frequent method. In large cities and counties most robberies occurred "in-the-open" or in chain stores. Smaller cities and counties reported more robberies of chain stores and commercial houses.

Arrestee characteristics were fairly uniform among all population groups. Twenty percent of all persons arrested for robbery in cities and 10 percent in counties were juveniles. In all population groups females accounted for less than 10 percent of those arrested. Blacks and whites were arrested equally in big cities, but whites were two to three times as likely as blacks to be arrested in all other groups. Younger juveniles were arrested in cities than in counties (13 years versus 15 years). Age of adults arrested averaged 18 to 40 years throughout the state.

ASSAULT

In 1976 Texas reported 21,077 assaults, 180.7 offenses per 100,000 population. Rate decreased 6.9 percent from 1975 to 1976. Statewide clearance rate was 70 percent.

A third of all assaults were with hands, fists, feet, etc., another 25 percent involved firearms.

Statewide 88 percent of those arrested were adults. Females accounted for 13 percent of adults arrested and 17 percent of juveniles. Whites comprised 66 percent of adult arrestees and 56 percent of juveniles.

As with the other violent index offenses—murder, rape, and robbery—assault rates were higher in large urban cities. Although assault rates were higher in almost all city groups than in rural groups, the difference was significantly less than the urban-rural difference noted for other violent crimes. Assault rates for all county groups equaled or were less than the state rate. No group, urban or rural, deviated substantially from the state average. Percent of arrestees who were juveniles decreased uniformly as size of population, both urban and rural, decreased. This trend also followed for white/black and male/female comparisons. Assault was the only violent crime for which juveniles age 11 to 13 years comprised an appreciable percentage of those arrested.

Finally, of the 21,077 assaults reported, 2,764 (13.1 percent) were cases in which law enforcement officers had been assaulted in the line of duty. Further, one-third of those officers were injured in the assault. Almost 75 percent of these assaults occurred in conduct of "routine" work not directly related to any Part I crime.

BURGLARY

During 1976, 187,182 burglaries were reported in Texas. Burglary comprised 28.1 percent of the state's crime. Burglary rate was 1,604.9 offenses per 100,000 population, a 5.4 percent decrease from 1975. Statewide burglary clearance rate was 20 percent, the lowest of any index crime.

Almost 20 percent of Texas burglaries required no force by the perpetrator. Statewide two-thirds of all burglaries were residential. Slightly more than half occurred in the daytime—6 a.m. to 6 p.m. Nonresidential burglaries occurred more frequently at night. In 1976 property valued at \$80,139,540 was taken in burglaries, a dollar amount representing one-third of all property stolen. Seventy percent of all property was taken in residential burglaries. Average burglary in Texas in 1976 involved property valued at \$428.

Typical person arrested for burglary statewide was a young white adult male. Adults arrested were mostly in the 18 to 22 and 25 to 30 year age brackets. Whites accounted for almost 70 percent of adults arrested, 73 percent of juveniles. Almost half (48 percent) of those arrested for burglary were juveniles. Although most juveniles arrested were older than 13 years, some children younger than age 10 were arrested. Males accounted for approximately 94 percent of both adults and juveniles arrested.

It is most significant that juveniles accounted for more than half those arrested for burglary in Texas cities but only one-fourth to one-third in counties. Likewise, in both the largest city group and largest county group, residential burglaries exceeded nonresidential by two to one, but in all other groups the ratio was nearly equal, with nighttime burglary of nonresidences predominant. Dollar value per burglary unexpectedly is 20 to 100 percent higher than the state in smaller city groups and all county groups. In the largest city group about two-thirds of those arrested were white. In all other groups, 75 to 85 percent were white. Throughout the state males accounted for 95 percent of those arrested.

THEFT

In 1976, Texas reported 391,679 thefts. Of all index offenses, 58.9 percent were thefts. Theft rate was 3,358.3 offenses per 100,000 population, a 7.9 percent increase over 1975. Statewide clearance rate for theft was 21 percent.

Thefts under \$50 accounted for 44 percent of all reported theft incidences, theft between \$50 to \$200 for an additional 36 percent. Although only 20 percent of all theft offenses were theft over \$200, that category accounted for 74 percent of property taken in thefts. Property valued at \$69,904,296 was taken in 1976 thefts in Texas, an average of \$179 per theft. Among thefts over \$200, average value of property taken was \$667. The most frequently stolen property was (a) motor vehicle parts and accessories and (b) property, other than parts or accessories, from motor vehicles. A large number of these thefts involved stereo tape units and citizen band radios.

Typically, those arrested for theft statewide were adult males (62 percent). Juveniles comprised 36 percent of those arrested. Among both juvenile and adult arrestees, whites represented about 66 percent. Age distribution for adults arrested is uniform from age 18 to 50, with a slight peak at 18 to 20 years. Juveniles were arrested in all age categories, even younger than 10 years.

AUTOMOBILE THEFT

In 1976, 42,968 auto thefts were reported in Texas, a rate of 368.4 offenses per 100,000 population. Auto theft rate decreased 5.8 percent from 1975 to 1976. Statewide auto theft clearance rate was 22 percent.

Vehicle stolen most frequently (68 percent) was the automobile. Trucks and "other vehicles" collectively accounted for the remainder of vehicle thefts. Although a relatively small percent of offenses were cleared by arrest, recovery rate was exceptionally high. In 1976, 78 percent of all vehicles stolen were recovered. Of vehicles valued at \$84,072,817 initially "taken," \$58,388,990, 70 percent, was recovered.

Statewide 45 percent of those arrested for auto theft were juveniles. Among both adult and juvenile arrestees, 93 percent were males. Whites accounted for 73 percent of adults and 83 percent of juveniles arrested. Juvenile arrests were uniformly prevalent in the 13 and older age brackets, adults from 18 to 40 years.

Auto theft showed distinctive trends. Cities and counties over 100,000 had high offense rates (50 to 65 percent above the state average) and low clearance rates (25 to 30 percent below average). All other population groups, city and county, had low offense rates (25 to 80 percent below average) and high clearance rates (50 to 100 percent above average). In all groups automobiles were the vehicles most frequently stolen. Recovery rates, for vehicles and dollars, were high in all groups. Juveniles comprised a larger percent of arrestees in cities than in rural areas. Females, adult and juvenile, uniformly accounted for less than 10 percent of those arrested in all groups. Blacks accounted for one-third of those arrested in large cities or counties. Percent of blacks arrested decreased with jurisdiction size. Age distribution for juveniles and adults were similar throughout and mirrored that of the state.

Regional Analysis

For purposes of analysis, Texas' 24 state planning regions will be divided into three groups—those having cities with populations greater than 250,000 (Group A), those having cities with populations 100,000 to 250,000 (Group B), and (Group C), those having only cities below these population groupings.

Regions with major metropolitan areas, Group A, are served by Houston-Galveston Area Council, North Central Texas Council of Governments, Alamo Area Council of Governments, West Texas Council of Governments, and Capital Area Planning Council.

Panhandle Regional Planning Commission, South Plains Association of Governments, Nortex Regional

Planning Commission, West Central Texas Council of Governments, Heart of Texas Council of Governments, South East Texas Regional Planning Commission, and Coastal Bend Council of Governments serve regions with cities having populations between 100,000 and 250,000, Group B.

The remaining 12 regions, Group C, are served by Ark-Tex Council of Governments, East Texas Council of Governments, Permian Basin Regional Planning Commission, Concho Valley Council of Governments, Brazos Valley Development Council, Deep East Texas Council of Governments, Golden Crescent Council of Governments, South Texas Development Council, Lower Rio Grande Valley Development Council, Texoma Regional Planning Commission, Central Texas Council of Governments, and Middle Rio Grande Development Council.

Crime rate per 100,000 population in 1976 was used in this analysis.

As expected, overall crime rate was highest in Group A and lowest in Group C, with Group B falling in between. This relationship held for the total index and for each index offense except assault. Average assault rate was higher in Group B than Group A.

Group A. Except for assault, crime rates of regions in this group were higher than that of the state as a whole. For example, average index crime rate in Group A was 6,145.9 offenses per 100,000 population, compared with a state rate of 5,702.2. These five regions reported 72.5 percent of all index crime in the state in 1976.

Regions in this group include the state's six largest cities: Houston, Dallas, San Antonio, Fort Worth, El Paso, and Austin. North Central Texas region includes both Dallas and Fort Worth, as well as two cities of over 100,000 population—Irving and Arlington. Houston-Galveston region includes Pasadena as well as Houston. North Central Texas reported the highest crime rate, 6,945.2 offenses per 100,000 population, in Group A. Its placement was solely because it reported the largest number of thefts. It also had the largest assault rate for this group.

The lowest rate among the five regions was reported by Capital Area, 5,710.3. CAPCO reported the lowest rates of robbery and auto theft. It also reported the highest rape rate, largely due to Austin's high rape rate.

West Texas reported the second highest index rate, 6,199.6, although it had the lowest rates for murder and burglary. Although it has the second highest theft rate, its high overall crime rate is unexpected because its population is significantly less than those of Houston-Galveston and Alamo Area regions.

Alamo Area region had the third lowest index rate, 6,075.7. That region reported the highest burglary rate among the regions in Group A, but it also had lowest rape rate.

Houston-Galveston region reported an index rate of

5,798.7, second lowest in Group A. The region had the highest murder, robbery and auto theft rates, but the lowest assault and theft rates.

Group B. The average rates for regions in this group were less than the state rate for the total crime index and each index offense except assault. More than half the regions in this group had assault rates greater than the state rate.

Among the regions in this group, Coastal Bend reported the highest rates for the total crime index and for theft and auto theft. Coastal Bend's index rate was 5,092.0. Its comparatively high ranking may be because it includes Corpus Christi, the state's seventh largest city.

West Central Texas region reported the lowest crime rate, 2,586.9, as well as the lowest rates for murder, robbery, assault, burglary, theft, and auto theft.

Panhandle region reported the next lowest overall crime rate, 3,649.4.

Nortex region reported an index rate of 3,825.9. Its rape rate, 15.3, was the lowest in Group B and about half the state figure of 30.5.

Heart of Texas region had the highest murder and assault rate. Its assault rate, 269.0, was highest in the state. Its overall index rate was 3,873.8.

South East Texas' crime rate, 4,888.9 was third highest in this group. The region had the highest robbery rate.

South Plains region had the highest rape and burglary rates in this group. Its overall index rate was 4,976.6.

Group C. Regions in this group represent the basically rural areas of the state. Their average crime rate of 3,016.8 offenses per 100,000 population was 47.0 percent less than the state rate. Major differences are in robbery (82.8 percent less), auto theft (64.7 percent less), and rape (60.7 percent less). However, the state's fourth, fifth, and sixth highest murder rates occurred in regions in this group. Data clearly indicate that absence of a major city is conducive to a comparatively small crime rate.

The highest crime rate in this group was reported by the Concho Valley region—4,710.2. As in North Central Texas, Concho Valley's relatively high rating is primarily because it reports the highest theft rate. It also reports the highest burglary rate in Group C. However, Concho Valley region reported the lowest murder rate in the state.

The lowest rate among all regions in Group C, and in the state, was reported by Deep East Texas—1,609.3 offenses per 100,000 population. It also had the lowest burglary, theft, and auto theft rates.

East Texas region reported 2,749.7 index offenses per 100,000 population. Its murder rate, 11.1, was the highest in the group, and the fourth highest in the state.

Permian Basin region reported an index crime rate of 4,200.3. Its auto theft rate was highest for this group.

Ark-Tex region reported 3,031.2 index offenses per 100,000 population, sixth highest in the group.

Brazos Valley's overall index rate was 2,748.8. Its auto theft rate was second lowest in the state.

Golden Crescent's violent and property crime rates and overall index rate, 2,516.8, were lower than average.

South Texas region reported the second lowest overall index rate in the group and in the state, 2,406.5. It had the lowest rape rate in the state.

Lower Rio Grande Valley region reported a crime index of 3,274.5 offenses per 100,000 population. It had the second lowest murder, rape, and robbery rates in the state, but the second highest auto theft rate in the group.

Texoma region reported the lowest assault rate in the state, 73.9 offenses per 100,000 population. Its overall index rate was 3,046.5.

Central Texas region reported the fourth highest overall index rate, 3,223.8. It had the highest rape and robbery rates in the group.

Middle Rio Grande region reported the fourth highest assault rate in the state, 235.2 offenses per 100,000 population, compared with the state rate of 180.7. However, Middle Rio Grande region also reported the lowest robbery and second lowest rape rates in the state, 17.6 and 9.3 respectively. The region's total index rate was 2,683.5.

Metropolitan Analysis

Texas' six largest cities—Houston, Dallas, San Antonio, Fort Worth, El Paso, and Austin—have 33.1 percent of the state's population and, according to UCR, report 48.7 percent of the state's major crime.

HOUSTON

Crime in Houston increased 7.6 percent from 1975 to 1976. However, reductions were noted in five of the seven index categories. Only rape and theft increased. In 1976 Houston reported 106,283 index offenses, 7,195.9 offenses per 100,000 population. Clearance rate was 15.8 percent, lowest among the six cities.

DALLAS

Crime in Dallas was highest among Texas' six major urban centers in 1976. Total incidence of crime (91,280 index offenses) was slightly behind Houston, But Dallas' index crime rate, 10,274.1 offenses per 100,000 population, was highest in the state. Clearance rate for all index

offenses was 25.3 percent, highest in the state. Index crime in Dallas decreased 5.9 percent from 1975 to 1976. Dallas was the only major metropolitan area in Texas that reported a decrease in total index crime in 1976.

SAN ANTONIO

Paralleling most Texas cities, San Antonio reported a 6.5 percent increase in total index crime in 1976—caused completely by increases in burglary and theft. Incidence was 61,544, rate 8,172.4. Overall clearance rate in San Antonio, 24.5 percent, was second highest among the cities. Arrestees generally were Mexican American, as was the city's total population, but analysis of this factor could not be undertaken because UCR statistics define "white" as including both Anglo Americans and Mexican Americans.

FORT WORTH

Fort Worth, the fourth largest city in Texas, had the third highest index crime rate among the six cities—8,306.3 offenses reported per 100,000 population in 1976. Incidence was 30,260. Offenses that increased in 1976 were murder, rape, assault, and theft. Robbery rate increased 7.0 percent. In 1976, 20.3 percent of all crimes reported in Fort Worth were cleared by arrest.

EL PASO

El Paso had the lowest index crime rate per 100,000 population among the six cities studied (7,010.0). Crime rate increased only 2.4 percent from 1975 to 1976. The city reported the lowest murder, rape, and burglary rates among the six cities. It also, however, had the lowest clearance rates for murder, robbery, and assault and showed no clearances for automobile theft. El Paso's overall clearance rate for all index offenses, 18.1 percent, was second lowest in the state.

As in San Antonio, arrestee data reported included Mexican Americans in the "White" category, so this important ethnic characteristic cannot be assessed here.

AUSTIN

Austin, Texas' sixth largest city, had the second highest total index crime rate among the major metropolitan areas. Total index rate, 8,458.2 offenses per 100,000 population, increased 14.6 percent in 1976, largest increase among the six cities.

It is important to note that changes between Austin's 1975 and 1976 crime rates for individual offenses varied markedly from those reported by other cities. For example, Austin was the only city among the six that reported increases in robbery and automobile theft. Austin also reported the highest increases in assault and burglary and the second largest increase in theft. The city also reported the only decrease in murder.

Austin's 28.2 percent index clearance rate in 1976 was highest among the six cities.

SIX CITY SUMMARY

Several trends in urban crime appear in discussing Texas' six major metropolitan areas. First, most cities reflected an increase in crime incidence as the size of city increased. However, crime rates followed no pattern with population change. Second, arrests for violent crimes generally involved ethnic minorities disproportionate to their representation in the population. Those arrested for property crimes were more equally divided among ethnic groups. Third, a greater percent of juveniles were generally arrested for property crimes than violent crimes. Fourth, clearance rates and other factors—including city size, crime incidence, and crime rate—were totally unpredictable. Fifth, arrestee and offense characteristics generally were similar for Houston, Dallas, Fort Worth, and Austin. San Antonio and El Paso shared some arrestee and offense characteristics.

Juvenile Crime

Approximately one-third of all persons arrested in Texas during 1976 for index crimes were juveniles. Of 128,536 arrests for murder, rape, robbery, assault, burglary, theft, and automobile theft, 38,638 were arrests of persons age 16 years and younger. Of course, number of arrests can be expected to exceed total number of youths arrested, because some youths probably were arrested more than once during the year. However, the extent of this correlation cannot be determined until Texas has an offender based transaction system (OBTS).

Texas Judicial Council reported that juvenile courts received 59,965 youths from 67,047 referrals during 1976. These numbers do not include the 50,140 reported referrals that received "unofficial dispositions" from the juvenile court.

Of the 67,047 referrals, 39,032 were for alleged delinquent conduct and 27,708 were for alleged conduct indicating a need for supervision (CINS). TJC reported that 20,214 of the CINS referrals were status offenses—offenses such as truancy or runaway that would

not be considered a crime if committed by an adult.

Degree of juvenile involvement in more serious crimes is evident from DPS *Uniform Crime Report* figures. Juveniles were most frequently involved in property crimes, comprising 48 percent of 1976 burglary arrests, 36 percent of theft arrests, and 45 percent of automobile theft arrests. In 1976 juveniles comprised seven percent of persons arrested for murder in Texas, 19 percent of the rape arrestees, 22 percent of robbery arrestees, and 12 percent of assault arrestees.

Juveniles were involved in 126,613 of the 521,398 arrests reported for UCR Part II offenses. Juvenile involvement in Part II crimes was highest for vandalism (48 percent of all arrestees were juveniles); arson (41 percent); and buying, receiving, or possessing stolen property (30 percent).

Juveniles comprised 13.2 percent of total drug abuse arrests—11.3 percent of arrests involving sale or manufacturing arrests and 13.5 percent of possession arrests. Juveniles comprised 15.2 percent of all persons arrested for marijuana possession.

A total of 6,959 juveniles were arrested in Texas for offenses involving drug abuse during 1976. Thirteen percent of all juveniles referred to the juvenile justice system during the first six months of 1976 were referred for drug-related incidents. Among the various types of drugs, marijuana and inhalants (glue or paint sniffing) were most frequently used by juveniles. Data from a large treatment program in Austin indicated referrals to the juvenile justice system for inhalant abuse increased 123 percent from 1971 to 1974.

The index offense most often committed by juveniles was theft, followed by burglary, possession of marijuana, and running away. These data indicate most juveniles participate in crimes that do not require direct involvement or confrontation with a victim.

JUVENILE OFFENDER CHARACTERISTICS

Both DPS *Uniform Crime Report* data and statistics from Texas Judicial Council's 12-month survey were used to describe juvenile involvement in the justice system. Because DPS information is based on total arrests and TJC's on referrals to court, the data base varies slightly.

Sex

According to UCR, males accounted for 79 percent of juveniles arrested in 1976. TJC reported 74 percent of juvenile referrals to court were male.

According to both sources, running away is the only category in which more females were involved than

males. TJC data further revealed that most female referrals to court were for CINS offenses. Of all females referred, 72.5 percent were for CINS offenses, while only 33.4 percent of male referrals were for CINS offenses.

Ethnicity

Texas Judicial Council data revealed varying relationship between ethnic background and reason for referral. Fifty-four percent of Anglo-American youths were referred to court for delinquent conduct, 60 percent of Mexican-American youths, and 70 percent of Black-American youths were referred for delinquent conduct.

Anglos were referred most frequently, followed by Mexican Americans, then Blacks. This pattern did not hold true for several specific offenses, however. More Blacks than Anglos or Mexican Americans were referred for robbery. Mexican Americans comprised most referrals for inhalant abuse. Black referrals were disproportionately low for controlled substance violation and for liquor law violation.

Age

Texas Judicial Council's 12-month survey revealed that 77 percent of all referrals to juvenile probation departments were children age 14 to 17 years. The two index offenses involving the largest numbers of children age 10 years and younger were burglary and theft, according to *UCR*.

Home Environment

Texas Judicial Council data showed that, of juveniles referred in the first six months of 1976, 54 percent lived with both parents, 37 percent with only one parent, and the rest with adopted parents, foster families, or other arrangements.

School Attendance

Of children referred to juvenile court in 1976, 79.0 percent were in school, 15.2 percent had dropped out of school, 2.5 percent had been suspended or expelled, and school status of 3.3 percent was not known.

Recidivism

TJC data indicated 55.5 percent of the youths referred to juvenile court had not been referred previously. Of the 67,047 referrals, 57,984 (86.5 percent) had no prior adjudication.

Victimization

NATIONAL SURVEYS

Victimization surveys conducted for the Law Enforcement Assistance Administration by the U.S. Bureau of the Census have provided a new source of crime data. The surveys began in 1972 and still are being conducted.

The surveys supplement data collected by police agencies because some victims do not report crime to the police. The surveys are not designed to compete or compare with data routinely collected by police agencies.

While victimization data are not directly comparable to the major traditional source of crime data, the *Uniform Crime Reports*, some data can be compared for analytic purposes. For example, type of crimes reported in both *UCR* and victimization surveys were roughly comparable in Houston. Burglary and theft constituted 75 percent of reported *UCR* crime and 82 percent of reported victimization offenses. Robbery accounted for 7.5 percent of *UCR* crimes and 5.5 percent of victimization crime. There was a difference in automobile theft, however—14.6 percent of *UCR* crimes were automobile thefts, compared with 4.1 percent of victimizations. Although the data are not directly comparable because of different methods of collection, classification, and counting, the crime pattern appears to be similar.

Victimization data are collected by sample surveys of residents of major metropolitan areas across the country, including Houston and Dallas. Most residents interviewed reported they had not been victims of crime. The small number of crimes reported was multiplied to calculate a crime rate for the total city population. Victimization surveys studied three areas of crime: personal, household, and commercial.

Texas data are from Dallas (1972) and Houston (1973). Approximately 10,000 residents of each city were interviewed. Most crime "victims" were either persons or households. Persons and households combined accounted for more than 90 percent of crime incidence in both Houston and Dallas. The remaining 10 percent of reported crime was perpetrated against commercial establishments.

The amount of crime estimated from the victimization surveys in Houston is four times the volume reported to law enforcement agencies. Total *UCR* offenses re-

ported in Houston were 82,000, excluding murder. The victimization survey estimated 332,000 crimes. However, major differences between the two figures are in the less serious crimes of theft and burglary. For example, UCR data included 33,000 thefts, while victimization data projected 184,000.

Reporting of crime to a law enforcement agency varies significantly depending on the crime and the victim. The more serious the offense, the more likely it will be reported. Of the three major types of victims, proprietors of commercial establishments were more likely to report crimes than household or personal victims. Commercial crime reporting rates were 72 percent in Houston and 76 percent in Dallas. Reporting of household crime was 36 percent in Houston and 42 percent in Dallas. Only 25 percent of Houston's surveyed victims of personal crimes reported to law enforcement agencies, 31 percent of Dallas' surveyed victims of personal crimes reported. One reason for the high rate of commercial crime reporting may be rigid insurance requirements.

Reporting patterns within victim types also varied by crime seriousness. Among commercial crimes, robbery was more likely to be reported to law enforcement agencies in both Dallas and Houston than burglary. Average rate for reporting commercial robbery was 85 percent, while average for reporting commercial burglary was 73 percent. This fact underscores the influence of the crime seriousness in prompting victims to report to law enforcement agencies.

More serious household crimes also were reported at higher rates. For example, 75 percent of all automobile theft victims reported to law enforcement agencies. Forcible household entries were reported 72 percent of the time, household thefts only 23 percent. These figures are averages for both Dallas and Houston, because the pattern of reporting is nearly identical.

When the victim was a person rather than a household or commercial target, reporting to the police also varied with the seriousness of the event. Half of all surveyed robbery victims reported to a law enforcement agency. This figure is less than the reporting rate for commercial robbery victims, but substantially higher than the 30 percent reporting rate of personal theft. Aggravated assault was reported at a 44 percent rate; simple assault, a less serious crime, 28 percent.

While reporting to law enforcement agencies is partly related to crime seriousness, nonreporting rates of surveyed victims are substantial, especially among personal victims. The most frequently cited reasons for failure to report crime to the police were the belief that (1) nothing could be done about it or (2) the crime was not important enough to merit police attention.

TEXAS SURVEYS

More than 20 percent (one in five) of Texas surveyed in 1976 indicated they had been crime victims during a 12-month period. The Texas Crime Trend Survey, conducted by Texas' Statistical Analysis Center in 1975 and 1976, has carried out victimization studies on a sample of Texas residents. Five SAC publications⁶ detail survey methodology and findings, to which interested readers are referred for more detailed information. The following paragraphs summarize the most recent survey findings:

Urbanization

Residents of urban areas were more frequent victims of violent crimes than were rural residents. Risk of property crime was more evenly distributed between urban and rural areas, but was somewhat higher in urban areas.

Socioeconomic Factors

Persons younger than 25 years were most likely to be victims of violence. Persons older than 50 years were least likely to be victims of either violent or property crime.

Males and females were almost equally victimized by violent crime. However, females reported less frequent incidents of property crime. Black Americans and Mexican Americans had high risks of violence while White Americans had high risk of property crime. Persons with income less than \$15,000 reported most instances of violence, those with incomes \$15,000 or more most property crime.

Nonreporting

The offense that most frequently was not reported to law enforcement agencies was theft. The most common reason given for not reporting to authorities was the victim's opinion that the crime was not important enough.

Property Loss

When projected statewide, an average \$92 per adult Texas resident was stolen in the 12-month 1975-1976 period.

Organized Crime

Much information and analysis in this section is from Texas Organized Crime Prevention Council's *1975 Report on Organized Crime in Texas*.

The council concluded Texas lacks an effective system for statewide assessment of organized crime. It therefore relied on interviews with officials of criminal justice agencies, predominantly metropolitan, from across the state.

The council focused on 10 types of organized criminal activity: drug trafficking, gambling, fencing, prostitution, pornography, organized property offenses, organized white collar crime/business frauds, organized automobile thefts, corruption, and syndicated criminal organizations.

DRUG TRAFFICKING

The council feels that, because of its overall impact, drug trafficking is the major organized crime problem in Texas. Without exception, local law enforcement agencies surveyed told the council their most serious organized crime problem was increased presence of illegal drugs in their communities.

Arrests for sale and manufacturing of drugs totaled 8,220 in Texas in 1976. Almost two-thirds of these arrests (64.8 percent) involved marijuana.

The U.S. Drug Enforcement Agency has classified Texas as a "trans-shipment" area for national drug distribution. It is felt that most drugs enter the state through Mexico.

Areas with a college community (such as Denton, Lubbock, Austin, and Bryan) attract considerable drug traffic, particularly marijuana. Border communities (such as Laredo, McAllen, Harlingen, Brownsville, Eagle Pass, Del Rio, and El Paso) act as "gateways" for drugs from Mexico.

DPS and local officials believe San Antonio and Corpus Christi are major stockpiling and distribution points for drugs going to other Texas and U.S. cities.

A recent problem is use of airplanes by drug smugglers. Many desolate areas in Texas provide temporary landing sites. U.S. and Mexican authorities have increased enforcement activity to counteract this threat.

The impact of drug abuse on the criminal justice system encompasses more than enforcement of drug laws. Drug abuse is strongly linked to other criminal activities such as robbery, burglary, theft, prostitution, and gang violence.

Most criminal justice officials surveyed by the council indicated they felt most property crime was drug related. According to the council, most hard-drug users can be expected to steal to secure cash or valuables with which to purchase drugs. Regardless of what he or she steals, except for cash, the user normally gets only a 20 to 25 percent return on property stolen and resold to a "fence" for cash or drugs. For example, if a heroin user has a \$50 per day habit and had to steal to pay for it, he or she must steal \$200 or more a day in property. Five thousand users would have to steal one million dollars a day or \$365 million a year. Because there are conservatively 40,000 heroin users in the state, property crime and law enforcement implications are significant.

GAMBLING

Forms of gambling, such as bookmaking, could not succeed without organization. DPS estimates at least 1,173 bookmakers operated in Texas in 1975. More than one billion dollars in bets were accepted in 1974, for a profit to bookmakers of more than \$120 million. A total of 4,473 gambling arrests were reported to UCR in 1976. Among those arrested, 95.5 percent were adults. Of adult arrestees 72.2 percent were Black, 91.6 percent were male.

Each law enforcement agency contacted by the council indicated an awareness of one or more bookmakers in its jurisdiction. Bookmakers across the state have been shown to be in constant communication with each other. They are found both in major metropolitan areas and in rural settings.

Based on intelligence reports, the council believes syndicated criminals ultimately receive most bookmaking profits. According to DPS, there is no clear evidence that gambling in Texas is directly controlled by syndicated criminals. However, associations have been documented among major Texas bookmakers and gamblers, and persons in Las Vegas, Chicago, New Orleans, and Kansas City with known involvement in organized crime.

Most police agencies stated local bookmaking centered on athletic events. Texarkana Area Organized Crime Intelligence Unit detected considerable horse race betting. Other types of gambling reported in 1975 included cock fighting, bingo, "pull-tab" cards, football boards, blackjack games, and pit bulldog fighting.

FENCING

A thief or burglar who steals property does not benefit from the crime until the property is converted to cash. An established "fence," a person whose primary

business is purchase of stolen goods, insures that the thief or burglar can convert stolen property to cash with minimum risk. The fence provides the criminal a sense of security as well as an element of organization that encourages and expedites criminal activity. Fences are the primary outlet to which professional thieves and burglars turn immediately after committing a crime. Fences generally return to the thief no more than 25 percent of the value of the stolen goods.

Law enforcement agencies have identified a number of fences in each large Texas city and several in smaller cities and rural areas.

Statewide, reported arrests for "buying, receiving, or possessing stolen property" totaled 823 in 1976.

PROSTITUTION

The council has confirmed that prostitution is present in Texas in several forms, including streetwalkers, call-girls operations, and massage parlors. Law enforcement agencies indicate some prostitution in the state is organized and some is not.

Both rural and metropolitan agencies expressed concern about increasing use of massage parlors as fronts for prostitution.

In some cases, police have detected common ownership of massage parlors across the state, with prostitutes circulating among establishments. According to DPS, some massage parlors are involved in fencing, drug trafficking, and employment of juveniles.

The council had detected a variety of "circuits" along which organized groups of prostitutes travel systematically. They include convention, military-base, citizen-band-radio, and truck-stop circuits.

According to the council's report, DPS estimates a prostitute's weekly gross income could be more than \$700. The agency stated there are 1,628 known prostitutes, 521 pimps, and 64 madams in Texas.

Prostitution arrests in 1973 totaled 5,958 statewide. In 1976, 4,473 prostitution and commercial vice arrests were reported to UCR. Slightly more than half (53.7 percent) of adult arrestees were Black, 82.5 percent were female.

PORNOGRAPHY

DPS reports that, because of active enforcement, Texas' overall pornography problem has decreased substantially since 1973. Texas pornographic outlets generally include film houses, bookstores, and lounges with nude dancers and pornographic movies.

An estimated 329 persons were involved in pornography businesses in Texas, including 64 who live outside

the state. Ten Texas businesses and 25 outside the state were believed to be engaged in Texas' pornographic industry.

In 1974, 330 misdemeanor cases were filed for pornography law violations.

ORGANIZED PROPERTY OFFENSES

According to the council, organized crime included not only specific offenses such as drug trafficking and bookmaking, but also such activities as thieves forming mutual associations to further their continuous involvement in crime. These too were present in Texas in 1975.

Organized property crime activities included a West Texas crude oil theft ring with connections in Houston, East Texas, and Louisiana; a safecracking gang; robberies of high-stake poker games; theft of oil well equipment; citizen band radio burglaries; burglaries of physicians' offices; and shoplifting.

ORGANIZED WHITE COLLAR CRIME AND BUSINESS FRAUD

White collar crime has caused increasing concern across the country. While such activity usually is limited to single embezzlers, organized crime has taken increasing interest in white collar crime and business fraud.

A major problem in Texas in 1975 involved fraudulent sale of fractional interests in oil and gas leases to unsuspecting investors in Texas and outside the state. Quick and decisive action by state and federal officials brought the problem under control by the end of the year.

Local criminal justice agencies, the FBI, SEC, IRS, and DPS were involved actively in 1975 in investigations of possible criminal stock frauds involving some "Schedule D" companies in Texas offering investment opportunities in oil and gas leases.

In addition to Schedule D violations, the SEC also investigated the following activities in Texas in 1975:

—Offering and sale of "limited partnerships" or joint venture interests in real estate syndication.

—Offering and sale of investment contracts regarding a "secret process" to convert low grade graphite ore into high grade silver ore.

—"Shell corporations," wherein common stock was offered for companies with virtually no assets or business operations.

—Selling limited partnership interests in cattle feeding programs and using the investment funds for other purposes.

Other types of organized white collar crime in Texas

included land fraud schemes, confidence games, and a black market sugar scheme.

In 1976, 92 arrests were reported statewide for embezzlement, 6,041 for "fraud." Most arrestees were adult White males.

ORGANIZED AUTOMOBILE THEFT

In 1975 at least 34,926 passenger cars and 6,627 pickup trucks were stolen in Texas. The percentage of these vehicles stolen as a direct result of organized crime cannot be determined. Many were taken for "joyriding," commission of other crimes, and other offenses reflecting the acts of individuals.

However, DPS estimated there were 263 auto theft rings in Texas in 1975. C.C. Benson, southwestern regional manager of the National Automobile Theft Bureau, said one of every four automobiles stolen in the United States ends up being sold in Mexico in exchange for drugs.

In addition to the theft and resale of automobiles and pickup trucks, Texas law enforcement agencies also cited organized thefts of recreational vehicles, boats, motorcycles, farm tractors, truck tractors, and heavy equipment.

CORRUPTION

During 1975 the council also found evidence of both official and commercial corrupt activities in Texas. Law enforcement agencies recited instances in which elected or appointed officials had engaged in conduct questionable enough to excite suspicions of corruption by organized crime. A review of convictions and indictments of some public officials during the year suggests that, even where there is no direct indication that organized crime was involved, there is a fertile field for some persons in responsible positions to be enticed by the strong inducements of organized crime.

The council reports that the spectrum of this "fertile field" ranges through municipal, county, and state levels and includes bureaucrats and politicians as well as persons in the private sector.

Examples of potentially corrupt situations are cited in the council's report.

SYNDICATED CRIMINAL ORGANIZATIONS

Numerous investigations at the federal level and in other states have established there is a nationwide highly-organized system of relationships existing solely for engagement in criminal activities. Among syndicated

criminal activity reported in Texas in 1975 was the laundering of syndicate funds through legitimate businesses.

Drug Abuse

Several sources of information were used in this analysis, which was prepared by Texas Department of Community Affairs, Drug Abuse Prevention Division. Types of statistics analyzed included DPS arrest figures, reported drug overdoses treated in hospital emergency rooms, overdose deaths, drug incarcerations, admissions to drug treatment, and cases of serum hepatitis. The most complete information available was for 1975, so this analysis is based on 1975 statistics.

DRUG ARRESTS

Number of drug arrests reported to DPS has increased each year since 1970. Arrests for 1975 represented a 13 percent increase over 1974 and 275 percent increase over 1970.

In 1975 arrests for marijuana continued to dominate law enforcement activity. A total of 26,806 persons were arrested for this offense, comprising 71 percent of all drug arrests. Number of marijuana arrests in 1975, however, was less than the 1973 figure.

Heroin and other narcotics accounted for another 11 percent of drug arrests. Arrests for offenses involving these drugs totaled 3,211 in 1974 and 3,662 in 1975—an increase both in number of arrests and in percentage of total arrests.

Cocaine arrests increased slightly in 1975. Arrests for other drug categories (hallucinogens, LSD, methamphetamines, depressants, and stimulants) decreased in 1975.

Most arrests (64 percent) involved Anglo Americans. However, Anglos are underrepresented because they constitute 70 percent of the state's population. Black Americans, on the other hand, make up 12 percent of the population but 22 percent of drug arrestees. Mexican Americans are slightly underrepresented among drug arrests.

In addition, most persons arrested for drug offenses are young--51 percent age 20 or younger. This percentage primarily is due to the predominance of young persons among those arrested for marijuana offenses, which is by far the largest category of drug arrests.

"Marijuana/hashish" and "heroin and other narcotics," the two largest categories of drug offenses, show different age trends. Marijuana/hashish offenders tend to be younger than narcotic offenders. Fifty-seven percent of marijuana arrestees are age 20 or younger, while only 19 percent of narcotic arrestees fall in this category.

DRUG OVERDOSES

Emergency Rooms and Crisis Centers

The Drug Abuse Warning Network (DAWN) monthly statistical survey, sponsored by the National Institute on Drug Abuse and the Drug Enforcement Administration, collects drug abuse data from emergency rooms, medical examiners, county coroners, and crisis intervention centers in 24 standard metropolitan statistical areas across the nation. The Dallas and San Antonio SMSA's are included in the DAWN system.

During the period between November, 1975, and February, 1976, 96 percent of the drug abuse cases seen in Dallas emergency rooms were non-opiates, as were 95 percent of those in San Antonio.

Percentage of females who appeared in Dallas and San Antonio emergency rooms was greater than their proportion of the general population. This overrepresentation of females did not occur in the national DAWN sample. The high percentage of female patients in Dallas and San Antonio correlates with abuse of prescription drugs.

Most patients reported in DAWN were young—62 percent of Dallas and 56 percent of San Antonio patients were younger than age 30.

The drug mentioned most frequently in both areas was diazepam (Valium). Patients mentioning diazepam were most likely to be Anglo females in their twenties and thirties.

In Dallas the second most frequently mentioned drug was "alcohol-in-combination with other drug." This ranking has been the same since April, 1974.

Heroin ranked 11th in Dallas (one percent of the cases) in DAWN averages for April, 1974, through April, 1975. Since then, however, heroin has moved into fourth place (eight percent of the cases). In San Antonio, heroin ranked second with seven percent of the cases in the early survey, but it now is in third place (five percent) behind "alcohol-in-combination."

A project which monitors emergency room admissions in Houston reports that in 1971, heroin abuse was 15th in incidence and represented 1.7 percent of the cases. In February, 1976, heroin ranked second, with 11.3 percent of the cases, following diazepam, which accounted for 18.3 percent of the cases.

Deaths

Narcotics continue to be the primary drug involved in drug-related deaths in Texas. Twenty-eight percent of all 1975 drug deaths (154 persons) were related to narcotic abuse.

Twenty-one percent of drug deaths in the state were

caused by mixtures of drugs or of drugs and alcohol. This type of drug death has increased more rapidly than any other type. Users fail to realize that drugs often are more potent when combined than if taken separately.

Barbiturates are the third leading cause of drug deaths, followed closely by tranquilizers, pain killers, and antidepressants. In each of the last three categories more than one-third of the victims were housewives. Housewives also were the most frequently reported victims of mixtures of drugs or of drugs and alcohol.

Females are overrepresented among all drug deaths except for barbiturates and mixtures of drugs, where males and females are equally likely to be victims. Males are much more likely to die of narcotic overdoses.

Anglos are underrepresented in most of the "soft" drugs categories such as barbiturates, pain killers, and antidepressants. Blacks and Mexican Americans, on the other hand, are clearly overrepresented in the narcotics category. Blacks constitute 12 percent of the total population but 18 percent of narcotic deaths, Mexican Americans 18 percent of the population but 31 percent of deaths.

Drug overdoses primarily involve young adults—57 percent of the victims were between ages 16 and 35. Another 25 percent, however, were older than 46 years, indicating a significant number of middle-aged and elderly persons also are overdose victims. Young persons are most likely to die of narcotic overdoses. They also are highly overrepresented among stimulant and inhalant deaths although the number of such deaths is comparatively small. Middle-aged and elderly persons are more likely to die of overdoses of tranquilizers, pain killers, and mixtures of drugs or of drugs and alcohol.

DRUG INCARCERATIONS

During 1975, 765 persons were incarcerated at Texas Department of Corrections for drug offenses. Blacks and Mexican Americans are clearly overrepresented among incarcerated offenders. Blacks and Mexican Americans constituted 31 percent and 28 percent, respectively, of the incarcerations, but only 12 percent and 18 percent, respectively, of the state's population.

Nearly half (49 percent) of the persons incarcerated for drug offenses were age 24 or younger. Another 37 percent were between 25 and 34 years. This age pattern is not consistent across ethnic groups, however. Incarcerated Anglos appear to be younger, generally, than Blacks or Mexican Americans.

Drug offenses for which persons were committed most frequently involved heroin (38 percent of all offenses). Another 25 percent involved marijuana. LSD and the general category, "controlled substances," accounted for 59 percent of the offenses, cocaine for

another four percent. Eleven percent of drug offenses involved burglary.

Again these trends do not hold across ethnic groups. Anglos were most likely to be incarcerated for marijuana, "other drugs," heroin, burglary, and LSD, in that order. Both Blacks and Mexican Americans were most likely to be incarcerated for heroin, marijuana, burglary, and "other drugs," in that order.

These patterns were evident in 1974 and became more pronounced in 1975.

DRUG TREATMENT

Each client entering a federally-funded treatment program must be reported on the Client-Oriented Data Acquisition Process (CODAP) information system. According to CODAP reports, there were 9,305 admissions to programs in Texas during 1975. The number of *admissions* during the 12-month period is not the total number of clients treated during the year or the number of clients on a particular date.

Most clients entered treatment in 1975 for opiate abuse. However, proportion of marijuana patients has increased significantly since 1971. An increasing number of persons also are being admitted for treatment of inhalant abuse. This problem is of growing concern, but has been difficult to document because possession of inhalants is not illegal.

Forty-nine percent of persons admitted for treatment were Anglo, 33 percent Mexican American, and 18 percent Black. It must be remembered, however, that Anglos constitute 70 percent of the general population, Mexican Americans 18 percent, and Blacks 12 percent.

Blacks and Mexican Americans are overrepresented among admissions to treatment.

Analysis of treatment entries indicates different patterns of drug abuse among ethnic groups. Mexican Americans (34 percent) and Blacks (25 percent) are more likely to enter treatment for heroin abuse than are Anglos. Anglos, on the other hand, are particularly overrepresented among admissions for marijuana (92 percent), amphetamines (90 percent), and barbiturates (77 percent).

Males and females enter treatment for abusing different drugs. Far more males than females are entering treatment (74 percent). Considering this distribution, females are overrepresented among amphetamine and barbiturate abusers. Males are particularly likely to abuse inhalants. Distribution of sexes in the two largest drug categories (heroin and marijuana) is approximately that of the client population as a whole.

Consistent with other indicators, primarily young persons are being admitted for treatment. Sixty-two percent of persons admitted were younger than 25. Only 2.4 percent were older than 46 years.

SERUM HEPATITIS

The number of reported cases of serum hepatitis often is used as an indicator of intravenous drug abuse, although its validity is more questionable than that of other indicators.

There were 490 cases of serum hepatitis reported in Texas during 1975, a 37 percent increase over 1974. In 1970, 133 cases of serum hepatitis were reported.

Notes to Part One

¹ It should be noted that at the time of this computation a number of December, 1976, reports still were being received/verified/entered and therefore the final percentage of population covered by reporting is expected to approach 96 percent. Ninety-eight percent of the population is expected to be covered by the end of 1977.

² Because 1976 population estimates were not available, 1976 rates were based on 1975 populations.

³ UCR race classification currently follows that of the U.S. Bureau of the Census, which does not include a separate listing for Mexican Americans. The subcategory, "white," includes both Anglo and Mexican-Americans. UCR classifies persons younger than age 18 as juveniles. As LEAA requires analysis based on UCR statistics, analysis of juvenile arrestees includes 17 year olds.

⁴ Population groupings used by the FBI include urban (cities only) and rural (counties exclusive of cities). Urban is further broken out into cities with populations greater than 100,000, cities between 50,000 and 100,000, cities between 25,000 and 50,000, cities between 10,000 and 25,000, cities between 2,500 and 10,000, and cities with populations less than 2,500. Rural population brackets are counties with populations greater than 100,000, counties between 25,000 and 100,000, counties between 10,000 and 25,000, and counties with populations less than 10,000.

⁵ This adjustment involves subtracting from the UCR figures the number of Texas arrestees who were 17 years old.

⁶ Texas Department of Public Safety, Statistical Analysis Center, *The Texas Crime Trend Survey: Advance Report on a Mail Survey of the General Public*, August, 1976; *Victims of Crime in Texas: The 1975 Texas Crime Trend Survey*, January, 1977; *Victim Reports of Crime in Texas: 1975-1976 Texas Crime Trend Survey*, April, 1977; *Technical Supplement to Victims of Crime in Texas: The 1975 Texas Crime Trend Survey*, May, 1977; and *Victim Reports of Crime in Texas: 1976 Texas Crime Trend Survey*, July, 1977.



Part Two

Texas' System for Responding to Crime

The criminal justice "system" in Texas actually is a network of components, created by constitution and statute, which optimally work in harmony but occasionally operate in conflict.

The lack of cooperation that sometimes characterizes relationships among criminal justice system components may be caused partly by competition among them for attention and resources from outside the system. Conflicts also result from the different perspective from which each component views the common task of reducing crime. It generally is agreed the major goal of the criminal justice system is reduction of crime through procedures consistent with protection of individual liberty. There is less agreement on specific means and priorities for its achievement.

Law enforcement agencies concentrate on crime prevention and offender detection and apprehension.

Courts have a dual role as participant in the criminal justice system (determining guilt and sentencing) and as reviewer of the system's practices in cases of administrative failure. Probation, although a correctional function, is a judicial responsibility in Texas.

Correctional agencies focus on carrying out court sentences and on rehabilitating convicted offenders. To some extent they also identify offenders who pose a significant, long-term danger to the community.

Law Enforcement

Crime is essentially a local problem, requiring that most law enforcement take place at the local level. City, county, state, and federal agencies cooperate to provide law enforcement services in Texas.

Analysis of TCLEOSE data indicates that 31,128 law enforcement officers were employed in the state of Texas on December 31, 1976. Approximately 33 percent of the total are certified in basic training, 19 percent intermediate, 18 percent advanced, 16 percent reserve, and 4 percent grandfather. Until the remaining 10 percent complete their first year of duty they are classified as uncertified.

Collected data reflecting the highest educational attainment of officers indicate 12 percent have completed GED requirements; 84 percent high school; three percent associate's degree; seven percent bachelor's degree; and less than one percent master's, doctorate, or law degrees. Although some duplication in reporting exists, these figures represent the best available data.

Monthly salaries of beginning officers statewide range from an average low of \$411 to an average high of \$1,000. Average beginning officer salary is \$733. Ethnic composition of officers statewide is 4.3 percent Black American, 10.8 percent Mexican American, and 84.9 percent Anglo American.

LOCAL

Municipal Agencies

Municipal police agencies have primary responsibility for enforcing criminal laws on the local level. An estimated 677 municipal agencies currently exist in Texas. They may be city marshal offices or police departments headed by chiefs.

Specific goals of police departments include prevention and repression of crime, apprehension of offenders, recovery of property, and preservation of peace in the community. Four major tasks are performed in pursuit of these goals: crime prevention, crime detection, law enforcement, and traffic regulation.

Administrative activities to carry out these tasks usually are classified as line, staff, or auxiliary functions. Line functions include crime investigation; patrol; and control of traffic, vice, and juvenile crime. Staff functions encompass planning, administration, internal control, finance, personnel management, training, and public relations. Auxiliary functions include record management, property maintenance and control, communication, jail administration, and laboratory services.

Texas law enforcement officers are required by statute to meet several entrance requirements, including:

- U. S. citizenship.
- Minimum age of 19 years.

—High school graduation, GED equivalency, or 12 semester hours credit at an accredited college.

—Physical examination and physical ability to perform tasks assigned (as defined and measured locally).

—No felony conviction or recent conviction for driving while intoxicated or driving under the influence of drugs, verified by a fingerprint check through local, state, and national files.

—Emotional stability to withstand pressures of modern law enforcement work.

—Good moral character as determined by thorough background investigation.

—Honorable discharge from military, if served.

County Agencies

Sheriffs' Offices

The state constitution calls for each of Texas' 254 counties to elect a sheriff to act as the county's primary law enforcement officer. The sheriff is commissioned by the Governor and acts in the name of the State of Texas. Sheriffs' offices range in size according to the county's population and crime problem. The smallest department is one officer and the largest exceeds 500 full-time sworn personnel.

County jails are operated by the sheriff's office except in Bexar County. Much of the sheriff's time also is devoted to civil processes and court services.

Although the sheriff selects employees, the county commissioners court determines number of persons hired and establishes salary limitations. Sheriffs' offices are not included under state civil service regulations.

Insufficient salaries often impede effective county law enforcement operations. Lack of resources to provide for salary increases makes it difficult to retain qualified, trained sheriffs and deputies. Consequently, personnel shortages are frequent and turnover is high.

Highly populated counties generally are able to offer more attractive salaries. However, the highest salaries a county can offer often are insufficient to hold experienced personnel.

Constables

The constable, a county precinct official provided for in the state constitution, serves as an officer of the justice-of-the-peace court. He is elected to a four-year term and is paid on either a salary or a fee basis, depending on the county. The constable is supervised by the justice of the peace he or she serves, but works directly with the commissioners court on personnel and budget matters. Responsibilities are primarily civil rather than criminal.

However, the constable is granted broad law enforcement powers, and in some locations serves as an active law enforcement officer.

STATE

Texas Department of Public Safety

Major statewide law enforcement responsibility rests with Texas Department of Public Safety. The agency is responsible for a broad range of functions including enforcement of criminal laws. DPS also offers a variety of services to local and state criminal justice agencies, including police training, scientific crime detection, collection and maintenance of records, and maintenance and operation of statewide law enforcement communication and criminal laboratory systems.

DPS is overseen by a public safety commission of three members serving six-year overlapping terms. Commission members are appointed by the Governor. This commission names the DPS director and assistant director.

The director, Colonel Wilson E. Speir, administers DPS programs and activities and is a member of the CJD Advisory Board.

DPS policy is to leave basic responsibility for enforcement of criminal laws to local officers. However, DPS officers have statewide authority as peace officers.

Appropriated law enforcement positions for DPS totaled 2,470 in 1976. Allocation of DPS personnel includes 285 persons in criminal law enforcement, 2,185 in traffic law enforcement. An additional 45 persons are in law enforcement administration. Of commissioned officers, 91.2 percent are Anglo male, 2.3 percent Black male, and 5.9 percent Mexican-American male. Less than one percent of DPS officers are female. Plans to expand minority representation are being implemented.

As a result of CJD-funded female and minority recruitment team, the most recent DPS class included 40 percent minority representation.

Commissioned officer salaries ranged from \$12,816 for a public safety patrolman to \$20,340 for a unit supervisor. In addition, officers received longevity pay of \$4 per month for each year of service to 25 years.

To become a DPS officer, a person must meet all state requirements for commissioned peace officers, have earned 60 semester credit hours at an accredited college or university, and be 20 to 36 years old.

Each commissioned officer receives inservice training at least every other year.

The department's basic functions can be divided in two broad categories, police and regulatory. The police function involves detecting and apprehending violators of criminal and traffic laws, making related investiga-

tions, and assisting in prosecutorial and court procedures. The regulatory function involves administering motor vehicle and disaster relief programs.

DPS crime suppression and control programs include the following:

—DPS operates crime laboratories at its headquarters in Austin and in Houston, Garland, Corpus Christi, Midland, Lubbock, Waco, Tyler, McAllen, and El Paso. Laboratories are planned for Wichita Falls, Amarillo, and Abilene. Expansion of the laboratory service is funded partially by CJD. On completion of the expansion program, a crime laboratory will be within 100 miles, or two hours' driving time, of practically every law enforcement agency in the state.

DPS crime labs processed more than 50,000 analyses in 1976. Laboratory personnel were involved in 1,250 court appearances in 1976.

—Before 1976, DPS collected crime data from law enforcement agencies across the state through its *Texas Crime Reports*. On January 1, 1976, DPS cooperating with the FBI, began administering the collection, processing, and dissemination of the FBI *Uniform Crime Reports* for Texas through an LEAA discretionary grant. (See Part One.)

—With CJD assistance, DPS's Statistical Analysis Center (SAC) helped prepare a plan for Texas to insure security and privacy of criminal history record information.

—An LEAA-funded drug diversion investigation unit coordinates efforts of state and selected local agencies to collect intelligence and prepare cases against persons involved in diverting controlled substances at the retail level.

—During a year-long period ending December 31, 1976, the department's training academy in Austin conducted 69 schools for Texas law enforcement officers. Enrollment totaled 3,018. Topics included basic criminal investigation, burglary and theft investigation, crime scene search, supervision, firearms instruction, techniques of group instruction, identification techniques, latent prints, narcotics, organized crime, homicide investigation, police photography, rape investigation, polygraph, in-service training, recruit training, and police-community relations. Many courses were CJD funded.

—A major responsibility of the Texas Ranger Service is to assist local law enforcement officials in investigation of major crimes. During 1976 Rangers investigated 5,100 offenses and made 1,600 arrests resulting in 800 convictions.

—DPS narcotic service is responsible for enforcing the *Controlled Substances and Dangerous Drug Acts*. The department cooperates with local, state, and federal officers in an attempt to suppress illicit drug traffic. During 1976 department personnel investigated 1,816

drug related offenses and filed 1,308 charges resulting in 516 arrests. The *Controlled Substances Act* gives DPS administrative responsibility for registering each person who manufactures, distributes, analyzes, or dispenses any controlled substance in Texas. More than 27,000 professional persons have been registered. This program has received CJD funding assistance.

—A unit to reduce automobile theft statewide, initiated with CJD funding, focuses on organized and commercial theft rings. During 1976 DPS motor vehicle theft unit investigations resulted in 431 charges filed and 78 indictments returned. Value of stolen vehicles recovered was \$4,490,000 and stolen parts recovered amounted to \$151,850. The unit assisted local law enforcement agencies in 2,150 incidents as well as coordinating automobile theft control activities and providing specialized training for DPS and local enforcement personnel.

—The department collects, maintains, and disseminates criminal justice data. Computerized data bases include records of drivers licenses, wanted persons, stolen vehicles and other property, and felony criminal histories.

Consistent increase in the number of arrest fingerprint cards, disposition reports, and other documents has caused serious space and record-management problems. Microfilming of these documents is expected to relieve congestion and increase manageability of criminal history files.

Through a CJD grant, more than one million criminal histories have been computerized. All current criminal histories are being computerized.

—Data are available to all authorized criminal justice agencies through a large-scale landline communication system. This message-switching system, funded by CJD, enables authorized criminal justice agencies immediate access to the DPS computer. It also provides access to data bases outside DPS, including Texas motor vehicle registration, the National Crime Information Center (NCIC), and driver and motor vehicle files in other states.

DPS mobile communication also has been upgraded with CJD assistance. High band radios have been installed in more than 1,100 DPS mobile units and 29 base stations have been improved.

Adjutant General

The Adjutant General's Department directs and administers Texas' military activities in time of peace. The department's law enforcement mission is "on order of the Governor, to provide state military forces to assist civil authorities in preserving peace, order, and public safety." The adjutant general contributes to state riot and disorder control plans and has developed plans for

possible emergencies. The department supplies military support for civil authority.

Alcoholic Beverage Commission

Texas Alcoholic Beverage Commission regulates the alcoholic beverage industry. One commission function is enforcing laws relating to operation of alcoholic beverage businesses and alcohol consumption. TABC has an enforcement division of 233 sworn peace officers.

Office of the Consumer Credit Commissioner

This office licenses and regulates companies handling small loans and enforces state laws pertaining to installment loans, secondary mortgage loans, and retail installment sales. It is responsible for enforcing state laws against deceptive trade practices.

The commissioner has authority to investigate violations of Texas statutes pertaining to the vending machine industry and its relationships with businesses selling or serving alcoholic beverages.

Board of Private Investigators and Private Security Agencies

This board is responsible for examining and licensing private detectives, investigators, patrolmen, guards, and managers of such services; security services; armored car services; courier services; and guard dog services operating in Texas.

During 1975 the board received statutory authority to commission security officers to carry arms while on duty. Security personnel are permitted to carry weapons only with board authority.

The board is responsible for establishing training requirements. By statute, security personnel must receive at least 25 hours of training relevant to their responsibilities.

Texas Parks and Wildlife Department

The Parks and Wildlife Department is responsible for enforcing more than 1,000 general, special, and regulatory statutes. The department has a separate law enforcement division including 350 wardens who are commissioned peace officers. As commissioned peace officers, wardens are required to enforce all state statutes, both criminal and civil.

The department's training academy is approved by TCLEOSE. Each cadet warden receives about 950 hours

preservice training in law enforcement. Wardens are required to attend a 40-hour in-service training course annually.

Because they often patrol sparsely populated areas, wardens assist primary law enforcement officers in providing police service.

Texas Commission on Law Enforcement Officer Standards and Education

This commission is charged with upgrading the professionalism of law enforcement through enactment and enforcement of minimum standards for appointment and training of Texas peace officers.

In addition to the certification process, the agency has authority over law enforcement training, education, and appointment standards and is responsible for conducting research and studies in the field of law enforcement and for assisting local governments in establishing effective law enforcement management practices.

Since September 1, 1970, more than 40,000 persons have been certified as law enforcement officers in Texas, including 3,184 who were certified under a grandfather clause. Of the total, 13,193 were certified during 1976. More than half the total have received training qualifying them for intermediate or higher certification.

Texas now has a fully transferrable college law enforcement core curriculum. Commission representatives visit college campuses on which these programs are offered at least twice each year to evaluate instruction, textbooks, and facilities and to counsel and encourage students to pursue professions in law enforcement.

Forty-seven active police academies have been certified by the commission and operate under its general supervision.

TCLEOSE training division conducted 124 schools, training a total of 2,280 officers representing 779 agencies, in the year ending December 31, 1976.

Ten TCLEOSE field service consultants provide assistance to units of local government, conduct investigations, and enforce the minimum standards. Two-thirds of the consultants' time is spent assisting local agencies, a ratio indicative of the commission's effort to cooperate with local agencies whenever possible.

TCLEOSE consultants also study local law enforcement agency information needs, design record and communication systems to meet them, and train officers and managers to use the systems.

FEDERAL

The Federal Bureau of Investigation is responsible for handling most federal-statute and interstate-law viola-

tions. FBI offices are located in Dallas, El Paso, Houston, and San Antonio. Agents stationed throughout the state assist local law enforcement officials on request.

Other federal agencies aiding Texas law enforcement efforts are the Customs Bureau, Drug Enforcement Administration, Office of Immigration and Naturalization Service, Border Patrol, Secret Service, Department of Agriculture, postal inspectors, federal marshals, and Internal Revenue Service Intelligence.

Military intelligence units primarily deal with personnel security work, but cooperate with local officials on request.

Courts

DEFENSE

Each person arrested must be told of his or her right to secure a lawyer for defense. Since 1958 Texas has had statutory provision for defense of indigents charged with criminal offenses. Courts have construed the statute to require legal defense in all cases in which incarceration is a possible sanction.

Appointment of counsel for indigent defendants also is required in all juvenile delinquency proceedings.

Each court is required by statute to set a reasonable fee, no less than \$50, for each indigent case. Counties must provide the necessary funds.

Defense counsel is appointed by each judge from a list of eligible attorneys compiled and maintained by the judge or the local bar. Law schools in Harris, Dallas, and Travis counties provide some counsel for indigent defendants. Projects at the University of Texas and SMU law schools enable law students under faculty supervision to represent indigent defendants in court.

To supplement court-appointed counsel, one county employs a public defender system. Tarrant County, one of the state's six major metropolitan areas, assigns a public defender to each of five criminal district courts to represent indigent defendants. In 1975, five Tarrant County public defenders handled 708 cases.

Training for defense lawyers is available through the State Bar and Texas Criminal Defense Lawyers Association. The association provides legal seminars to develop defense skills and periodic publications to inform defense lawyers of recent developments in criminal law. Criminal Defense Lawyers Project, cosponsored by the State Bar and the association, is designed specifically to upgrade the quality of legal representation for indigent defendants.

PROSECUTION

Prosecutors at all levels of the judicial system are responsible for pursuing formal charges against alleged offenders and representing the state in matters before the court.

Municipal Court

Each city government may create the office of city attorney to handle the municipality's legal business, represent the city in appropriate litigation, and prosecute alleged violators of city ordinances. The office may have both civil and criminal responsibility. This attorney has criminal responsibility only before the municipal court. Each city determines its attorney's salary and staff. If the office of city attorney is not created, as is true in many smaller cities, private attorneys are retained or paid on an agreed basis. There are 688 offices of city attorney in the state.

County and District Court

Responsibility for prosecution of felony and misdemeanor violations of state statutes is distributed among the offices of 317 elected prosecutors. Each prosecutor is classified as either county attorney, county and district attorney, constitutional district attorney, or criminal district attorney. A county attorney normally prosecutes only misdemeanor cases, a constitutional district attorney only felonies. In some counties the county attorney prosecutes both felony and misdemeanor cases. A criminal district attorney is a district attorney who prosecutes both. An area may be served jointly by a county attorney and a constitutional district attorney or solely by a county attorney or a criminal district attorney.

County Attorney

The constitution requires each county to have a county attorney to represent the state in misdemeanor cases unless the position of criminal district attorney is created by statute to prosecute both felony and misdemeanor violations. The county attorney may prosecute only misdemeanors in county and justice of the peace courts and has no jurisdiction for felony prosecution in district courts unless specifically designated by statute as the "county and district attorney." In many counties, the county attorney assists the district attorney in felony matters. (In Harris County the county attorney has only civil jurisdiction.)

The county attorney is elected to a four-year term. There are 194 county attorneys in Texas. This type of prosecutor is found primarily in less populous portions of the state. In rural areas the county attorney generally operates a "one person" office. Salary of the county attorney and extent of staff, furniture, fixtures, and library are determined by the commissioners court. The county attorney is not prohibited from engaging in private law practice and in many rural areas must rely on private practice to supplement his or her income.

In counties in which no district attorney's office has been statutorily created, the county attorney is designated by the legislature to represent the state in all criminal matters. There are 19 county attorney offices with both county and district court responsibility.

Constitutional District Attorney

The state constitution provides for election of a district attorney to prosecute felony cases in each judicial district authorized by statute. There are 71 such districts, each comprising one to six counties. Where districts overlap, a county may be served by more than one district attorney.

Individual statutes must be examined to determine which county or counties are included in the district and what staff is provided. Each district attorney is elected to a four-year term and is paid a salary of \$24,800 by the state. Some counties also provide salary supplements.

In addition to prosecuting felony criminal cases in district court, the district attorney is expected to advise law enforcement agencies about handling felony cases.

Criminal District Attorney

The legislature may create the office of criminal district attorney to prosecute both felonies and misdemeanors in a one-county district. Creation of a criminal district attorney automatically abolishes the positions of county attorney and district attorney in that county.

Currently 29 offices of criminal district attorney exist in Texas. Each criminal district attorney is elected to a four-year term. Eight receive a state salary of \$24,800, the rest are paid salaries determined by individual statutes. Criminal district attorneys in most judicial districts are provided expenses while performing their duties, not to exceed \$750 per county and \$6,000 maximum.

Criminal district attorneys are not prohibited from maintaining private law practices. Because of the salary supplement paid, it is unusual for a criminal district attorney in a metropolitan area to maintain a private law practice. However, some rural prosecutors must rely on

private law practice to supplement their incomes.

In Harris County the district attorney handles all criminal matters but has no civil jurisdiction.

Appellate Court

State's Attorney

The office of the State Prosecuting Attorney Before the Court of Criminal Appeals (state's attorney) was created by statute in 1923. The state's attorney is appointed by the Court of Criminal Appeals for a two-year term. He must have had at least five years' experience as a practicing criminal attorney in Texas. His salary is \$33,100. His primary responsibility is to represent the state in all proceedings before the Court of Criminal Appeals, the highest state court with criminal jurisdiction.

There are no statutory provisions for assistants to the state's attorney. CJD initially funded an assistant state's attorney, a position that now is provided for by legislative appropriation.

The state's attorney is required by statute to review all cases presented to the Court of Criminal Appeals to determine whether they were properly tried and appealed and whether all points have been sufficiently briefed. He presents the state's viewpoint to the Court of Criminal Appeals. Sometimes it is necessary for the state's attorney to file briefs supplementing or introducing legal points that the local prosecutor did not present or document adequately in the brief to the Court of Criminal Appeals. Another duty of the state's attorney is to argue cases before the Court of Criminal Appeals when he deems it necessary.

In addition to statutory duties, the state's attorney consults with district and county attorneys on legal and prosecutorial problems. The state's attorney often is called on to consult with local trial judges on writs of habeas corpus and appellate matters.

COURTS

Municipal Courts

Municipal courts are created by statute to hear cases involving city ordinance violations. Almost all their time is consumed in processing traffic offenses. Municipal courts also have concurrent jurisdiction with justice of the peace courts over violations of state misdemeanor laws when the possible sanction is limited to a fine of \$200 or less.

There are approximately 1,000 municipal courts in Texas cities, towns, and villages. Metropolitan cities usu-

ally have more than one municipal court.

Municipal court judges may be elected or appointed. There are no statewide qualifications for the office. In 1977 the legislature passed an act to provide legal training for municipal judges who are not attorneys. They may attend a state supported university or a facility approved by the Texas Judicial Council to obtain additional legal training. Terms, which vary from one year to an indefinite period, are determined by the city's governing body. Salary is set by city charter or ordinance and in 1974 ranged from \$0 to \$26,500.

Houston, Wichita Falls, El Paso, Fort Worth, Midland, and Sweetwater have permissive authority to make their municipal court a court of record. Each city may create as many courts as necessary to dispose of cases.

Municipal courts in 214 cities with populations of 5,000 or more are asked to report court activity to Texas Judicial Council. These cities account for 71 percent of the state's population. Of the 190 courts that reported activity in 1976, 159 reported for the full 12 months.

Traffic cases comprised 83 percent of cases filed in reporting courts. Of all cases filed in 1976, 95 percent were disposed of during the year. Seventy-two percent of all dispositions were made before trial, 10 percent at trial, and 13 percent were dismissed.

Justice of the Peace Courts

The state constitution provides that each county be divided by the county commissioners court into not less than four nor more than eight precincts. A justice of the peace is elected in each precinct. In any precinct with 8,000 or more residents, two justices are elected. There are about 900 justices of the peace in Texas.

Justice of the peace courts basically have jurisdiction in all criminal offenses for which the penalty or fine to be imposed does not exceed \$200 and in civil cases in which the amount in controversy is \$200 or less. Appeal is to the county court.

In many counties felony and misdemeanor complaints are filed first with the justice of the peace.

Of the 903 justices of the peace receiving Texas Judicial Council requests for court activity data, 680 responded. Of those responding, 569 submitted reports for all 12 months of 1975.

During 1975 traffic cases comprised 70 percent of all cases filed in the reporting courts.

Eighty-four percent of all cases filed were disposed of. Seventy-eight percent of dispositions were made before trial. Total revenue collected exceeded \$26 million.

The justice of the peace is elected for a four-year term. Compensation is determined by the commissioners court, subject to certain statutory requirements, and

ranged from \$18 to \$24,000. No qualifications for office are specified. About six percent of the justices are attorneys.

County Courts

Each Texas county has a "constitutional" county court, but not all 254 courts perform judicial functions. The county court has limited subject jurisdiction including civil, criminal, original appellate, and general probate. It has exclusive original jurisdiction over all misdemeanors for which the fine exceeds \$200 or a jail sentence not exceeding two years may be imposed. Decisions from municipal and justice courts may be appealed to the county court.

Each county judge is elected for a four-year term. The legislature determines the judge's salary or salary range, generally in proportion to county population. The judge is paid by the county. Salaries ranged from \$600 to \$40,000. The county judge must be well informed on state law, but need not be an attorney.

The "constitutional" county judge also is the presiding officer of the county commissioners court and performs many administrative duties.

In addition to the constitutional county courts, the legislature has created "special" courts primarily in metropolitan areas to relieve the constitutional county judge of all or part of his or her judicial duties. These courts are known as county courts at law, county civil courts at law, county criminal courts of appeals, county criminal courts, county criminal courts at law, and county probate courts. The court's title does not always disclose all its functions. Statutory authorization for each of these 91 special county courts defines judicial qualifications, salary or salary bracket and functions. Some of the statutory authorizations require the judge to have two to five years' experience as a practicing attorney and residency in the county. Salaries vary from \$5,764 to \$39,088. Of these special county courts, 14 deal only with probate or civil matters.

The county clerk is custodian of the county courts' records except in Harris County where the district clerk keeps all criminal records for district and county courts. The county clerk is elected for a four-year term.

In Bell, Bexar, Dallas, El Paso, Harris, Nueces, and Travis counties, court coordinators assist county court judges in setting dockets and organizing and administering non-judicial activities.

Criminal cases constituted over 64 percent of the 365,994 new cases filed or appealed from lower courts. Twenty-nine percent of the county courts' criminal caseload was for driving while intoxicated, 13 percent for worthless checks, and 10 percent for violations of laws concerning marijuana possession or delivery.

County courts disposed of 45 percent of total cases on docket. Forty-one percent of the criminal cases in county courts were disposed of following a plea of guilty or "no contest." An additional 38 percent were dismissed.

Only three percent of the criminal cases went to trial.

County courts disposed of fewer cases than were filed during the year, increasing case backlog nine percent.

District Courts of General and Special Jurisdiction

This discussion includes both district courts exercising general jurisdiction and special district courts with limited jurisdiction over criminal, civil, and family law matters. A total of 319 district courts of varying jurisdiction are responsible for all cases originating at or appealed to the state trial level.

District Courts

District courts are trial courts of general jurisdiction, having original jurisdiction in all felony criminal cases and civil matters in which the contested amount is \$5,000 or more.

State district courts were established in 1876 by the state constitution. Since that time, 250 district and criminal district courts have been created. Each has its own judge and geographic jurisdiction.

While most district courts exercise both civil and criminal jurisdiction, state statutes give some courts exclusive criminal jurisdiction or designated preference of criminal jurisdiction. Jurisdictions of a few district courts have been expanded by statute to include subject matter normally handled by county courts. District courts with exclusive criminal jurisdiction or designated preference of jurisdiction usually are in metropolitan areas, while those with expanded jurisdiction frequently are in rural areas.

In 1977 the legislature replaced 29 existing juvenile and domestic relations courts with "family district courts of general jurisdiction." Seven new district courts with primary family law jurisdiction also were created. These 36 courts have overlapping or concurrent jurisdiction with other district courts in the county or counties in which they are located. Family district court judge qualifications, term of office, salary, and other benefits are the same as those of other district judges. These acts will become effective on September 1, 1977.

Each district judge is elected for a four-year term and must be at least 25 years old and a United States and Texas citizen. Preceding election, he or she must have been a licensed attorney and practicing lawyer or judge

for four years and a resident of the district two years. In 1976 district judges were paid a \$32,800 salary from state appropriations. This amount may be increased by supplements authorized by statute and paid by individual counties. A district judge's total salary, including county supplement, cannot exceed \$1,000 less than the salary of the Court of Civil Appeals judge in whose district he or she resides.

Caseload

From 1975 to 1976 the 261 district and special courts experienced a two percent increase in new cases filed. New civil cases filed increased 20 percent. New criminal and juvenile cases declined six and 13 percent respectively. Criminal cases accounted for 19 percent of all new cases filed in 1976 and juvenile cases three percent.

Of the criminal cases, 21 percent involved a charge of burglary, 19 percent theft, seven percent robbery, five percent felony DWI, and 14 percent drug offenses.

District courts disposed of 48 percent of the total cases on their dockets. An average of 1,262 cases per judge was disposed of in 1976, a two percent increase over 1975.

Of the 71,630 criminal cases disposed of, 56 percent resulted from the defendant entering a guilty plea. Including these pleas, the defendant was convicted in 59 percent of the cases and acquitted in 1.1 percent. Approximately 38 percent were disposed of by dismissal. The remaining cases were change of venue or transferred to county court.

District courts assessed 20 death sentences and 372 life sentences during 1976. They committed 7,829 persons to TDC and 2,910 to local jails. More than 3.6 million dollars in fines were assessed.

On December 31, 1976, 357,353 cases were pending in district court, a six percent increase over 1975.

District Clerk

The district clerk is custodian of the district courts' records. The clerk is elected in each county for a four-year term.

Court Administrators and Coordinators

In 54 counties, court administrators or coordinators assist district judges in setting trial dockets and effectively organize and administer all non-judicial activities of the court.

The Office of Court Administration was established

by the 65th Legislature, effective April 5, 1977. Under the direction of the Supreme Court, the office will undertake efforts to ensure efficient administration of courts. This office is to consult directly with court administrators and coordinators in the formation of recommendations to the Supreme Court.

Administrative Judicial Districts

The state is divided into nine administrative judicial districts. In each of these districts the Governor designates an active or retired district judge as presiding judge. The presiding judge is required to call an annual conference, and special conferences as necessary, of the district judges in his administrative district to discuss operations of the district courts and arrange for disposition of pending cases. He or she also is responsible for assigning any judge in the district to hold court to dispose of accumulated business in any other district court. Other judges also may be so assigned when the regular district judge is absent, disabled, or disqualified.

Appellate Courts

Texas is one of two states with two courts of final jurisdiction. The Supreme Court of Texas hears only civil cases (including decisions under juvenile statutes). The Court of Criminal Appeals reviews only criminal cases. To reach the state Supreme Court, a civil case first must be heard in one of the state's 14 intermediate Courts of Civil Appeal. There are no intermediate criminal appellate courts between the state's more-than-500 trial courts and the Court of Criminal Appeals.

Courts of Civil Appeals

The courts of civil appeals were established in 1891 by the state constitution. There are 14 such courts, each of which has a chief justice and two associate justices. Each court has jurisdiction to hear appeals for civil cases from the trial courts in its district. Judges' qualifications are the same as those required of members of the Texas Supreme Court. Justices are elected to six-year overlapping terms. Each chief justice receives an annual salary of \$42,300, each associate justice \$41,800. These salaries may be supplemented by county governments in the district. Total salary must be at least \$1,000 less than that received by a Supreme Court justice.

Average time between the filing of a case in a court of civil appeals and its disposition was 5.5 months, ranging from 3.75 months in the Dallas court to seven months in the Fort Worth and El Paso courts. At the end of 1976,

978 cases remained on the courts' dockets, a 15 percent increase over the previous year and 52 percent higher than the 10-year average.

Appeal is to the Texas Supreme Court.

Supreme Court

The Texas Supreme Court was established in 1876 by the state constitution.

The Supreme Court is the highest state court for civil appeals, including cases involving juveniles. It generally hears appeals only from the state's 14 courts of civil appeals. It also promulgates the rules of civil procedure for all courts of the state.

It comprises a chief justice and eight associate justices who are elected for six-year overlapping terms. Each must be a citizen of the United States and of Texas. Each must be at least 35 years old, with at least 10 years experience as a practicing lawyer or as both a lawyer and judge of a court of record. The chief justice receives an annual salary of \$47,900, each of the eight associate justices \$47,400.

Court of Criminal Appeals

The Court of Criminal Appeals is the highest state court for criminal appeals and handles criminal appellate matters from more than 500 trial courts. The court has the largest caseload of any state appellate court in the United States, partly because of the absence of an intermediate criminal appellate court system. The court's workload is further increased by a *Code of Criminal Procedure* provision requiring the court to deliver a written opinion in each case it decides. It issued 2,177 written opinions in 1976, 16.5 percent more than in 1975.

During 1976, 2,458 new cases were filed, a 32 percent increase from 1975. In 1976 the court disposed of 67 percent of all cases docketed during the year or carried over from 1975.

The Court's backlog increased significantly in 1976. At the end of 1976, 1,075 docketed cases were pending, 54 percent more than 1975 and 9.7 percent greater than the 10 year average of 546.

According to a recent TJC study, time required to process a case in the Court of Criminal Appeals has decreased from three and one-half months in 1975 to about three months. Total time from initial indictment to final appellate decision is about two years. During the four-year study period, the most significant decrease in processing time was at the Court of Criminal Appeals stage. TJC attributes this decrease to the court's increase in efficiency in 1973, 1974, and 1975, years during which CJD funded a major staffing assistance program to the court.

The court was established in 1891 by the state constitution. It has five judges, including a presiding judge. Qualifications are the same as those for the Supreme Court. Judges are elected for six-year overlapping terms. The presiding judge receives an annual salary of \$47,900, each of the four other judges \$47,400. Average length of service with the court is 10 years.

To reduce judges' workload, the legislature in 1971 enabled the Court of Criminal Appeals to maintain two permanent commissioners for two-year terms and to appoint as many temporary commissioners as the presiding judge deems necessary. Commissioners are responsible for aiding elected judges in deciding matters before the court and in writing opinions. Once adopted by majority of elected judges, commissioners' opinions carry the same weight and legal effect as those handed down by the court itself. Currently, there are two permanent and two temporary commissioners serving the court. Average length of service with the court is three years. Salary is the same as that paid the elected judges.

In addition, an executive administrator and four assistants screen and summarize cases and perform other administrative duties. Five research assistants and nine briefing attorneys are assigned to assist the judges and commissioners.

Federal Courts

District Court

There are four federal judicial districts in Texas.

The Northern District (Dallas) has a chief judge, five judges, and eight magistrates; the Eastern District (Beaumont) a chief judge, two judges, and six magistrates; the Southern District (Houston) a chief judge, seven judges, and eight magistrates; and the Western District (San Antonio) a chief judge, four judges, and 18 magistrates.

Each district has a United States attorney and a legal staff commensurate with its caseload.

Fifth Circuit Court of Appeals

This court, located in New Orleans, hears federal appeals from Alabama, Florida, Georgia, Louisiana, Mississippi, and Texas. It comprises a chief judge, three senior circuit judges, and 15 circuit judges. The chief judge and three circuit judges are from Texas.

ADMINISTRATIVE AND SUPPORT AGENCIES

Attorney General

The office of attorney general was created by the constitution of the Republic of Texas in 1836 and presently is established under the state constitution adopted in 1876. The attorney general, chief legal officer of the state, is elected for a four-year term and receives an annual salary of \$40,500.

The constitution enumerates duties of the attorney general's office. Several hundred civil statutes confer both general and specific duties on this office. The attorney general performs two primary functions: (1) giving legal advice in the form of opinions to the Governor, state agencies, legislative committees, and county authorities and (2) representing the state in civil litigation.

The office of attorney general comprises about 130 attorneys and 90 secretaries and other support staff members. About one-fifth of these employees work directly in activities affecting the criminal justice system. Attorney salaries are \$12,000 to \$30,200. Average salary is \$17,500.

Several divisions of the attorney general's office deal primarily with criminal justice agencies and activities.

Law Enforcement Division

Primary function of this division is to represent the state in criminally-related litigation including federal cases questioning the constitutionality of state statutes, extradition hearings, postsentence writs of habeas corpus, civil rights suits, and injunctive matters pertaining to civil disturbances involving state agencies and institutions.

Eighteen assistant attorneys general are assigned to this division. During the last several years petitions for post conviction relief have increased the division's workload. Average caseload for an attorney in this division is 50 cases.

Crime Prevention Division

This division was created with CJD funds to act as liaison between the attorney general and law enforcement agencies throughout the state and to provide technical assistance and informal advice on complex legal questions to law enforcement and judicial officials and organizations.

Technical assistance is made available through a series of publications, participation in regional seminars on law

enforcement problems, and a statewide WATS line for law enforcement officials' use in seeking legal advice from the division.

The division comprises two attorneys and two secretaries.

Organized Crime Task Force Division

The task force assists prosecutorial and law enforcement agencies, when requested, in gathering, analyzing, and evaluating organized-crime intelligence and in prosecuting organized-crime cases.

The task force, funded by CJD, is composed of six attorneys, an accountant, and three investigators are officed in Austin. Other attorneys are located in Houston, Dallas, San Antonio, and McAllen.

The task force responds to requests of local prosecutors. Most investigations have involved white collar crime. The task force maintains close relationship with DPS Organized Crime Division, Intelligence Service.

Texas Judicial Council

The 18-member Texas Judicial Council, established in 1929, is responsible for gathering, disseminating, and analyzing information on the judicial system. Results are made available to criminal justice agencies and the legislature for planning, evaluating, and improving court operation.

The council collects information and statistics on the amount and character of civil and criminal business transacted by Texas courts. A justice, judge, clerk, or other officer from each district, county, justice of the peace, and municipal court is required by statute to supply to the council all information requested. Failure or refusal to provide this information may result in civil proceedings against the officer.

TJC reports were generated from information received from county clerks in 245 of the state's 254 counties in 1976. Activity for all of 1976 was reported by 569 justices of the peace. An additional 111 made partial reports. From municipal courts, 159 complete and 28 incomplete reports were received.

In addition to monthly statistics collected, the council prepares special reports on such subjects as time lags between steps in the appellate system and local court rules of procedure. Recently the council developed a new information system to centralize and upgrade data collection on juvenile delinquency and juvenile justice system.

Most court-related statistics and analysis included throughout this *Plan* are provided to CJD by TJC.

Judicial Qualifications Commission

The Judicial Qualifications Commission is a nine-member agency responsible for overseeing judicial qualifications.

This commission receives and considers information, complaints, and reports pertaining to misconduct or disability of particular judges or justices; makes preliminary investigations; and conducts hearings. The commission may request the Texas Supreme Court to appoint an active or retired district judge or justice of a court of civil appeals as a master to hear evidence and report findings to the commission. If, after either a hearing or a report of a master, the commission finds cause, it recommends to the Supreme Court the removal or retirement of the justice or judge in question. A constitutional amendment adopted in 1970 expanded the commission's jurisdiction to cover all justices and judges and added the sanctions of censure or private reprimand.

During 1976, 89 complaints were on the commission's docket, compared with 73 in 1975. Of these complaints, 51 were dismissed, one resulted in a reprimand, one in a resignation, one in a removal, and the remaining 35 were pending.

State Bar of Texas

The State Bar of Texas, established by the legislature in 1939, is composed of all persons practicing law in the state.

The agency's purposes include advancement of the administration of justice and improvement of relations among the judiciary, attorneys, and the public. It also is an administrative arm of the Texas Supreme Court.

The State Bar currently is operating several criminal justice programs described in the following text.

Texas Center for the Judiciary

The center, funded by CJD, coordinates judicial training in Texas. Before 1973 no single agency or staff coordinated training programs and seminars or responded with pertinent information when new problems and legislation arose. The center assists about 1,500 criminal justice officials through presentation of training seminars, funding for attendance at nationally recognized colleges, and distribution of publications.

In addition to providing educational programs and materials for the judiciary, the center has prepared a community-based corrections component of the *Adult Corrections Master Plan for Texas*. This study documents existing services and identified gaps, thus providing a base for long- and short-term corrections planning.

Texas Center for Correctional Services

The center for correctional services primarily is responsible for administering programs to provide legal counsel to indigent parolees and Texas Youth Council wards. It also is expected to recruit volunteers in corrections and develop training programs in correctional law. Specifically, the center provides legal counsel to indigent parolees and TYC wards at on-site revocation hearings, one-to-one counseling by State Bar members with parolees, and training for senior parole officers assigned to preside over revocation hearings.

Criminal Defense Lawyers Project

Increasing complexity of criminal law, changing concepts of the rights of the accused, and the obligation to insure proficient defense counsel necessitates adequate defense training. The State Bar currently prepares and administers training courses to increase the number of skilled criminal defense lawyers available to represent indigent defendants.

Courses and printed material assist lawyers to develop practical defense skills and to familiarize themselves with pertinent state and federal laws. Anticipating service as indigent defense counsel, 830 lawyers across the state participated in these seminars. Another 1,500 used the project's printed materials.

Texas Justice of the Peace and Constables Association

Most Texas justices of the peace are not attorneys and have not had formal instruction in the law or duties of the office prior to election. In conjunction with Southwest Texas State University this association provides training to help justices of the peace keep up with current laws and procedures.

When the training programs began in 1970, they were the first offered to local courts since Texas became a state. Both 40 hours preservice and 20 hours inservice training now are required by statute. Since 1971, 989 judges have received a 40-hour course. Since September 1, 1976, 631 judges have completed 20-hour courses.

In addition, the association makes available to each judge a benchbook providing practical legal information and court procedures.

Texas Prosecuting Attorneys Coordinating Council

In 1977 the legislature created and made provisions for a prosecuting attorney's coordinating council to de-

liver technical assistance, educational services, and professional development training to prosecutors and their assistants. This council also is to establish a mechanism to take proceedings against and remove a prosecuting attorney for incompetency or misconduct. The Texas Prosecuting Attorneys Coordinating Council will not become operational until January, 1978.

Texas District and County Attorneys Association

This association provides support and coordination for the state's 314 prosecutors' offices. It is a nonprofit organization composed of all prosecutors and their assistants throughout the state. Among the association's programs are:

- Developing and implementing training seminars for prosecutors. During 1976, 987 prosecutors attended four statewide association-sponsored seminars.

- Providing travel and subsistence to prosecutors attending training seminars.

- Publishing a monthly newsletter.

- Publishing training and instructional handbooks and manuals for use by prosecutors and other law enforcement personnel.

- Conducting on-site evaluation of CJD-funded projects in prosecutors' offices throughout the state.

- Providing technical assistance to local prosecutors, serving as a clearinghouse for exchange of information and ideas, and coordinating activities with other prosecution agencies.

- Drafting legislation to meet identified needs of the criminal justice system and assisting in its consideration by the legislature.

Texas Criminal Defense Lawyers Association

Texas Criminal Defense Lawyers Association, established in 1971, seeks improved administration of justice by providing better qualified criminal defense counsel. The association sponsors criminal defense skills seminars and publishes information on criminal defense quarterly and monthly. In 1976 the association sponsored legal seminars serving approximately 1,000 lawyers. Another 830 were trained through the Criminal Defense Lawyers Project coordinated by State Bar and the association.

Law School Criminal Justice Projects

Law schools participate in administration of justice by:

—Producing attorneys who fill, as lawyers and administrators, operational and policy-making positions in the criminal justice system.

—Aiding in the definition and resolution of problems faced by all components of the criminal justice system through research and scholarship.

—Providing expertise on law reform.

In addition to providing useful employment experience for students, internship and clinical projects assist participating local, state, and federal agencies in meeting manpower needs and in solving complex problems requiring personnel above the minimum operational level.

Corrections

LOCAL

Jails

Before and during their trials, most alleged offenders detained are held in one of Texas' 325 local jails. Texas local jails include 235 county facilities, 60 jails in communities less than 25,000 population, and 30 in municipalities of 25,000 population or more.

Most local jails hold three classes of persons—awaiting trial, awaiting sentencing or extradition, or serving misdemeanor sentences. Until 1973 persons also awaited appeals in local jails. However, legislation now requires that offenders sentenced to more than 10 years be transferred to TDC after sentencing.

In 1970 the U.S. Bureau of the Census surveyed all jails that customarily hold persons for 48 hours or more. All qualified Texas jails reported.

In the 60 Texas jails in cities of less than 25,000, the ratio of inmates to full-time employees was 15 to 1. Only three states reported a higher ratio. In the 265 county jails or municipal jails in cities of more than 25,000 population, the ratio was about 10 to 1. Only one state had a higher ratio.

Most persons incarcerated in Texas jails had not been tried. Of the total inmate population, 64 percent had been arraigned and were awaiting trial and 27 percent had not yet been arraigned or were being held for other authorities. The remaining nine percent were awaiting the outcome of appeals or serving misdemeanor sentences.

A 210-county survey by TDC's research and develop-

ment division indicated that between November, 1973, and November, 1974, five Texas counties were not operating jails and an additional 12 were contracting with other counties to house some prisoners.

Approximately 68 percent of county jails did not provide 24-hour supervision for each cell block.

Ninety-three percent of Texas county jails indicated they did not provide preservice training other than law enforcement certification and only 18 percent had programs for annual inservice training.

Probation

Texas statutes provide probation as an alternative to incarceration for many crimes. Maximum probation is 10 years.

A person sentenced to probation is free to live in the community, work, and support his or her family. A probationer is required, however, to fulfill requirements set forth at the time of his or her probation. Conditions of probation often include such restrictions as not leaving the county without probation officer permission, remaining employed, supporting his or her family, making restitution, and not drinking or using narcotics. In addition, each probationer is required to report periodically, usually once a month, to a probation officer and to pay a probation fee to the county.

If a probationer violates the terms of probation set by the court or is convicted of another crime, the probation officer, through the prosecuting attorney, may file a petition to revoke probation. If the court revokes probation, the offender is sentenced to the county jail if the probated sentence was for a misdemeanor or to Texas Department of Corrections if it was for a felony.

On successful completion of a probated sentence, a probationer is released from supervision.

After one-third of the probationary period or two years, whichever is less, the period of probation may be reduced or terminated by the court on recommendation of the probation officer, if the probationer's conduct has been exemplary and if, in the opinion of the court, the best interest of society and the defendant will be served.

On successful completion of probation, the preceding actions will not be deemed a conviction and all disabilities will be restored.

Each district judge with criminal jurisdiction is authorized to create, with advice and consent of the commissioners court, an adult probation department. Education and experience qualifications for probation officers are set forth in statute. Qualifications are a law license, college degree and two years experience, or two years of college and four years experience.

Duties and responsibilities of a probation officer, in addition to those required by statute, are prescribed by

the judge or judges responsible for the establishment of the probation department.

While it may not be in the best interest of society or the defendant, a judge can grant probation even though there is no formal probation department established in the judge's jurisdiction. In these instances a deputy sheriff or some other person designated by the judge may carry out responsibilities of the probation officer.

CJD funds have provided for adult and juvenile probation service in more than 160 Texas counties. This funding established probation service in more than 130 counties and expanded existing service in approximately 30 counties. A total of 78 Texas counties established probation services without CJD assistance.

Use of probation as an alternative to incarceration has increased in Texas during the past decade. However, during the last year a slight decrease has been noted. In 1975, 23,733 persons were placed on probation, an increase of 18 percent over 1974, while in 1976 there was a four percent decrease. Furthermore, in 1976 one-half of the felons convicted received probation, compared to two-thirds in 1975.

Use of probation as a sentencing option throughout Texas may be attributed largely to development and implementation of new and expanded probation services brought about by CJD funding during the last seven years.

In 1977 the legislature created a state probation commission to assist individual counties in meeting financial and procedural problems involved in providing probation services. Expanded use of probation instead of incarceration may follow. The commission will be organized in September, 1977, and is expected to be fully operational September 1, 1978.

STATE

Texas Department of Corrections

Texas Department of Corrections is responsible for institutional confinement and care of adult criminals committed by district courts. Headquartered in Huntsville, TDC is under the general supervision of a nine-member board. TDC Director W.J. Estelle, Jr., is a member of the Criminal Justice Division Advisory Board.

TDC has 15 units. Inmate population on December 31, 1976, was 20,525, an eight percent increase over 1976 TDC population. Women comprised about four percent of the inmate population. Racial composition was 38 percent Anglo American, 44 percent Black American, and 18 percent Mexican American.

Organizational Divisions

TDC has seven organizational divisions: agriculture, business, construction, general counsel, industries, special services, and treatment. Each is headed by an assistant director. TDC's management system also includes an administrative department.

The agriculture division produces food commodities sufficient to feed the inmate and employee population, produces raw materials for use in industrial operations, and provides work experience for inmates.

Business division prepares TDC's annual and biennial budget requests, allocates funds obtained, and administers and accounts for all appropriated funds.

Construction division is responsible for constructing, renovating, and maintaining the department's physical facilities.

General counsel office advises the director and other administrative officials on legal matters pertaining to TDC operation.

Industries division is responsible for operation of industrial programs that produce materials needed in the department. It also offers products and services to qualified state agencies at prices that result in a considerable savings to Texas taxpayers.

Special services division is responsible for classification and records, photography and identification, personnel training, personnel management, and data processing.

Treatment division seeks to meet the resocialization needs of individual inmates by providing education and recreation, religious activities and counseling, physiological and psychological health care, community programs, and research and development.

Manpower

TDC employs about 2,950 persons. Ethnic composition of staff is 88.4 percent Anglo American, 6.9 percent Black American, 4.2 percent Mexican American, and 0.5 percent other. Women comprise 12.2 percent of the department's employees.

Of staff members, 40.6 percent have an undergraduate college education and 4.5 percent hold advanced degrees. Average length of employment with TDC is five years. Average employee age is 36 years.

The director's salary is \$40,500. Administrative salaries for 1977 include \$26,800 for assistant directors and a range from \$16,500 to \$37,800 for medical and clinical personnel. Correctional officer salaries range from \$8,628 to \$14,148, lieutenant \$12,816 to \$16,140, captain \$13,692 to \$17,244, major \$14,628 to \$18,420, assistant warden \$16,692 to \$21,000, and warden \$19,668 to \$28,248.

Inmate Profile

Of the 20,525 persons incarcerated December 31, 1976, the largest number (25.2 percent) were committed for burglary, followed by robbery (24.4 percent) and murder (12.5 percent).

Men most frequently were committed for burglary, robbery, homicide, and drug offenses, in that order, women for drug offenses, robbery, larceny, and theft, in that order.

Average range of sentences for male inmates was six to 14 years, females 5.8 years. Median age range of male population was 20 to 22 years, female median age was 26.6 years. Most common sentence was five to six years.

Ethnic composition was 44.9 percent Black, 37.7 percent Anglo, and 17.4 percent Mexican American.

Ethnic composition of the male population was 44 percent Black, 38 percent Anglo, and 18 percent Mexican American. Female population was 53 percent Black, 35 percent Anglo, and 12 percent Mexican American.

Most inmates (76.7 percent) had not been incarcerated at TDC before, 14.6 percent had been committed once, 5.4 percent twice, 2.2 percent three times.

While 34 percent of the male population previously had been incarcerated at TDC, only 20 percent of the female population had been.

More than three-quarters of the inmates (84.5 percent) had intelligence quotients of less than 110. Half were between 90 and 110. Average was 95.0.

Parole

The Board of Pardons and Paroles, created in 1936 by the state constitution, performs three primary functions: (1) investigating and recommending acts of executive clemency to the Governor, (2) investigating and recommending parole action to the Governor, and (3) general administration of the parole system. Both parole and executive clemency require affirmative action by the board and the Governor.

After one-third of his or her sentence to TDC or after 20 years, whichever comes first, an inmate is eligible for early release to parole supervision. Actual time served at TDC may be even less because of a TDC policy enabling inmates to accrue "good time" of up to two days for every day actually served with good behavior.

The case of each person eligible for parole is investigated and reviewed by the three-member Board of Pardons and Paroles, supplemented by six parole commissioners.

Members of the board are appointed for six year terms. The Governor, the Chief Justice of the Supreme Court, and the Presiding Judge of the Court of Criminal Appeals each appoint one member.

Parole commissioners were authorized by the legislature in 1975 to reduce the board's workload. They are appointed for six year terms also. Commissioners can make early release parole decisions under guidelines and policies set by the board. Early release parole decisions are subject to the Governor's approval.

During fiscal 1976 the board considered 16,797 cases for parole and recommended 5,212 (31.0 percent) to the Governor. Of those recommended, the Governor granted 4,365 (83.8 percent).

In addition to parole supervision provided those eligible for early release from prison, the 65th Legislature passed a significant piece of criminal justice legislation amending Article 42.12 of the *Code of Criminal Procedure* to provide for release to mandatory supervision for all inmates who have not been released to parole when calendar time served and good conduct time accrued equal the sentence imposed. While this act does not become effective until September 1, 1977, other states indicate similar programs have been successful. Such a major change can be expected to have significant impact on the criminal justice system and, ultimately, on crime.

Once an inmate has been granted parole, he is assigned to a district parole officer in his or her home area, who is responsible for assisting the parolee readjust to the "free world." A parole officer supervises the parolee and insures that the parole conditions are met. If, before expiration of parole, the person violates the terms of the parole or commits another crime, a revocation hearing may be held and the parolee returned to prison to serve the rest of his or her sentence. If the parolee fulfills parole conditions, he or she is released from supervision.

In addition to supervising parolee activities, a parole officer serves as a broker of community-based services for the parolee by referring him or her to appropriate human service agencies in the community.

FEDERAL

The federal government maintains the following correctional and rehabilitational units in Texas:

—Community treatment centers in Houston and Dallas.

—Minimum security correctional institutions in Seagoville and Fort Worth and medium security institutions in Texarkana and La Tuna. The Fort Worth facility is one of two coeducational federal institutions.

—Community services for federal parolees and probationers convicted for narcotic offenses. Offices are in Austin, Beaumont, Corpus Christi, Dallas, El Paso, Fort Worth, Houston, Edinburg, Laredo, San Antonio, and Waco.

—Employment placement offices in Dallas, El Paso, and Houston.

—Vocational training in union trades to inmates of the Fort Worth facility through AFL-CIO Federal Prison Training Program. Time spent in the program is credited to an apprenticeship in the trade, and placement services are available on release.

—Contract arrangements with private agencies in El Paso, Fort Worth, Houston, and San Antonio for pre-release and aftercare services.

—Probation and parole services based in the state's major metropolitan areas.

These units provide correctional services and programs for federal offenders from across the nation.

Juvenile Justice System

Texas has no single state agency charged with responsibility for juveniles. Thus there is no single source of information on services available to juveniles. A resulting lack of standardized data from juvenile justice agencies has rendered problem identification and goal measurement difficult.

Resources and methods for dealing with delinquency vary in each of Texas' 254 counties. Juvenile law enforcement units, courts, detention facilities, and correctional programs are not administered uniformly.

Recognizing this problem, interested agencies including CJD, Texas Judicial Council, Texas Center for the Judiciary, Texas Probation Association, Texas Youth Council, Sam Houston State University, the Lyndon B. Johnson School of Public Affairs, juvenile judges and juvenile probation officers, and local criminal justice planners began in 1975 to design workable instruments and a mechanism for collecting juvenile crime data and juvenile justice system information.

First, information was collected from 17 sample counties to pre-test the instruments and reporting procedures. On January 1, 1976, TJC began collecting basic information on juvenile court activity monthly from all 254 counties in the state, the results of which are included in this section. Concurrently, TJC initiated development of an instrument to be completed annually by each juvenile court to identify juvenile justice resources throughout the state. This latter instrument was distributed in August, 1976, and findings representing responses from 228 (90 percent) of Texas' 254 counties are included in this section.

LAW ENFORCEMENT

An estimated 100,000 juveniles each year come to the attention of agencies or sources in Texas that have

authority to refer youths to the juvenile justice system. Approximately 76 percent of these juveniles are actually referred for formal processing into the system. The remaining 24 percent are diverted, at this point.

This initial contact with the juvenile justice system is one of the key points at which juvenile diversion occurs. Primary function of diversion is to remove minor and first offenders from the juvenile justice system and link them to a network of prevention and rehabilitation services in the community, where appropriate.

Agencies or sources making juvenile referrals include law enforcement personnel and, to a lesser extent, school authorities, parents or guardians, or social agencies. During 1976, 86.2 percent of the juveniles referred were brought to the court's attention by law enforcement officers. Through initial contact, officers can have significant influence on a youth's response to the juvenile justice system. Professionals estimate juvenile officers need 40 to 80 hours of training each year in juvenile procedures. Most counties surveyed provide 40 to 100 hours a year of training in such areas as juvenile arrest procedures, legal rights of juveniles, the *Texas Family Code*, and psychology of youthful offenders.

An estimated 600 of Texas' 22,000 peace officers are assigned full- or part-time to juvenile units. Unit size and coverage depend on local delinquency levels. Fifty-five counties reported to TJC that at least one sheriff's deputy or police officer was assigned fulltime to juvenile cases. The six largest metropolitan areas provided 24 hour coverage, while many less populous areas reported that 15 to 20 hour juvenile coverage met their needs.

In 1976, CJD funded 18 projects to provide for juvenile units in police departments.

DIVERSION

Of the 76,000 actual referrals, only an estimated 17,000, or 22.4 percent proceed to court. The remaining 59,000 youths are diverted.

In addition to referral service, diversion programs often provide individual counseling and casework. Diversion services include day care programs, crisis intervention and emergency care, recreation, employment assistance, residential care facilities, and alternative education programs. During 1976 CJD funded 26 projects to divert status offenders from the juvenile justice system and institutionalization. These projects provided counseling, volunteer activities, and community resource development.

TYC funded 88 community assistance projects to provide counseling, psychological testing, and telephone hotlines to juveniles. Texas Department of Public Welfare also provided information and referral services on a statewide basis.

An extensive study by the Lyndon B. Johnson School of Public Affairs, concluded in late 1976, identified available community resources for diversion in each county.

Although successful diversion programs are operating in Texas, many counties have only limited access to such services. A juvenile may be detained no longer than two working days without benefit of a detention hearing. This hearing must determine whether it is desirable to continue holding the child in detention, transfer the child to a nonsecure residential facility pending final disposition, or release the child to his or her parents. For youths held in secure detention, subsequent detention hearings must be held every 10 days after the initial hearing until the date of the adjudication hearing.

COURTS

Five types of courts may have jurisdiction over juvenile cases in Texas: county courts, county courts at law, district or criminal district courts, and special district courts of family law jurisdiction. As a result of recent legislation, the judge of a designated juvenile court no longer must be a licensed attorney. However, if the juvenile judge is not an attorney, a disposition must be approved by a judge who is an attorney if requested by the juvenile or his parents. In each county, designation of the court(s) to serve as the juvenile court is made by the county juvenile board or, if there is no juvenile board, by the judges of the courts eligible for designation.

The TJC survey identified the following designation of juvenile court responsibilities throughout the state:

- District court, 189 counties, 74 percent
- County court, 45 counties, 17 percent
- Domestic relations court, nine counties, four percent
- County court at law, nine counties, four percent
- Statutory juvenile courts, two counties, one percent

Most designated juvenile courts surveyed indicated juvenile matters comprised less than 20 percent of their dockets. In 15 counties the juvenile docket was rotated among courts on a regular basis.

During 1976, one-half (50.2 percent) of all juvenile cases on the docket were new petitions filed for delinquency, 6.5 percent new petitions filed for children in need of supervision (CINS), 34.2 percent cases pending as of January 1, 1976, and 9.1 percent other cases reaching docket.

Courts disposed of a total of 12,673 (67.6 percent) cases during 1976, leaving 6,072 pending December 31, 1976, a 5.4 percent reduction in case backlog from 1975.

More than half (56.5 percent) of juvenile cases considered by Texas courts in 1976 resulted in findings of

delinquency or CINS, 41.0 percent were dismissed, 2.0 percent resulted in no finding of delinquent conduct or CINS, and 0.5 percent were transferred.

Of juveniles adjudicated delinquent or CINS, 77.9 percent were granted probation, 16.6 percent were committed to TYC, and 5.5 percent received no disposition. Most juveniles granted probation were placed in their parents' or guardians' custody, a small portion (14.9 percent) were placed under foster care supervision or in a residential facility.

A recently enacted law allows the county's juvenile board to appoint a referee who can conduct hearings in place of the regular juvenile judge. He or she must be a licensed attorney and be paid from court funds. Thirty-three counties (15 percent of those responding to the TJC survey) indicated they were using at least one referee.

All judicial decisions entered by the referee must be approved by the juvenile court judge. If the child or parent requests, the hearing must be held before the judge.

Juvenile cases were prosecuted by county attorneys in 163 counties (71 percent of those responding to the survey). District attorneys prosecuted in 75 counties (25 percent). Six counties reported the county attorney and district attorney shared responsibility for prosecuting juveniles. In Travis County a special family court prosecutor handled juvenile cases.

Juvenile cases may be defended by court-appointed attorneys, private counsel, legal aid attorneys, or public defenders. Survey findings indicated most juvenile cases were defended by court-appointed attorneys. In 192 counties, defense attorneys were appointed by the court in at least three-quarters of the juvenile cases. Among counties surveyed, legal aid attorneys were used only in Travis and Zavala counties and public defenders only in Travis County.

Texas Center for the Judiciary and the Juvenile Court Judges Continuing Legal Education Committee of the State Bar sponsor seminars for juvenile court judges. Texas Center for the Judiciary also publishes a *Manual for Texas Juvenile Court Judges*. Texas Center for the Judiciary in 1976 provided basic instruction in juvenile law and procedure for approximately 65 juvenile judges.

CORRECTIONS

Juvenile Probation

Probation in Texas, while a correctional function, is a judicial responsibility. Juvenile probation officers are employed and paid by the county.

Functions performed by juvenile probation officers in Texas are not standardized. Each department sets its

own priorities and procedures based on unique local problems, resources, and needs.

Services they perform rarely are limited to post-adjudication supervision of juvenile offenders. Their work usually begins at the time of referral to the juvenile court by the police. Juvenile probation responsibilities include investigating and counseling children before the juvenile court. The bulk of their workload may involve social investigation and social casework with the juvenile and his or her family.

Most of the state's 254 counties have formalized juvenile probation services. In 1976, 215 counties indicated juvenile probation services were available. Only 15 percent of the counties reported having no such services. In some of these counties, the juvenile crime problem is so insignificant as to render formalized juvenile probation services unnecessary.

A total of 135 juvenile probation departments provide services to the 215 counties. Juvenile probation personnel in 106 counties work only within the individual county. Services in the remaining 109 counties are provided by 29 probation departments serving judicial districts or other multicounty regions.

Size of juvenile probation departments ranged from 169 professional and paraprofessional employees in Harris County to a part-time officer who works in areas other than juvenile probation. The 135 departments responding to this question indicated a total of 852 professional and paraprofessional personnel.

There currently are no statewide education, training, or experience standards for juvenile probation officers. Staff members of about 55 percent of the juvenile probation departments regularly attend formal job-related training during the year. Formal preservice training is provided to entry-level staff members in 39 percent of the juvenile probation departments. Most in-service training was provided by Sam Houston State University's Institute for Contemporary Corrections and the Behavioral Sciences.

A 1975 sample study indicated the average juvenile probation officer in Texas was age 30 and had a bachelor's degree and approximately five years' experience. Average salary was \$10,000 per year and average monthly caseload was 36 youths. About 75 percent of probation officers in the sample were Anglo.

Volunteer recruitment and college intern programs have yielded additional manpower for probation departments. Forty-four departments indicated volunteers were used in some capacity. Volunteer programs ranged in size from 580 persons in Dallas County to part-time volunteers in less populous counties.

Community-Based Treatment

Although CJD has funded numerous community residential and nonresidential treatment programs, such programs still are needed in some parts of the state.

Most specialized services are available through county and state agencies including county probation and health departments, Texas Department of Public Welfare, Texas Department of Mental Health-Mental Retardation, Texas Rehabilitation Commission, and Texas Employment Commission. Most counties surveyed had access to medical and psychological services. Approximately two-thirds of the counties reported access to alcohol counseling and the same percent to family counseling services. Local probation departments coordinate placement of children in these specialized resources. In many circumstances these services are paid from county funds.

Thirty-one percent of counties responding to the 1975 sample survey had access to shelter facilities. Access to halfway house facilities was reported by 25 percent.

In 1975 the legislature established a division of community services in Texas Youth Council and appropriated approximately nine million dollars for development of community treatment alternatives for children. An additional five million dollars was appropriated for fiscal 1977. Funding under the *Juvenile Justice and Delinquency Prevention Act*, enacted by Congress in 1974, is providing money for other community diversion and treatment projects for children. Coordination of these two resources is essential.

In addition, TYC is responsible for providing parole supervision and services to juveniles. For fiscal 1977, 69 positions were budgeted for juvenile parole services. Entry level requirements for juvenile parole officer include age 21 years and college degree, preferably in the social sciences.

Detention

A child taken into custody may be detained temporarily in certain instances. The juvenile court controls conditions and terms of detention and detention supervision.

According to Section 51.12, Title 3, *Texas Family Code*, in each county the juvenile court judge and the members of the juvenile board, if there is one, must personally inspect the county's juvenile detention facilities at least annually and certify in writing that such facilities are suitable or unsuitable for detention of children.

Respondents to TJC's survey identified 154 counties with at least one detention facility available for use by the juvenile court. A vast majority (114) of facilities

used to detain juveniles were described as county jails, 18 as city jails, and 17 as juvenile detention homes. Most juvenile detention homes were located in the more densely populated counties in the state. The remaining 74 counties indicated there were no juvenile detention facilities within the county. Seventy-five percent (115 counties) had been certified, six percent did not respond, and 19 percent (30) of the counties reported their juvenile detention facilities had not been certified. Twenty-four hour supervision was provided in 80 percent of the detention facilities. Total juvenile-only capacity of juvenile detention facilities ranged from 108 children in Harris County to one child in the less populous counties.

The 1976 TJC report indicated 41.4 percent of juveniles referred for alleged delinquent behavior were detained in a place other than their own home. Although detention ranged from one to 17 days, average stay was two days.

TYC's division of community services may provide partial solution to this situation by providing financial assistance to juvenile probation departments for purchase of services such as shelter care for children in custody. Construction of multicounty detention facilities is another approach to the problem.

In any event, a coordinated planning effort is needed.

Institutional Care

Texas Youth Council operates four institutions for delinquent youths and three facilities for dependent and neglected children.

TYC personnel providing services to juveniles housed in either an institution or facility for dependent and neglected children must be at least 21 years of age and have a high school diploma.

Approximately 1,632 positions are budgeted for TYC institutions for fiscal 1977, a 33.5 percent increase over 1976.

Because TYC handles the greatest number of delinquent youths in Texas, it was the administrative focal point for *Texas' Juvenile Corrections Master Plan*. The *Master Plan* was developed on executive order of Governor Dolph Briscoe in 1973. The order established the Interagency Task Force on Youth Care and Rehabilitation and called for upgraded state and local child-caring agencies in Texas. The *Master Plan* interfaces with an overall state plan for youth care developed by the task force, *Plan for Child and Youth Care in Texas*.

The *Master Plan*, drafted in 1975 by a private consulting firm and reviewed closely by an advisory committee of citizens and professionals, envisions a balance of community-based and institutional programs in Texas, favoring cost and effectiveness as major criteria for placing children in correctional programs. The *Master Plan* recommends specific improvements in both TYC's programs and in community programs operated by other agencies.

To monitor both cost and effectiveness of new programs developed through the *Master Plan*, CJD has funded TYC for implementation of a management information system.

A coordinated approach to planning and to state and federal funding by CJD and TYC has potential to produce measurable changes in juvenile justice in Texas.



Part Three

Toward Integrated Analysis

In developing this plan, the Criminal Justice Division undertook a pilot study to look at performance of the criminal justice system and areas where one system component interfaces with another. The study was limited to the criminal justice system's response to the offense of burglary in three large metropolitan areas.

Purpose of the tri-county research project was three-fold. The project was undertaken to analyze the adequacy of existing resources directed at improving the criminal justice system's performance in sample jurisdic-

tions. Second, the study was to develop a mechanism refinement of CJD standards to increase their usefulness as planning, evaluation, and analytical tools. Third, and perhaps most fundamental, the study was designed to be a pilot effort for a large scale evaluation of criminal justice system performance in the *1979 Criminal Justice Plan for Texas*.

CJD will incorporate successful parts of the methodology developed in the tri-county study in future planning efforts.





Part Four



Part Four

Multiyear Plan and 1978 Program Descriptions

The 1978 *Criminal Justice Plan for Texas* is directed at reducing crime in the state. The multiyear plan is prepared in a manner that CJD actions may be measured by their impact on crime reduction as well as improvement of the criminal justice system. Inclusion of crime reduction goals and criminal justice standards in this plan represents CJD's attempt to quantify the direction of its program.

GOALS

Development of goals is the most essential and complex process in Texas' criminal justice planning effort. The following tenets generally are agreed on for goal development:

- Ultimate aim of the Criminal Justice Division is to reduce crime.
- Goals must be quantified over a specific period of time.
- Goals must be prioritized because of the limited resources available.
- Goals must be both ambitious and realistic (i.e.: attainable with effort).
- A detailed plan must be developed for goal achievement.

To meet these criteria, Texas Criminal Justice Division Advisory Board has set and prioritized the following multiyear crime-specific goals:

- Reduce projected 1980 burglary incidence of 248,000 by eight percent to 228,160.
- Reduce projected 1980 robbery incidence of 17,500 by 12 percent to 15,400.
- Reduce projected 1980 theft incidence of 800,000 by six percent to 752,000.
- Reduce drug abuse incidence 12 percent by 1980.
- Reduce projected 1980 rape incidence of 4,425 six percent to 4,160.
- Reduce organized crime incidence six percent by 1980.
- Reduce projected 1980 automobile theft incidence of 49,200 by 12 percent to 43,300.

These goals represent the desired percent reduction in projected crime incidence to be sought for 1980. Projections were based on the most accurate, reliable data available. Development of these projections is discussed in Part I.

Projections for organized crime and drug abuse incidence were not developed because of several inherent difficulties involved in measuring and projecting incidence of these crimes.

Achievement of these goals requires commitment of resources not controlled by the Criminal Justice Division. It is hoped CJD's leadership in planning, technical assistance, and funding will provide influence and direction necessary in statewide crime reduction goals by 1980. It is the opinion of the Criminal Justice Division Advisory Board that the following types of situations could affect adversely statistics used in measuring crime incidence or crime itself:

- Increased reporting of crime by victims and by law enforcement agencies.
 - Increased juvenile and young-adult population.
 - Changes in the law by legislation and in its interpretation by the courts.
 - Decreasing ratio of LEAA dollars to other criminal justice resources in the state and a corresponding decrease in direct influence of the LEAA/CJD program.
- In addition, it is felt the following factors also may adversely affect any crime reduction effort:
- Unstable economy.
 - High incidence of juvenile noncrime problems such as truancy, running away, and dropping out of school.
 - Unemployment.
 - Increased urbanization, shifts in population, population mobility, and transience.
 - Changes in morality, including tolerance of illegal conduct.

STRATEGIES

As stated previously, a detailed plan for goal achievement is an essential part of the goal development pro-

cess. Alternate strategies must be established. Texas' crime reduction plan is based on prevention of crime and improvement of the criminal justice system to deal with crime once committed. Strategies for the 1978 CJD program are as follows:

- A. Increase the criminal justice system's capability to prevent crime.
- B. Increase the risk of detection and apprehension for offenders.
- C. Develop, implement, and improve prevention and treatment services for delinquent youths and children in need of supervision (including status offenders).
- D. Increase the probability of a speedy and fair trial, and conviction where warranted.
- E. Increase the effectiveness of community-based and institutional corrections.
- F. Increase the availability of criminal justice information.

These strategies are the foundation of CJD's funding effort. Each corresponds to a program category through which CJD funds will be made available in 1978. Relevant 1978 program category is identified by the capital letter preceding each strategy.

STANDARDS

Texas centers its annual planning process on standards for improvement of the criminal justice system. Two assumptions are made: (1) improving the criminal justice system will lead to crime reduction and (2)

achieving standards will lead to improvement of the criminal justice system.

Based on these assumptions, multiyear and annual action programs were developed to direct CJD funds at achieving standards selected by the CJD Advisory Board.

Criteria were established to indicate what action is needed each year of the multiyear period (1978, 1979, and 1980) to contribute toward standard achievement. For the *1978 Criminal Justice Plan for Texas*, criteria that might be met directly with CJD funds and technical assistance were emphasized. This limitation was deemed necessary because of the independent nature of the criminal justice process in Texas and CJD's inability to plan definitively for resources other than its own. However, attempts were made throughout the plan to identify other resources that may contribute toward achievement of selected standards.

PROGRAM DESCRIPTIONS

The following pages describe programs under which CJD funds will be available in 1978. Program descriptions are based on state and local input and address crime problems and criminal justice system problems and needs identified in Parts I, II, and III of this document.

These program descriptions identify the program's rationale, the standards it addresses and annual achievement criteria for their accomplishment, types of projects included, requirements, technical assistance available, and budget.

A. PREVENTING CRIME

78-A1. Crime Prevention and Citizen Involvement

PROGRAM RATIONALE

Crime Problem Addressed

This program addresses all crime, especially burglary, theft, robbery, rape, and organized criminal activity.

System Problems and Needs Addressed

Public understanding of and support for law enforcement is essential to maximize its effectiveness. Active public involvement is a critical element in crime prevention. Each law enforcement agency works with the public it serves, formally and informally. The nature and degree of informal involvement is difficult to measure. However, formal police-community relations and crime prevention programs are operated across the state. Approximately 35 agency crime prevention units and 13 rape crisis centers have been established. In addition, 10 regional crime prevention projects coordinate crime prevention activities of about 125 smaller law enforcement

agencies. Program 78-A1 attempts to enhance the link between law enforcement and the citizenry and to increase public awareness of measures to protect individuals, families, and property.

Evaluation Results Consulted

During the past decade, larger law enforcement agencies throughout the country have initiated specialized police-community relations and crime prevention programs to gain citizen support and assistance in preventing crime. In the early 1970's the National Crime Prevention Institute and LEAA began emphasizing programs to involve citizens in crime prevention measures. National law enforcement studies have documented the need for such specialized programs. Several guides in the area of crime prevention and community involvement are *Rape and Its Victims*, *Police Burglary Prevention Program*, *Improving Police/Community Relations* (LEAA Prescriptive Packages), *A Design Guide for Improving Residential Security*, and *Defensible Space: Crime Prevention Through Urban Design*.

STRATEGIES AND STANDARDS

Strategy A—Increase criminal justice system capability to prevent crime.

Substrategy A1—Increase public awareness of the crime problem and crime prevention techniques and increase law enforcement capability to prevent crime.

Standard A1a—Each law enforcement agency should actively work with and inform interested citizens of their role in crime prevention and law enforcement.

Annual Achievement Criteria

1978

(1) Law enforcement agencies in Texas' six major metropolitan areas will have crime prevention and community relations units.

(2) Law enforcement agencies in approximately 90 percent of cities with populations 50,000 to 250,000 will have crime prevention and community relations units.

(3) Law enforcement agencies serving populations of less than 50,000 will have available crime prevention and community relations capability through regional projects operating in 12 of the state's 24 planning regions.

(4) Law enforcement agencies serving populations of less than 50,000 that have unusual local need will have agency crime prevention and community relations units.

1979

(1) Law enforcement agencies in all major metropolitan areas will have formal crime prevention and community relations units.

(2) Law enforcement agencies in approximately 90 percent of cities with populations 50,000 to 250,000 will have crime prevention and community relations units.

(3) Law enforcement agencies serving populations of less than 50,000 will have available crime prevention and community relations capability through regional projects operating in 15 planning regions.

(4) Law enforcement agencies serving populations of less than 50,000 that have unusual local need will have agency crime prevention and community relations units.

1980

(1) Law enforcement agencies in all major metropolitan areas will have formal crime prevention and community relations units.

(2) Law enforcement agencies in all cities with populations 50,000 to 250,000 will have crime prevention and community relations units.

(3) Law enforcement agencies serving populations of less than 50,000 will have available crime prevention and community relations capability through regional projects operating in all planning regions.

(4) Law enforcement agencies serving populations of less than 50,000 that have unusual local need will have agency crime prevention and community relations units.

Standard A1b—Each community having an unusually high rape rate should have, or have access to, rape crisis services for the victim.

Annual Achievement Criteria

1978

(1) All major metropolitan areas will have rape crisis centers.

(2) All cities with populations 50,000 to 250,000 will provide rape crisis counseling. Some cities of this size will have rape crisis centers.

(3) Each law enforcement agency in the state will receive crime prevention and public information assistance through a statewide rape prevention information program and a statewide mechanism for coordinating, evaluating, and providing technical assistance in crime prevention.

1979

(1) All major metropolitan areas will have rape crisis centers.

(2) All cities with populations 50,000 to 250,000 will provide rape crisis counseling and some will have rape crisis centers.

(3) Each law enforcement agency in the state will receive crime prevention and public information assistance through a statewide rape prevention information program and a statewide mechanism for coordinating, evaluating, and providing technical assistance in crime prevention.

1980

(1) All major metropolitan areas will have rape crisis centers.

(2) All cities with populations 50,000 to 250,000 will provide rape crisis counseling and some will have rape crisis centers.

(3) Each law enforcement agency in the state will receive crime prevention and public information assistance through a statewide rape prevention information program and a statewide mechanism for coordinating, evaluating, and providing technical assistance in crime prevention.

Standard A1c—Each law enforcement agency should have access to organized-crime control planning, evaluation, and support services.

Annual Achievement Criteria

1978—Statewide organized-crime control planning and support efforts will be continued.

1979—Statewide organized-crime control planning and support efforts will be continued.

1980—Statewide organized-crime control planning and support efforts will be continued.

TYPES OF PROJECTS

Program 78-A1 is designed to expand public awareness of the crime problem and how citizens can help prevent crime, to increase law enforcement capability to prevent crime, and to equip the public with knowledge and motivation to protect itself more effectively from criminal attack.

Funds will be used to develop, support, and continue the following types of projects:

—Regional and local crime prevention and community relations units.

—Statewide mechanism for coordination and evaluation of, and provision of technical assistance to, all crime prevention units.

—Local rape crisis centers.

—Statewide program to provide technical assistance to local rape prevention and rape crisis programs.

—Statewide mechanism for assistance in coordination and evaluation of, and provision of technical assistance to, all organized-crime control units.

must be applicant and grantee. For state agencies, non-profit organizations, and professional associations, the project must have statewide impact.

Funding of crime prevention and community relations units for individual law enforcement agencies generally is limited to those serving populations of 25,000 or more. Population of areas served by agencies actively participating in regional crime prevention units generally must total at least 40,000.

Priority will be given to projects addressing CJD annual achievement criteria.

General

A series of program requirements apply to all applicants and grantees. These requirements relate to indirect cost, professional or consultant fees, procurement of consultants, travel, and methods for handling other project income and payments. Detailed information regarding each requirement can be found in Appendix C.

PROGRAM REQUIREMENTS

Eligibility

Grants will be awarded to state agencies, regional councils, units of local government, and nonprofit organizations. In projects where impact is of purely local significance or of significance to only one agency, the agency that has primary jurisdictional responsibility

Special

UCR reporting. Each local agency receiving benefits under this program must report monthly to Texas uniform crime reporting program, DPS.

Agency crime prevention units. Individual agency crime prevention units must, at a minimum, analyze local crime statistics, provide crime prevention information to the public, and provide security inspection ser-

vices. These proposed activities must be detailed in the grant application.

Regional crime prevention units. Regional crime prevention units must assist local law enforcement agencies in developing community support of and involvement in crime prevention, assist with local crime analysis, and provide crime prevention technical assistance to participating agencies.

Interagency agreements approved by resolution from each participating unit of government and letters of endorsement from administrative heads of law enforcement agencies must be included in any grant application for a regional crime prevention unit.

Each participating agency must assign to the project a liaison officer who will dedicate at least 25 percent of his or her time to crime prevention activities. Each liaison officer must attend a basic crime prevention school within the first year of project operation. Each liaison officer should provide crime prevention roll call training in his or her agency.

Police-community relations units. Police-community relations units should strive to improve relationships between law enforcement and the public by encouraging public support and cooperation. These programs should be aimed primarily at neighborhoods where relations between law enforcement and the citizenry are strained. Police-community relations personnel should conduct human relations modules in basic, roll call, and inservice training.

Rape crisis centers. Applications for rape crisis center projects should include a complete and accurate data base—providing two-year statistics and analyses on the number and rate of rapes reported, arrests, convictions, institutional commitments, and probation. Letters of endorsement from appropriate officials (such as representatives of hospital, prosecution, law enforcement, city, and county) should be included with the application. The application also should include descriptions of volunteer services expected to be performed.

Organized Crime Prevention Council. The council shall develop a comprehensive plan for the suppression of any organized crime existing in Texas and assist in coordinating the activities of all law enforcement and prosecuting agencies in the implementation of a comprehensive organized-crime control program. The council shall make an annual report to the Governor and to the Criminal Justice Division on the amount, nature, and significance of organized crime in Texas and its impact on law enforcement and criminal justice activities.

Continuation

Continuation will be in compliance with Rules and Guidelines 001.55.15, *Texas Register*, as set forth in Appendix D.

Continuation funds will be awarded only to projects that have submitted accurate, complete, and timely financial, progress, and monitoring reports required by CJD.

Assessment

Applicants must describe proposed projects in quantifiable terms. Effective October 1, 1977, all grantees must submit progress reports at the end of each grant quarter, as measured from the project start date indicated on the Statement of Grant Award. These quarterly reports must include monthly statistical information. In addition, a detailed narrative analysis of project accomplishment must be submitted after the eighth and 12th months of the grant period. See Appendix J for detailed instructions.

TECHNICAL ASSISTANCE AVAILABLE

Technical assistance is available on a limited basis from local criminal justice planners and CJD police program specialist for project design, application preparation, and project implementation.

Limited technical assistance is available to law enforcement agencies, including those operating without CJD funding. This technical assistance is provided by LEAA contract services and usually is limited to three to five days. Requests are made by completing page one of "Request for Technical Assistance" form available from local criminal justice planners or CJD.

Technical assistance for crime prevention units is available from Texas Crime Prevention Institute, San Marcos.

Assistance for established and proposed rape crisis centers is available from Texas Rape Prevention and Control Program, Austin.

BUDGET

Figures in this section are based on specific project proposals (Project Notification Sheets) from 1978 metropolitan, regional, and state agency criminal justice plans. Projects not included in the CJD budget will be considered for funding under this *Plan* only if budgeted projects fail to materialize or are not approved for funding. Contact the appropriate local criminal justice planner or CJD staff member regarding individual project budget status.

Budget for this program is \$544,682, including 90 percent federal funds and 10 percent state criminal justice planning funds. It is anticipated that 10 projects,

from \$8,544 to \$166,000, will be funded—\$176,196 for local projects and \$368,486 for state projects.

	Local Projects	State Projects	Total
CJD (Part C, Federal)	158,576	331,638	490,214
CJD (State CJPF)	17,620	36,848	54,468
Total	176,196	368,486	544,682

STAFF CONTACT

Questions concerning this program description should be addressed to the appropriate local criminal justice planner (see Appendix A) or to CJD police program specialist (512-475-6026).



B. DETECTION AND APPREHENSION

78-B1. Police Training and Education

PROGRAM RATIONALE

Crime Problem Addressed

This program addresses all crime, especially *UCR* Part I index offenses.

System Problems and Needs Addressed

Program 78-B1 seeks to upgrade and increase availability of training and education for Texas law enforcement officers. Texas Commission on Law Enforcement Officer Standards and Education requires 240 hours of basic training for recruits. Training is becoming more uniform across the state. Advanced training, specialized training, and educational opportunities for law enforcement officers must continue to be upgraded in the future.

The annual turnover rate in law enforcement, which is greater than 15 percent, necessitates continuing basic training. Approximately 3,900 officers will require basic law enforcement training during 1978. In addition, changes in statutes, recent court decisions, and development of new procedures and techniques will require that inservice training be provided for 11,000 officers. Promotions and changes in assignments necessitate management and administrative training for about 1,200 officers each year.

Studies are being conducted to determine need for

career development programs. Several metropolitan law enforcement agencies provide comprehensive and individualized programs to develop officer potential. However, these programs exist in few mid-size and smaller departments.

Law enforcement training is conducted in 47 academies across the state. These academies are monitored continually by TCLEOSE to insure that training needs comply with state requirements and meet the needs of participating agencies.

Improved training and education enhances law enforcement officer capability to meet job requirements and the needs of the criminal justice system. Specialized training is expected to result in more effective performance by law enforcement officers. For example, a reduction in the number of dismissals and overturned convictions is expected as law enforcement officers become trained and educated in court procedures.

Evaluation Results Consulted

Development of this program has evolved from the history of law enforcement training in Texas and from standards and goals set by the President's Commission on Law Enforcement and Administration of Justice, *Task Force Report: The Police*; Texas Commission on Law Enforcement Officer Standards and Education; National Advisory Commission on Criminal Justice Standards and Goals, *Police*; and CJD Advisory Board.

STRATEGIES AND STANDARDS

Strategy B—Increase the risk of detection and apprehension for offenders.

Substrategy B1—Improve the education and training level of all police officers.

Standard B1a—Each sworn law enforcement officer will receive a TCLEOSE-approved 240-hour basic training course within six months of his or her employment.

Annual Achievement Criteria

1978—Regional and agency training academies will provide a TCLEOSE-approved 240-hour basic training course to each sworn law enforcement officer within six months of his or her employment.

1979—Regional and agency training academies will continue to provide a TCLEOSE-approved 240-hour basic training course to each sworn law enforcement officer within six months of employment.

1980—Regional and agency training academies will continue to provide a TCLEOSE-approved 240-hour basic training course to each sworn law enforcement officer within six months of employment.

Standard B1b—Each sworn law enforcement officer will receive, in addition to basic training, specialized and inservice training programs.

Annual Achievement Criteria

1978

- (1) Regional and agency training academies will provide specialized training programs that meet individual officer and agency needs.
- (2) Regional and agency training academies will provide inservice training programs to maintain, update, and improve officer knowledge and skills.
- (3) Regional and agency training academies will provide management training to each law enforcement officer in a management, administrative, or supervisory position within one year of promotion.
- (4) Highly specialized management training will be made available to personnel identified as having potential to assume increased management responsibility.

1979

- (1) Regional and agency training academies will continue to provide specialized training to meet individual officer and agency needs.
- (2) Regional and agency training academies will continue to provide inservice training programs to maintain, update, and improve officer knowledge and skills.
- (3) Regional and agency training academies will continue to provide management training to each law enforcement officer in a management, administrative, or supervisory position within one year of promotion.
- (4) Highly specialized management training will be made available to personnel identified as having potential to assume increased management responsibility.

1980

- (1) Regional and agency training academies will continue to provide specialized training to meet individual officer and agency needs.
- (2) Regional and agency training academies will continue to provide inservice training programs to maintain, update, and improve officer knowledge and skills.
- (3) Regional and agency training academies will continue to provide management training to each law enforcement officer in a management, administrative, or supervisory position within one year of promotion.
- (4) Highly specialized management training will be made available to personnel identified as having potential to assume increased management responsibility.

Standard B1c--Each sworn law enforcement officer should have an opportunity to further his or her educational attainment.

Annual Achievement Criteria

1978

- (1) Each law enforcement agency will have available cadet and intern programs to enhance prospective officer's educational attainment.
- (2) TCLEOSE will review training curricula to insure college credit is offered where appropriate.
- (3) Local law enforcement agencies will be encouraged to provide through local funds incentive pay for the attainment of specified levels of academic achievement.
- (4) Local law enforcement agencies will be encouraged to provide tuition reimbursement, schedule preference, work-study allowances, and time off for officers pursuing a college education.
- (5) Colleges and universities providing educational programs for law enforcement personnel will be encouraged to schedule classes at hours and locations to facilitate officer attendance.

1979

- (1) Each law enforcement agency will continue to have available cadet and intern programs.
- (2) TCLEOSE will continue to review training curricula to insure college credit is offered where appropriate.
- (3) Local law enforcement agencies will continue to be encouraged to provide through local funds incentive pay for the attainment of specified levels of academic achievement.
- (4) Local law enforcement agencies will continue to be encouraged to provide tuition reimbursement, schedule preference, work-study allowances, and time off for officers pursuing a college education.
- (5) Colleges and universities providing educational programs for law enforcement personnel will continue to be encouraged to schedule classes at hours and locations to facilitate officer attendance.

1980

- (1) Each law enforcement agency will continue to have available cadet and intern programs.
- (2) TCLEOSE will continue to review training curricula to insure college credit is offered where appropriate.
- (3) Local law enforcement agencies will continue to be encouraged to provide through local funds incentive pay for the attainment of specified levels of academic achievement.
- (4) Local law enforcement agencies will continue to be encouraged to provide tuition reimbursement, schedule preference, work-study allowances, and time off for officers pursuing a college education.
- (5) Colleges and universities providing educational programs for law enforcement personnel will continue to be encouraged to schedule classes at hours and locations to facilitate officer attendance.

Standard B1d--Local law enforcement agencies should be encouraged to provide all law enforcement officers programs to further professional growth and increase officer potential.

Annual Achievement Criteria

1978

- (1) Each local law enforcement agency is encouraged to study agency and officer needs to determine areas for staff development.
- (2) Career development projects will be implemented in agencies where results of comprehensive studies indicate need.

1979

(1) Each local law enforcement agency will continue to be encouraged to study agency and officer needs to determine areas for staff development.

(2) Career development projects will continue to be implemented in agencies where results of comprehensive studies indicate need.

1980

(1) Each local law enforcement agency will continue to be encouraged to study agency and officer needs to determine areas for staff development.

(2) Career development projects will continue to be implemented in agencies where results of comprehensive studies indicate need.

Standard B1e--TCLEOSE should continuously monitor law enforcement training and education programs and agency operations to insure that programs satisfy officer and agency needs.

Annual Achievement Criteria

1978

(1) TCLEOSE will regularly review and evaluate all law enforcement education programs.

(2) TCLEOSE will regularly review and evaluate all law enforcement training programs.

(3) Standardized selection and training procedures will be developed to assist state and local law enforcement agencies satisfy state standards and law enforcement training needs.

1979

(1) TCLEOSE will continue to regularly review and evaluate all law enforcement education programs.

(2) TCLEOSE will continue to regularly review and evaluate all law enforcement training programs.

(3) Standardized selection and training procedures will be implemented to assist state and local law enforcement agencies satisfy state standards and law enforcement training needs.

1980

(1) TCLEOSE will continue to regularly review and evaluate all law enforcement education programs.

(2) TCLEOSE will continue to regularly review and evaluate all law enforcement training programs.

(3) Standardized selection and training procedures will be disseminated statewide to assist state and local law enforcement agencies satisfy state standards and law enforcement training needs.

TYPES OF PROJECTS

Program 78-B1 is designed to reduce crime by increasing law enforcement officer competence in detecting and apprehending offenders. Projects are designed to train and educate each officer for his or her position, standardize selection and training procedures to help state and local law enforcement agencies satisfy state law enforcement standards and training needs, and provide

specialized programs consistent with needs of participating law enforcement agencies.

Funds will be used to develop, support, and continue the following types of projects:

—Basic, advanced, and specialized training projects.

—Cadet and intern programs.

—Career development programs.

—Statewide development of standardized selection and training.

—Publications.

PROGRAM REQUIREMENTS

Eligibility

Grants will be awarded to regional councils, state agencies, professional associations, and units of local government. Generally, grants will be made only to entities that have a TCLEOSE-approved academy. Agencies having primary functions in enforcement of civil, regulatory, or administrative law are excluded from funding under this program.

For training grants, highest priority will be given to projects that document full use of available Texas Education Agency adult education funds.

Priority will be given to projects addressing CJD annual achievement criteria.

General

A series of program requirements apply to all applicants and grantees. These requirements relate to indirect cost, professional or consultant fees, procurement of consultants, travel, and methods for handling other project income and payments. Detailed information regarding each requirement can be found in Appendix C.

Special

UCR. Each local agency receiving benefits under this program must report monthly to Texas uniform crime reporting program, DPS.

Training. Salaries of trainees, either regular or overtime, will not be funded in any project.

No class shall be scheduled for less than 16 instructional hours without prior CJD approval. Number of instructional hours to be provided must be documented in the grant application.

Agencies desiring to purchase equipment must maintain a certified training academy. Grantee must indicate how the equipment will increase its training capability. No equipment may be purchased to replace existing equipment.

All regional training projects shall be open to all local law enforcement officers on an equal basis. Special peace officers may attend existing training projects on the same basis as local officers if space is available. Only peace officers as defined in Article 2.12, *Texas Code of Criminal Procedure*, are eligible for training under CJD grant funds.

Specialized, inservice, or advanced training is eligible for CJD funding only if it relates directly to criminal law enforcement. Traffic and civil process courses are specifically excluded from CJD funding consideration.

Because CJD funds are decreasing and TEA funds are available for law enforcement training purposes, applicants for regional law enforcement training programs are encouraged to seek TEA funding to supplement CJD grant awards. The *1979 Criminal Justice Plan for Texas* will make funds available only to programs that use TEA funds to supplement CJD grant awards for regional law enforcement training.

All training directors, curricula, instructors, materials, and facilities must be reviewed by TCLEOSE.

Education. Law enforcement agencies implementing *cadet* projects will recruit persons age 17 to 20 years majoring in law enforcement to work part time as police cadets while attending college. Funds will be provided to assist the agency in paying for salaries and uniforms. Tuition and fees may be paid if LEEP funds are exhausted or not available. CJD funds available for cadet salary will not exceed \$3.50 an hour for 20 hours a week. Cadets may work only 20 hours per week and must register for at least eight semester hours.

Law enforcement agencies implementing *intern* projects will recruit third- and fourth-year undergraduate law enforcement students to work during the summer. CJD funds available for intern salary will not exceed \$560 per month. Priority will be given to LEEP loan recipients.

Interns receiving funds under this program must be registered for an "intern course" providing three to nine hours college credit. The internship course shall include no more than three classroom hours total and students shall be employed full time (during the summer) in a law enforcement agency while enrolled.

Applicants should meet TCLEOSE peace officer standards except for age.

Continuation

Continuation will be in compliance with Rules and Guidelines 001.55.15, *Texas Register*, as set forth in Appendix D. Pursuant to section .009 of the Rules and Guidelines, funding for cadet, intern, and career incentive pay projects is limited to two years.

Continuation funds will be awarded only to projects that have submitted accurate, complete, and timely financial, progress, and monitoring reports required by CJD.

Assessment

Applicants must describe proposed projects in quantifiable terms. Effective October 1, 1977, all grantees must submit progress reports at the end of each grant quarter, as measured from the project start date indicated on the Statement of Grant Award. These quarterly

reports must include monthly statistical information. In addition, a detailed narrative analysis of project accomplishment must be submitted after the eighth and 12th months of the grant period. See Appendix J for detailed instructions.

TECHNICAL ASSISTANCE AVAILABLE

Technical assistance is available through the CJD police program specialist, Texas Commission on Law Enforcement Officer Standards and Education, and LEAA. Requests may be made by filling out page one of "Request for Technical Assistance" form available from local criminal justice planners and CJD. Request for TCLEOSE assistance should be made directly to that agency.

BUDGET

Figures in this section are based on specific project proposals (Project Notification Sheets) from 1978 metropolitan, regional, and state agency criminal justice plans. Projects not included in the CJD budget will be

considered for funding under this *Plan* only if budgeted projects fail to materialize or are not approved for funding. Contact the appropriate local criminal justice planner or CJD staff member regarding individual project budget status.

Budget for this program is \$699,715 including 90 percent federal funds and 10 percent state criminal justice planning funds. It is anticipated that 24 grants, ranging from \$6,530 to \$105,000 will be funded—\$544,715 for local projects and \$155,000 for state projects.

	Local Projects	State Projects	Total
CJD (Part C, Federal)	490,243	139,500	629,743
CJD (State CJPF)	54,472	15,500	69,972
Total	544,715	155,000	699,715

STAFF CONTACT

Questions concerning this program description should be addressed to the appropriate local criminal justice planner (see Appendix A) or to CJD police program specialist (512-475-6026).

78-B2. Combined Law Enforcement Services

PROGRAM RATIONALE

Crime Problem Addressed

This program addresses all crime, especially *UCR* Part I index offenses.

System Problems and Needs Addressed

Law enforcement across the state often is fragmented, with duplication of effort and gaps in service. Combining and coordinating law enforcement services

can reduce this duplication and provide for increased availability and effectiveness.

Evaluation Results Consulted

In 1975 CJD conducted a programmatic evaluation of nine CJD-funded model projects to combine law enforcement services. Results generally confirmed program goals of increased availability and effectiveness of law enforcement. Also consulted were major evaluation studies of consolidations in Bernalillo County, New Mexico, and Multnomah County, Oregon.

STRATEGIES AND STANDARDS

Strategy B—Increase the risk of detection and apprehension for offenders.

Substrategy B2—Improve the structure of the law enforcement component.

Standard B2—Law enforcement agencies that employ fewer than 10 sworn employees should participate in a study to determine whether combining services would improve agency effectiveness. Each law enforcement agency that has determined that the most effective or efficient law enforcement service can be provided through mutual agreement or joint participation with other criminal justice agencies should enter into an agreement to combine services or to undertake joint operation.

Annual Achievement Criteria

1978

(1) Approximately five percent (34) of Texas' 663 law enforcement agencies employing less than 10 sworn personnel will have participated in a study to determine whether combining services will improve agency effectiveness.

(2) Those law enforcement agencies determining that the most effective or efficient law enforcement service can be provided through combining services will begin to implement such efforts.

1979

(1) Approximately six percent (41) of Texas' law enforcement agencies employing less than 10 sworn personnel will have participated in combined services study.

(2) Those law enforcement agencies determining that the most effective or efficient law enforcement service can be provided through combining services will begin to implement such efforts.

1980

(1) Approximately seven percent (48) of Texas' law enforcement agencies employing less than 10 sworn personnel will have participated in a study to determine whether combining services will improve agency effectiveness.

(2) Those law enforcement agencies determining that the most effective or efficient law enforcement service can be provided through combining services will begin to implement such efforts.

TYPES OF PROJECTS

This program will provide funds to enable two or more agencies in a county to combine total or partial law enforcement responsibilities and services. It also will support design studies to investigate the benefits of combining services and to identify implications for each agency's operating procedures.

PROGRAM REQUIREMENTS

Eligibility

Grants will be made to units of local government. Where necessary, grants for design studies may be made to combinations of local governments. Priority will be given to projects addressing CJD annual achievement criteria.

General

A series of program requirements apply to all applicants and grantees. These requirements relate to indirect cost, professional or consultant fees, procurement of consultants, travel, and methods for handling other project income and payments. Detailed information regarding each requirement can be found in Appendix C.

Special

Prerequisite study. Design studies will be required before CJD will fund any project to combine services. These studies must be conducted by qualified persons not directly affected by study findings. Study results must provide adequate documentation on whether combined services would enhance law enforcement effectiveness and identify the impact of combining services on operating procedures of affected agencies. Applications for projects involving design studies and implementation procedures must include letters of endorsement expressing agreement to participate and cooperate from each participating governing body and the head of each participating law enforcement agency.

Statutes. Efforts to combine services must conform to state and local statutes.

Nonsupplanting. Each agency's total expenditures for law enforcement must not be reduced during the grant period. Documentation of actual expenditures for the

year preceding implementation of combined services must be included in the grant application.

UCR reporting. Each local agency receiving benefits under this program must report monthly to Texas uniform crime reporting program, DPS.

Continuation

Continuation will be in compliance with Rules and Guidelines 001.55.15, *Texas Register*, as set forth in Appendix D.

Continuation funds will be awarded only to projects that have submitted accurate, complete, and timely financial, progress, and monitoring reports required by CJD.

Assessment

Applicants must describe proposed projects in quantifiable terms. Effective October 1, 1977, all grantees must submit progress reports at the end of each grant quarter, as measured from the project start date indicated on the Statement of Grant Award. These quarterly reports must include monthly statistical information. In addition, a detailed narrative analysis of project accomplishment must be submitted after the eighth and 12th months of the grant period. See Appendix J for detailed instructions.

TECHNICAL ASSISTANCE AVAILABLE

Technical assistance is available on a limited basis from local criminal justice planners and CJD police program specialist for project design, application preparation, and project implementation.

Technical assistance is available on a limited basis to small law enforcement agencies for organization, management, and operation studies for consolidation that can be done without a CJD grant. This technical assistance is provided by LEAA contract services and usually is limited to three to five days. Requests are made by completing page one of "Request for Technical Assistance" form available from local criminal justice planners or CJD.

Limited technical assistance for small department organization, operation, and record system studies is available through Texas Commission on Law Enforcement Officer Standards and Education. TCLEOSE should be contacted for such requests.

BUDGET

Figures in this section are based on specific project proposals (Project Notification Sheets) from 1978 metropolitan, regional, and state agency criminal justice plans. Projects not included in the CJD budget will be considered for funding under this *Plan* only if budgeted projects fail to materialize or are not approved for funding. Contact the appropriate local criminal justice planner or CJD staff member regarding individual project budget status.

Budget for this program is \$64,917. It is anticipated that four projects, from \$7,215 to \$24,237 will be funded—all for local projects.

	Local Projects	State Projects	Total
CJD (Part C, Federal)	58,424	-0-	58,424
CJD (State CJPF)	6,493	-0-	6,493
Total	64,917	-0-	64,917

STAFF CONTACT

Questions concerning this program description should be addressed to the appropriate local criminal justice planner (see Appendix A) or to CJD police program specialist (512-475-6026).



78-B3. Law Enforcement Professional Aides

PROGRAM RATIONALE

Crime Problem Addressed

This program addresses all crime, especially UCR Part I index offenses.

System Problems and Needs Addressed

As crime becomes more complex, increased law enforcement sophistication is needed. Enhanced professionalization of law enforcement can be expected to maximize effectiveness.

Research and planning are essential for effective agency operation and interaction with interfacing criminal justice functions. Professional crime analysis capability is required to assure efficiency in operations such as patrol deployment and resource allocation. Increased complexities of the law also make availability of adequate legal assistance essential for law enforcement agencies. Professional units and advisors can meet these needs as well as perform other specialized functions required by increased law enforcement agency sophistication.

Review of organization, management, and agency operation also is needed to improve law enforcement ser-

vice. Law enforcement agency internal operations should be studied and recommendations implemented.

Minority recruitment projects designed to align ratio of female and ethnic minority personnel with populations served are needed. Communication between law enforcement and the public should be enhanced and equal employment opportunity should exist for all applicants into the law enforcement field.

Evaluation Results Consulted

During the past decade large law enforcement agencies throughout the country have implemented professional aide programs. Planning and research officers, legal advisors, and crime analysts have been employed. In the early 1970's International Association of Chiefs of Police (IACP) outlined procedures for implementing police legal advisor programs. Dallas Police Department's legal aide program, funded by CJD, has been designated an LEAA exemplary project. Previous national studies have documented the need for professional law enforcement planning, research, and crime analysis projects, as well as professional external surveys of law enforcement agencies. The U.S. Department of Justice has emphasized the need for minority recruitment in law enforcement.

STRATEGIES AND STANDARDS

Strategy B—Increase the risk of detection and apprehension for offenders.

Substrategy B3—Improve law enforcement agency organization and administration.

Standard B3a—Each law enforcement agency should identify the types of planning necessary for effective operation and should assign specific responsibility for research and development and for agency and jurisdictional planning.

Annual Achievement Criteria

1978—Formal research and planning units will be operating in law enforcement agencies serving each of Texas' six metropolitan cities, three metropolitan counties, and 11 of 21 mid-size cities (50,000 to 250,000 population). CJD funds will be available to establish or expand research and planning operations in one mid-size city.

1979—Law enforcement agencies serving each Texas metropolitan city, four metropolitan counties, 16 mid-size cities, and smaller cities with special needs will have formal research and planning units.

1980—Law enforcement agencies serving each Texas metropolitan city, five metropolitan counties, 18 mid-size cities, and smaller cities with special needs will have formal research and planning units.

Standard B3b—Each law enforcement agency should acquire the legal assistance necessary to insure maximum effectiveness in all operations. If legal assistance is needed to supplement city, county, and state sources, a police legal advisor should be employed.

Annual Achievement Criteria

1978—Law enforcement agencies serving six major metropolitan cities, six of 21 mid-size cities, and smaller cities with special needs will have legal advisors. CJD funds will be available for establishment or expansion of legal advisor operations in two cities.

1979—All law enforcement agencies serving six major metropolitan cities, 10 mid-size cities, and smaller cities with special needs will have legal advisors.

1980—All law enforcement agencies serving six major metropolitan cities, 12 mid-size cities, and smaller cities with special needs will have legal advisors.

Standard B3c—Each law enforcement agency should develop a means of area crime analysis, using available local, state, and national information.

Annual Achievement Criteria

1978—Law enforcement agencies serving Texas' six major metropolitan cities and 11 of 21 mid-size cities will have crime analysis capability. CJD funds will be available to establish or continue crime analysis programs in three law enforcement agencies.

1979—Law enforcement agencies serving six major metropolitan cities and 15 mid-size cities will have specialized crime analysis capability.

1980—Law enforcement agencies serving the six major metropolitan cities and 17 mid-size cities will have specialized crime analysis capability.

Standard B3d—Each law enforcement agency's management and organizational operations periodically should be reviewed internally.

Annual Achievement Criteria

1978—Law enforcement agencies serving four of the six major metropolitan cities, six of 21 mid-size cities, and smaller cities with special need will have conducted major management and organizational surveys within the last 10 years, with appropriate recommendations implemented.

1979—Law enforcement agencies serving four metropolitan cities, 10 mid-size cities, and smaller cities with special need will have conducted major management and organization surveys within the last 10 years, with appropriate recommendations implemented.

1980—Law enforcement agencies serving five metropolitan cities, 10 mid-size cities, and smaller cities with special need will have conducted major management and organization surveys within the last 10 years, with appropriate recommendations implemented.

Standard B3e—Each law enforcement agency should engage in positive efforts to employ ethnic minority group members and should institute selection procedures to facilitate employment of women.

Annual Achievement Criteria

1978—Statewide development, validation, and implementation of law enforcement officer selection and promotion procedures will be undertaken to assist all law enforcement agencies with equal employment opportunities. Individual agencies will implement minority recruitment efforts.

1979—Agencies will implement formal programs of minority recruitment where specific need is indicated.

1980—Agencies will implement formal programs of minority recruitment where specific need is indicated.

TYPES OF PROJECTS

Program 78-B3 is designed to increase law enforcement agency efforts and capabilities in preventing crime and detecting and apprehending criminals, and to provide more effective law enforcement service.

Funds will be used to develop, support, and continue the following types of projects:

- Planning and research units.
- Legal advisors.
- Crime analysis units.
- Statisticians.
- Psychologists and pathologists.
- Other professional aides.
- Agency organization and management surveys.
- Minority recruitment.

PROGRAM REQUIREMENTS

Eligibility

Grants will be awarded to units of local government and state law enforcement agencies. Funding will be limited to local agencies with at least 50 sworn personnel. Smaller agencies may apply only if they can document unusual local problems and needs.

Priority will be given to projects addressing CJD annual achievement criteria.

General

A series of program requirements apply to all applicants and grantees. These requirements relate to indirect cost, professional or consultant fees, procurement of consultants, travel, and methods for handling other project income and payments. Detailed information regarding each requirement can be found in Appendix C.

Special

UCR reporting. Each agency receiving benefits under this program must report monthly to Texas uniform

crime reporting program, DPS.

Professional aides. Each project involving professional aides must indicate in the grant application professional and academic qualifications of project personnel. Preferably professional aides will be nonsworn personnel with baccalaureate degree commensurate with the position to be filled.

Legal advisors. Legal advisors must be licensed to practice law in Texas. In applications for legal advisors, applicants must include resolution(s) explicitly setting out operational guidelines and operational authority of legal advisors. Legal advisors must be assigned to the head of the law enforcement agency.

Legal advisors funded by CJD are expressly prohibited from conducting private practice.

Organization studies. The police chief or sheriff must certify agreement to participate in and cooperate with any study of his or her department.

Continuation

Continuation will be in compliance with Rules and Guidelines 001.55.15, *Texas Register*, as set forth in Appendix D.

Continuation funds will be awarded only to projects that have submitted accurate, complete, and timely financial, progress, and monitoring reports required by CJD.

Assessment

Applicants must describe proposed projects in quantifiable terms. Effective October 1, 1977, all grantees must submit progress reports at the end of each grant quarter, as measured from the project start date indicated on the Statement of Grant Award. These quarterly reports must include monthly statistical information. In addition, a detailed narrative analysis of project accomplishment must be submitted after the eighth and 12th months of the grant period. See Appendix J for detailed instructions.

TECHNICAL ASSISTANCE AVAILABLE

Technical assistance is available on a limited basis from local criminal justice planners and the CJD police program specialist for project design, application preparation, and project implementation.

Technical assistance is available to small law enforcement agencies for organization, management, and operation studies that can be done without a CJD grant. This technical assistance is provided by LEAA contract services and usually is limited to three to five days. Requests are made by completing page one of "Request for Technical Assistance" form available from local criminal justice planners or CJD.

Limited technical assistance for small departments' organization, management, and operation studies also is available through Texas Commission on Law Enforcement Officer Standards and Education. TCLEOSE should be contacted for such requests.

BUDGET

Figures in this section are based on specific project proposals (Project Notification Sheets) from 1978 met-

ropolitan and regional criminal justice plans. Projects not included in the CJD budget will be considered for funding under this *Plan* only if budgeted projects fail to materialize or are not approved for funding. Contact the appropriate local criminal justice planner or CJD staff member regarding individual project budget status.

Budget for this program is \$83,249, including 90 percent federal funds and 10 percent state criminal justice planning funds. It is anticipated that three projects, from \$17,945 to \$35,000, will be funded—all local.

	Local Projects	State Projects	Total
CJD (Part C, Federal)	74,924	-0-	74,924
CJD (State CJPF)	8,325	-0-	8,325
Total	83,249	-0-	83,249

STAFF CONTACT

Questions concerning this program description should be addressed to the appropriate local criminal justice planner (see Appendix A) or to CJD police program specialist (512-475-6026).

78-B4. Law Enforcement Special Units and Programs

PROGRAM RATIONALE

Crime Problem Addressed

This program addresses all crime, especially *UCR* Part I index offenses, abuse of narcotics and dangerous drugs, and organized criminal activities.

System Problems and Needs Addressed

Many law enforcement agencies cannot meet the investigative demands of specific crimes and related problems. Larger law enforcement agencies need increased capability to detect and apprehend offenders and increased efficiency in criminal investigation. Smaller departments need organized record systems. In some cases, agencies have appropriate manpower but lack equipment and investigative aids needed to carry out the law enforcement function.

Law enforcement agencies in major metropolitan areas can improve their expertise in control of organized crime through participation in multiagency organized-crime control units with county wide or multi-county investigative jurisdiction. Organized-crime con-

trol activities of all law enforcement agencies in Texas should be centrally coordinated.

Evaluation Results Consulted

During the past decade law enforcement agencies throughout the country have implemented special programs. The President's Task Force on Organized Crime recommended that police departments in every major city have a special unit to ferret out organized criminal activities. It also recommended creation of regional and statewide organized-crime control systems. Following these recommendations, a statewide organized-crime control unit was established in Texas and local organized-crime control units were activated in representative metropolitan areas.

Progress reports submitted to CJD have indicated that coordinated law enforcement and prosecution efforts are an effective means of suppressing and preventing organized crime.

National law enforcement studies have documented need for special operational units. Several studies consulted were *Managing Criminal Investigations*, *Police Robbery Control Manual*, and *Neighborhood Team Policing* (LEAA Prescriptive Packages) and *NYCPD—Street Crime Unit* (LEAA Exemplary Project).

STRATEGIES AND STANDARDS

Strategy B—Increase the risk of apprehension and detection for offenders.

Substrategy B4—Increase availability of law enforcement agency special units and programs.

Standard B4a—Each law enforcement agency should establish and maintain capability (1) to gather, evaluate, and disseminate organized-crime information in a manner that protects each person's right to privacy and (2) to conduct effective vice operations against organized crime.

Annual Achievement Criteria

1978—Eleven of Texas' 24 standard metropolitan statistical areas will have local organized-crime control units with countywide or multicounty investigative jurisdiction.

1979—Fourteen Texas standard metropolitan statistical areas will have local organized-crime control units with countywide or multicounty investigative jurisdiction.

1980—Sixteen Texas standard metropolitan statistical areas will have local organized-crime control units with countywide or multicounty investigative jurisdiction.

Standard B4b—Each law enforcement agency with more than 75 sworn officers should have immediately available, consistent with an analysis of its needs, a flexible, highly mobile tactical force for rapid deployment against special crime problems and full-time criminal investigation capability. Each agency with fewer than 75 sworn personnel should assign a criminal investigation specialist where specific needs are present.

Annual Achievement Criteria

1978—Each law enforcement agency employing more than 75 sworn personnel will have special investigation and task force units. Smaller agencies with specific needs will have criminal investigation specialists. CJD funds will be available to expand or create special investigative or tactical capability in 25 law enforcement agencies. Funds also will be available to purchase special investigative equipment to enhance detection and apprehension capabilities in approximately 20 law enforcement agencies where specific needs have been documented.

1979—Each law enforcement agency employing more than 75 sworn personnel will have special investigation or task force units. Smaller agencies with specific needs will have criminal investigation specialists.

1980—Each law enforcement agency employing more than 75 sworn personnel will have special investigation or task force units. Smaller agencies with specific needs will have criminal investigation specialists.

Standard B4c—Each law enforcement agency with more than 75 sworn officers should have full-time narcotic and drug investigation capability. Personnel in smaller agencies should be assigned where justified by the local problem.

Annual Achievement Criteria

1978—Each law enforcement agency employing more than 75 sworn personnel will have full-time narcotic and drug investigation capability. Smaller agencies with special need also will have narcotic and drug control units. CJD funds will be available in 1978 to expand or increase the capability of narcotic investigation in agencies serving two counties and two cities with populations less than 50,000.

1979—Each law enforcement agency employing more than 75 sworn personnel, and smaller agencies with special need, will have full-time narcotic and drug investigation capability.

1980—Each law enforcement agency employing more than 75 sworn personnel, and smaller agencies with special need, will have full-time narcotic and drug investigation capability.

Standard B4d—Each law enforcement agency should establish a record system that collects crime data and information on operational activities so crime conditions and agency operations can be evaluated systematically.

Annual Achievement Criteria

1978—Law enforcement agencies needing upgraded record systems will be encouraged to undertake record development projects. CJD funds will be available to develop or enhance record system capabilities in law enforcement agencies. Additional technical assistance will be provided by state agencies for development of more efficient record systems.

1979—Law enforcement agencies needing upgraded record systems will be encouraged to undertake record development projects. Technical assistance will be provided by state agencies to assist in development of more efficient record systems.

1980—Law enforcement agencies needing upgraded record systems will be encouraged to undertake record development projects. Technical assistance will be provided by state agencies for development of more efficient record systems.

Standard B4e—Texas should establish a consolidated criminal laboratory system composed of areawide and state facilities capable of providing the most advanced forensic science services to criminal justice agencies.

Annual Achievement Criteria

1978—Existing laboratories will be upgraded to provide more effective forensic science services.

1979—More sophisticated investigative capability will be available through area and state crime laboratories.

1980—More sophisticated investigative capability will be available through area and state crime laboratories.

TYPES OF PROJECTS

Program 78-B4 is designed to increase law enforcement agency efforts in preventing crime, detecting and apprehending criminals, and providing general enforcement service.

Funds will be used to develop, support, and continue the following types of projects:

- Organized-crime control.
- Special investigators and task forces.
- Law enforcement record development.
- Narcotic and dangerous drug control.
- State and areawide crime laboratories.
- Other law enforcement operational units.

PROGRAM REQUIREMENTS

Eligibility

Grants will be awarded to units of local government and state agencies. Priority for special investigation units, task force units, and other special units generally will be given to agencies employing more than 75 sworn personnel. Small agencies without organized record systems may qualify for grants involving personnel. Regional councils may be grantee for multiagency purchase of technical equipment.

In accordance with LEAA guidelines, grantee agencies serving jurisdictions with less than 50,000 population are not eligible for funding for "buy money."

Funding for organized-crime control units will be through state agencies and units of local government, preferably located in the central city or county of a standard metropolitan statistical area.

The statewide impact of organized crime necessitates establishment of a high priority for all organized-crime control activities.

Priority will be given to projects addressing CJD annual achievement criteria.

General

A series of program requirements apply to all applicants and grantees. These requirements relate to indirect cost, professional or consultant fees, procurement of consultants, travel, and methods for handling other project income and payments. Detailed information regarding each requirement can be found in Appendix C.

Special

UCR reporting. Each agency receiving benefits under this program must report monthly to Texas uniform crime reporting program, DPS.

Information systems. CJD will participate in funding only that portion of an information system, existing or new, that is documented to be used for criminal justice system purposes.

Surveillance equipment. Projects involving purchase of undercover surveillance equipment must comply with Rules and Guidelines 001.55.13, *Texas Register*.

Crime documentation. Applicants for multiagency special units and all organized-crime control units must document a substantial local crime problem, using reported statistics at least from 1975 and 1976.

Multiagency units. Each multiagency unit will consist of two or more participating law enforcement agencies, one of which shall be that of the grantee. The project director must be a member of the grantee's law enforcement agency and approved by CJD.

Participating agencies will select members from their respective organizations for assignment to the multiagency unit. This unit will be controlled and directed by a

board of governors consisting of the participating agency heads. The board of governors will select a member of one of the participating agencies, who must be a sworn peace officer, to command the unit. This officer also may serve as project director if he or she is a member of the grantee's law enforcement agency and is approved by CJD.

In addition, organized-crime control units must meet these minimum personnel requirements:

--At least one supervisor, four investigators, and a secretary must be assigned to each unit.

--An analyst may be included in units having at least six investigators.

--An accountant may be included in units having at least one supervisor, 10 investigators, one analyst, one secretary, and one stenographer or typist.

Metropolitan units. Additional organized-crime control and task force units will not be established in metropolitan areas where similar units already exist.

Statewide Organized Crime Task Force. This unit will be either a single agency or a multiagency task force composed of law enforcement investigators and other highly skilled individuals who work full time in organized crime prevention, detection, apprehension, and prosecution.

Equipment. Grants solely for equipment purchase will be made only if application clearly documents that equipment purchase will enhance law enforcement capability by such means as improved response time, increased case-preparation capability, increased identification and investigation capability, more effective use of officer time, or improved law enforcement service. Closed circuit television cameras in law enforcement facilities may be placed only at vehicle unloading area, booking area, and entrance to detention area. Conventional equipment--such as weapons and munitions of all classes, ballistic helmets and vests, handcuffs, flashlights, light bars, and automobiles--and any equipment for which a legal use has not been established will not be funded.

Continuation

Continuation will be in compliance with Rules and Guidelines 001.55.15, *Texas Register*, as set forth in Appendix D. Pursuant to section .009 of the Rules and Guidelines, maximum funding for organized-crime control and task force units will not exceed 60 percent of total project cost for the first year, 50 percent of total project cost for the second year, and 40 percent of total project cost for any subsequent year.

Consolidation of two existing organized-crime control units will provide eligibility for consideration as a new unit.

Continuation funds will be awarded only to projects that have submitted accurate, complete, and timely financial, progress, and monitoring reports required by CJD.

Assessment

Applicants must describe proposed projects in quantifiable terms. Effective October 1, 1977, all grantees must submit progress reports at the end of each grant quarter, as measured from the project start date indicated on the Statement of Grant Award. These quarterly reports must include monthly statistical information. In addition, a detailed narrative analysis of project accomplishment must be submitted after the eighth and 12th months of the grant period. See Appendix J for detailed instructions.

TECHNICAL ASSISTANCE AVAILABLE

Technical assistance is available on a limited basis from local criminal justice planners and the CJD police program specialist for project design, application preparation, and project implementation.

Limited technical assistance also is available to all law enforcement agencies operating with or without CJD funding. This assistance is provided by LEAA contract services and usually is limited to three to five days. Requests are made by filling out page one of "Request for Technical Assistance" form available from local criminal justice planners and CJD.

Limited technical assistance for small departments to develop law enforcement record systems is available through Texas Commission on Law Enforcement Officer Standards and Education. TCLEOSE should be contacted for such requests.

BUDGET

Figures in this section are based on specific project proposals (Project Notification Sheets) from 1978 metropolitan, regional, and state agency criminal justice plans. Projects not included in the CJD budget will be considered for funding under this *Plan* only if budgeted projects fail to materialize or are not approved for funding. Contact the appropriate local criminal justice planner or CJD staff member regarding individual project budget status.

Budget for this program is \$2,611,854, including 90 percent federal funds and 10 percent state criminal justice planning funds. It is anticipated that 55 projects from \$1,062 to \$795,140 will be funded--\$1,591,714 for local projects and \$1,020,140 for state projects.

STAFF CONTACT

	Local Projects	State Projects	Total
CJD (Part C, Federal)	1,432,540	918,126	2,350,666
CJD (State CJPF)	159,174	102,014	261,188
Total	1,591,714	1,020,140	2,611,854

Questions concerning this program description should be addressed to the appropriate local criminal justice planner (see Appendix A) or to CJD police program specialist (512/475-6026).



78-B6. Law Enforcement Communication

PROGRAM RATIONALE

Crime Problem Addressed

This program addresses all crime, especially UCR Part I index offenses.

System Problems and Needs Addressed

Targets of this program are criminal justice system weaknesses such as high police response times, slow communication among criminal justice agencies, and inability to exchange criminal information rapidly among local, regional, state, and national agencies. Standards adopted indicate recognition of increasing equipment and software sophistication as well as increasing amount and type of communication within existing systems. Communication standards are unique in that they relate to the criminal justice system at a given time and require constant update. The "relative" standard, then, is an impetus for upgrading system as new technological improvements became available. This type of standard assures that performance goals of the system remain slightly more demanding than actual performance. Therefore, standards adopted by the CJD Advisory Board are in keeping with the rapidly changing state of the art in communication.

Evaluation Results Consulted

Numerous studies, plans, and evaluations document the approaches and rationale of Program 78-B6 for improving law enforcement communication. Among those consulted in developing this program were *Texas State Plan for Improving the Effectiveness of Police Communications* by Kelly Scientific Corporation; *Texas Statewide Law Enforcement Voice Radio Communications System* by Bernard Johnson Incorporated; *Master Plan, Texas Criminal Justice Information System* by Governor's Office of Information Services; *Texas Crime Information Center, Final Report* by System Science Development Corporation; *Texas Law Enforcement Teletype Network* by Texas Department of Public Safety and Governor's Office of Information Services; *Texas Law Enforcement Landline Communications System Upgrade* by Computer Sciences Corporation; and the *STACOM Study* conducted in Texas by Jet Propulsion Laboratory, California Institute of Technology, in cooperation with Texas Department of Public Safety and CJD.

Additionally, analysis of statistics gathered monthly by DPS on the use of landline telecommunication facilities indicates the system must be upgraded with modern equipment. These statistics, as well as recent federal regulations, indicate centralized management of the landline system is essential. Results of the *STACOM Study*, expected in late summer, 1977, will provide a strong basis for refining future plans from a 10-year forecast of requirements.

STRATEGIES AND STANDARDS

Strategy B—Increase the risk of detection and apprehension for offenders.

Substrategy B6—Improve law enforcement communication.

Standard B6—Each law enforcement agency should develop and maintain rapid and accurate communication capability; insure that its radio communication system makes the most efficient use of its radio equipment and frequencies; and develop and maintain immediate access to existing local, state, and federal law enforcement telecommunication networks.

Annual Achievement Criteria

1978

(1) Basic radio communication capability will be enhanced with equipment being added to qualifying law enforcement agencies. This enhancement will include equipping additional local law enforcement agencies with portable radios toward the goal that each on-duty officer has a portable radio at his or her disposal.

(2) Almost all previously existing low-speed terminal devices will have been upgraded to high-speed devices. High-speed devices will be added to provide high-speed landline telecommunication capability where needed, and all remaining low-speed devices will be upgraded.

(3) Landline system will be modified to comply with any new federal or state guidelines, regulations, or statutes.

(4) Landline system's controllers will be upgraded and circuit configurations changed to maximize network efficiency.

1979

(1) Law enforcement agencies in Texas will continue to enhance basic radio communication capability. Seventy-five percent of all on-duty officers will be equipped with portable radios.

(2) All low-speed terminal devices will have been upgraded to high-speed devices. High-speed landline telecommunication capability will be provided to additional agencies justifying need.

(3) Landline system will be improved to comply with any new federal or state guidelines, regulations, or statutes.

(4) Previously implemented highspeed terminals using 85A7 line procedure will be reprogrammed to 8A7 procedure to make all law enforcement telecommunication "Circuit compatible."

1980

(1) Each law enforcement agency in Texas will have enhanced radio communication capability and all on-duty officers will have portable radios.

(2) The entire state will have high-speed landline telecommunication capability. Studies will be undertaken to determine needed improvement of communication controller capability and circuit configurations to handle increased traffic.

(3) Landline system will be improved to comply with any new federal or state guidelines, regulations, or statutes.

(4) Peripheral devices will be added to telecommunication terminals of agencies accessing regional data bases to maximize man/machine productivity.

TYPES OF PROJECTS

Program 78-B6 is designed to increase communication capability within and among criminal justice agencies by providing funds for communication equipment, necessary support devices, and directly associated services.

Funds will be used to develop, support, and continue the following types of projects:

- Upgrading terminal devices.
- Improving landline controller effectiveness.
- Removing deficiencies in the landline system.
- Upgrading transmission line speed on remote terminal circuits.
- Upgrading and modifying existing radio communication systems.
- improving dispatch capability by integrating logging/recorders into dispatching centers.
- Continuing existing teletype and high-speed terminals in the landline system.

PROGRAM REQUIREMENTS

Eligibility

Metropolitan units of government, regional councils, and state agencies may apply for projects to upgrade existing radio communication systems and to improve dispatching capability. Regional councils, on behalf of local agencies and state agencies, are eligible to apply for projects to improve landline communication.

Priority will be given to projects addressing CJD annual achievement criteria.

To be eligible for funding of high-speed terminal equipment an agency must qualify under *one* of the following criteria:

--By replacing an existing terminal or teletype already on the Texas Law Enforcement Telecommunications Network (TLETN).

--Have 24 hour, seven days per week, dispatching. (Dispatching is defined as having one or more persons on duty to operate radio and terminal equipment.)

Police or sheriffs' departments that do not qualify under one of the preceding criteria may apply if they document reasons for a TLETN terminal. Each request under this criterion must be fully documented to justify the acquisition, including information on the agency's hours of dispatching, number of full-time commissioned law enforcement officers, amount of current TLETN traffic, geographic and demographic peculiarities, other agencies served, and any additional factors that convincingly document a clear need for the terminal.

General

A series of program requirements apply to all applicants and grantees. These requirements relate to indirect cost, professional or consultant fees, procurement of consultants, travel, and methods for handling other project income and payments. Detailed information regarding each requirement can be found in Appendix C.

Special

Standard. All units of local government applying for participation must:

- Certify compliance with security and privacy regulations.
- Certify that the agency will continue terminal maintenance after the first (funded) year of operation.
- Insure that new operators will be trained in terminal operating procedures before being assigned.
- Insure that all terminal operations will comply with current rules and procedures covering TLETN, TCIC, NCIC, and NLETS systems.
- Execute a resolution agreeing to participate in the project, committing the necessary local cash contribution, and allowing the appropriate regional council to contract for equipment delivery on behalf of the governmental entity.

If the preceding criteria have not been met, application must include resolutions documenting the local government commitment to comply.

UCR reporting. Each agency receiving benefits under this program must report monthly to Texas uniform crime reporting program, DPS.

Radio. Radio projects must comply with all previously promulgated requirements relating to 100 percent use by full-time law enforcement personnel, basic and primary types of equipment, competitive procurement, and 25 percent cash commitment to the project by applicant(s).

Terminal devices. Landline communication applications must include certification from each participating agency assuring compliance with federal and state legisla-

tion, regulations, procedures, and guidelines regarding security and privacy. Applications for communication terminal devices require a 15 percent cash commitment by grantee. This fiscal 1978 is the final year of funding for low-speed terminal devices with one year of maintenance or lease costs. In no case will funding be allowed for more than one year per agency for new terminal devices.

Tape logging. Use of tape logging equipment purchased with CJD funding is subject to restrictions in Appendix F.

Statewide projects. Cash commitments will not be required for projects to provide statewide transmission lines and to upgrade switching and controller capability. These projects are designed specifically to provide a direct service to local agencies. Neither are cash commitments specifically required for logging/recorder equipment.

Continuation

Continuation will be in compliance with Rules and Guidelines 001.55.15, *Texas Register*, as set forth in Appendix D. Pursuant to section .009 of the Rules and Guidelines, purchase, lease, rental, or maintenance of terminal devices will not be continued in succeeding budget years (beginning with fiscal 1979). Terminal device continuation funding will not be allowed after this year. Each application for terminal devices must include agency commitment to continue the project.

Continuation funds will not be awarded for high-speed terminal devices that have been operated under a grant for one or more years.

Continuation funds will be awarded only to projects that have submitted accurate, complete, and timely financial, progress, and monitoring reports required by CJD.

Assessment

Applicants must describe proposed projects in quantifiable terms. Effective October 1, 1977, all grantees must submit progress reports at the end of each grant quarter, as measured from the project start date indicated on the Statement of Grant Award. These quarterly reports must include monthly statistical information. In addition, a detailed narrative analysis of project accomplishment must be submitted after the eighth and 12th months of the grant period. See Appendix J for detailed instructions.

TECHNICAL ASSISTANCE AVAILABLE

Technical assistance for projects under this program falls into two areas: landline communication and radio communication.

Technical assistance in the design, installation, and operation of *landline* communication may be obtained from the Department of Public Safety. Coordination with this organization is important in defining interface specifications for terminals or systems interconnecting with the landline communication network. Independent consulting firms also may be useful in traffic analysis, system optimization, and other specialized fields. Specific equipment application data may be obtained from vendors.

Technical assistance for *radio* projects may entail frequency coordination, system design, or equipment specification. Frequency availability data may be obtained from DPS through the inspector of communications. System design and equipment specification assistance is available through independent consultants and equipment vendors.

CJD staff is available to provide limited assistance and referral. An index of referral resources is maintained for such services as planning, training, system design, and maintenance. Requests for assistance from CJD or LEAA are made by filling out page one of "Request for Technical Assistance" form available from local criminal justice planners or CJD.

BUDGET

Figures in this section are based on specific project proposals (Project Notification Sheets) from metropolitan, regional, and state agency criminal justice plans. Projects not included in the CJD budget will be considered for funding under this *Plan* only if budgeted projects fail to materialize or are not approved for funding. Contact the appropriate local criminal justice planner or CJD staff member regarding individual project budget status.

Budget for this program is \$1,451,385, including 33 percent federal funds and 67 percent state criminal justice planning funds. It is anticipated that 25 projects, from \$3,744 to \$664,291, will be funded, all local. DPS will be funded \$664,291, on behalf of units of local government, to provide for landline service.

	Local Projects	State Projects	Total
CJD (Part C, Federal)	483,790	-0-	483,790
CJD (State CJPF)	967,595	-0-	967,595
Total	1,451,385	-0-	1,451,385

STAFF CONTACT

Questions concerning this program description should be addressed to the appropriate local criminal justice planner (see Appendix A) or to CJD citizen involvement program specialist (512-475-6045).

C. DELINQUENCY REDUCTION

78-C1. Delinquency Prevention and Treatment

PROGRAM RATIONALE

Crime Problem Addressed

This program addresses juvenile offenses, both delinquent conduct and conduct indicating a need for supervision, as defined in Section 51.03, Title 3, *Texas Family Code*. Status offenses also are addressed in this program. Status offenses are defined as conduct that is illegal only if committed by a juvenile. In Texas status offenses include runaway, truancy, possession of alcohol, and violation of certain local ordinances when they apply only to juveniles (such as curfew and possession of inhalants).

System Problems and Needs Addressed

Current research indicates a lack of adequate alternatives for disposition of juvenile cases at each decision-making point in the juvenile justice system. This deficiency often requires referral of juveniles further into the system to obtain needed services. For example, the juvenile court may place some juveniles in institutions only because residential services are not available in the community.

Increased options are needed at each point of contact between the juvenile and the juvenile justice system. Based on the most recent data provided by juvenile court officials to Texas Judicial Council, approximately 50,098 of the 67,000 referrals to juvenile authorities were disposed of without formal court action. Dispositions without formal court action include informal probation, administrative supervision, referrals to other agencies, and closing at intake.

Many more diversion programs should be provided at this contact point to help juveniles who need rehabilitation services, but do not require, for their welfare or the

community protection, further involvement in the juvenile justice system.

Experience indicates the need for specialized statewide projects to complement local delinquency prevention and treatment efforts. A 24-hour hotline for runaway juveniles is needed on a statewide level, where a single telephone number can be advertised broadly to reach a maximum number of runaway youths and their families.

Investigation of alleged abuses in residential facilities is performed most effectively at the state level to preserve confidentiality and protect the rights and privacy of all persons involved.

Evaluation Results Consulted

Both the *Corrections* report of the National Advisory Commission on Criminal Justice Standards and Goals and *Texas Master Plan for Youth Resource Development* identify a need for increased dispositional alternatives for each component of the juvenile justice system. The *Corrections* report emphasizes the importance of early diversion from the juvenile justice system. The *Master Plan* specifically recommends that prevention projects, probation departments, and parole and postparole projects purchase a full range of residential and nonresidential delinquency prevention, diagnostic, and treatment services.

Statewide projects are based on nine years of experience in monitoring such programs. Also consulted were reports of the National Advisory Commission on Criminal Justice Standards and Goals, which recommend establishment of a mechanism to coordinate and deliver youth services and improvement of working relationships with major community social institutions, organizations, and agencies.

STRATEGIES AND STANDARDS

Strategy C—Develop, implement, and improve prevention and treatment services for delinquent youths and children in need of supervision (including status offenders).

Substrategy C1—Improve community-based and institutional care for delinquent juveniles.

Standard C1a—Each community should establish means of coordinating and delivering a comprehensive range of services to youths through advocacy, brokerage, youth development, and crisis intervention, as needed.

Annual Achievement Criteria

1978

(1) A statewide runaway hotline will continue to operate.

(2) Approximately 224 (88 percent) of Texas' 254 counties will have juvenile probation departments to coordinate and deliver services to children coming to the attention of juvenile justice authorities for delinquent conduct or conduct indicating a need for supervision (including status offenses). CJD will contribute to this achievement level by assisting 13 juvenile probation departments serving communities with populations greater than 100,000 and 32 departments serving smaller communities to purchase, provide, or make referrals to a comprehensive range of services.

1979

(1) A statewide runaway hotline will continue to operate.

(2) Approximately 234 counties (92 percent) will have juvenile probation departments to coordinate and deliver services to delinquent youths and children in need of supervision.

1980

(1) A statewide runaway hotline will continue to operate.

(2) Approximately 241 counties (95 percent) will have juvenile probation departments to coordinate and deliver services to delinquent youths and children in need of supervision.

Standard C1b—Each correctional agency should develop and implement policies and procedures to insure the offender's right of access to legal assistance with problems or proceedings related to his or her custody, control, management, or legal affairs while under correctional authority.

Annual Achievement Criteria

1978—The Office of Youth Care Investigation will continue to investigate all complaints and grievances received and make recommendations to the appropriate authorities to insure juvenile rights are protected.

1979—The Office of Youth Care Investigation will continue to investigate all complaints and grievances received and make recommendations to the appropriate authorities to insure juvenile rights are protected.

1980—The Office of Youth Care Investigation will continue to investigate all complaints and grievances received and make recommendations to the appropriate authorities to insure juvenile rights are protected.

Standard C1c—The state should have capability to conduct research on the causes of delinquent behavior.

Annual Achievement Criteria

1978—A statewide research project concerning the causes of delinquency will be continued.

1979—A statewide research project concerning the causes of delinquency will be continued.

1980—A statewide research project concerning the causes of delinquency will be continued.

TYPES OF PROJECTS

Program 78-C1 is designed to provide residential and nonresidential delinquency prevention, as well as treatment and advocacy, services to juveniles.

Funds will be used to help juvenile probation departments purchase, provide, or make referrals to a comprehensive range of services, including:

—Foster, group, and family homes; emergency shelters; halfway houses; and therapeutic camps for children coming to the attention of the court for delinquent conduct or conduct indicating a need for supervision (including status offenses).

—Nonresidential counseling and treatment services for children coming to the attention of the court for delinquent conduct or conduct indicating a need for supervision (including status offenses). These services may be provided through individual purchase-of-service contracts or through funding of complete projects.

—Investigation of complaints of mistreatment in residential facilities.

—Twenty-four hour hotline for runaway juveniles.

—Pilot efforts to test innovative approaches to service delivery.

—Development of volunteer services.

—Research to study causes of delinquent behavior.

—Substance abuse prevention services.

—Career development, job training and placement, and supportive and follow-up services.

PROGRAM REQUIREMENTS

Eligibility

Grants will be awarded to state agencies and units of local government. These governmental units may subcontract with private, nonprofit organizations.

Highest priority will be given to counties for juvenile probation departments, which will use the funds to purchase services or otherwise provide a comprehensive range of services to eligible juveniles. In counties that do not have probation departments, the juvenile judge or chairman of the juvenile board may serve as project director.

Priority also will be given to projects that combine funds from all available sources.

Regional councils may be considered as applicants only for projects that (1) are multicounty in nature and (2) use funds from statutory agencies to reduce project cost to CJD.

Priority will be given to projects addressing CJD annual achievement criteria.

General

A series of program requirements apply to all applicants and grantees. These requirements relate to indirect cost, professional or consultant fees, procurement of consultants, travel, and methods for handling other project income and payments. Detailed information regarding each requirement can be found in Appendix C.

Special

Working agreements. All local or regional applicants must provide written working agreements with juvenile justice referral sources and with related CJD-funded projects for delinquency prevention and control in the same locale.

DPW licensing. See Appendix H.

Youth care staff training. Within 90 days after employment, all new houseparent staff of CJD funded residential facilities for juveniles must receive at least 80 hours of training in child and youth care. Training materials and technical assistance are available through CJD and DPW.

Diversion guidelines. All juvenile diversion programs that envision law enforcement disposition without referral to the juvenile court should provide written guidelines for such disposition, approved by the juvenile judge(s), in accordance with Section 52.03, Title 3, *Texas Family Code*. At a minimum such guidelines should provide for diversion of all status offenders prior to incarceration. Any modification to this policy by the applicant must be submitted to CJD to determine whether such modification is consistent with Texas' commitment under the *Juvenile Justice and Delinquency Prevention Act* to deinstitutionalize status offenders.

TJC reporting. Any juvenile probation department receiving CJD funds must provide information requested by Texas Judicial Council in its monthly juvenile reports.

Target population. No project will be eligible for funding, except as noted herein, unless at least 75 percent of its target group is referred for delinquent conduct or conduct indicating a need for supervision as defined in Section 51.03, Title 3, *Texas Family Code*.

Funding limitation on residential facilities. For residential facilities, CJD funds may be used only to meet DPW minimum licensing requirements.

Funding limitation on purchase-of-service grants. CJD monitoring will be required at the end of the first six months of the grant period to determine whether budget adjustments are needed.

Accreditation of alternative schools. All applications for funding of alternative schools shall be accompanied by a letter from administrative head(s) of area indepen-

dent school districts indicating approval of the project.

Grantee contribution for construction projects. Applicants for construction, renovation, or expansion grants must provide a local cash commitment of at least one-half of all construction costs. All construction or major renovation projects must be reviewed by the National Clearinghouse for Correctional Programs and Architecture and must comply with Part E special requirements.

Continuation

Continuation will be in compliance with Rules and Guidelines 001.55.15, *Texas Register*, as set forth in Appendix D.

Continuation funds will be awarded only to projects that have submitted accurate, complete, and timely financial, progress, and monitoring reports required by CJD.

Assessment

Applicants must describe proposed projects in quantifiable terms. Effective October 1, 1977, all grantees must submit progress reports at the end of each grant quarter, as measured from the project start date indicated on the Statement of Grant Award. These quarterly reports must include monthly statistical information. In addition, a detailed narrative analysis of project accomplishment must be submitted after the eighth and 12th months of the grant period. See Appendix J for detailed instructions.

TECHNICAL ASSISTANCE AVAILABLE

Technical assistance is available to units of local government or state agencies from the following sources:

--CJD juvenile corrections program specialist provides general assistance in developing juvenile projects, refining applications to meet LEAA and CJD guidelines, and conducting needs analysis.

--A manual for juvenile probation departments, including standardized forms and office procedures, was developed during 1976 and is available on request.

--Department of Public Welfare provides information in developing applications for licensing of juvenile residential facilities and administrators. DPW can provide technical assistance in developing community programs for juveniles, particularly status offenders and other children in need of supervision. DPW also can provide consultation about child care training.

--Texas Commission on Alcoholism is available to help local governments develop community programs for juveniles with alcoholism or alcohol abuse problems.

--Texas Judicial Council collects data on the juvenile crime problem and the juvenile justice system and will provide limited technical assistance to probation departments regarding data development.

--Texas Youth Council is available to help applicants develop community programs for juveniles.

--LEAA's National Institute of Juvenile Justice and Delinquency Prevention conducts ongoing research on new techniques in working with juveniles, serves as a national clearinghouse for information on delinquency, and offers training in these techniques to persons who work with juveniles.

--In addition, LEAA may provide technical assistance by contract services. Requests are made by completing page one of "Request for Technical Assistance" form available from local criminal justice planners or CJD juvenile corrections program specialist.

BUDGET

Figures in this section are based on specific project proposals (Project Notification Sheets) from 1978 metropolitan, regional, and state agency criminal justice plans. Projects not included in the CJD budget will be considered for funding under this *Plan* only if budgeted projects fail to materialize or are not approved for funding. Contact the appropriate local criminal justice planner or CJD staff member regarding individual project budget status.

Budget for this program is \$951,183, including 90 percent federal funds (both Parts C and E) and 10 percent state criminal justice planning funds. Fifteen grants, ranging from \$5,000 to \$175,000, are anticipated--\$337,848 for local projects and \$613,335 for state projects.

	Local Projects	State Projects	Total
CJD (Part C, Federal)	285,768	328,315	614,083
CJD (Part E, Federal)	-0-	223,687	223,687
CJD (State CJPF)	52,080	61,333	113,413
Total	337,848	613,335	951,183

STAFF CONTACT

Questions concerning this program description should be addressed to the appropriate local criminal justice planner (see Appendix A) or to CJD juvenile corrections program specialist (512-475-3001).

78-C2. Juvenile Diversion Projects

PROGRAM RATIONALE

Crime Problem Addressed

This program addresses juvenile offenses, both delinquent conduct and conduct indicating a need for supervision, as defined in Section 51.03, Title 3, *Texas Family Code*. Status offenses also are addressed in this program. Status offenses are defined as conduct that is illegal only if committed by a juvenile. In Texas status offenses include runaway, truancy, possession of alcohol, and violation of certain local ordinances when they apply only to juveniles (such as curfew and possession of inhalants).

System Problems and Needs Addressed

Approximately 67,000 juveniles come into official contact with law enforcement officials each year in Texas. Each jurisdiction should have the capability to investigate and, where appropriate, divert juveniles coming to the attention of law enforcement officers. Each jurisdic-

tion should assign responsibility for investigating juvenile offenses, following up on cases processed by law enforcement officers, and screening and referring juveniles in need of assistance to appropriate social service agencies, in accordance with Section 52.03, Title 3, *Texas Family Code*.

Evaluation Results Consulted

Texas Juvenile Corrections Master Plan and the Lyndon B. Johnson School of Public Affairs study, "Deinstitutionalizing Status Offenders" (December, 1976) were consulted in identifying the need for increased services, such as diversion, at the point of contact between juveniles and law enforcement officials. Projects previously funded under this program were assessed. Evaluation results cited in Standard 9.5 of the National Advisory Commission on Criminal Justice Standards and Goals *Police* report also were used in developing Program 78-C2.

STRATEGIES AND STANDARDS

Strategy C—Develop, implement, and improve prevention and treatment services for delinquent youths and children in need of supervision (including status offenders).

Substrategy C2—Increase law enforcement's capability to deal with juveniles, including diversion from the juvenile justice system whenever appropriate.

Standard C2—Each law enforcement agency should establish procedures to divert juveniles to alternative community-based programs and human resource agencies outside the juvenile justice system, when community safety is not jeopardized. Each law enforcement agency having more than 15 sworn officers should establish juvenile investigation and diversion capability.

Annual Achievement Criteria

1978—Thirty percent of all law enforcement agencies employing more than 15 sworn officers will have juvenile diversion and investigative capability.

1979—Half of all law enforcement agencies employing more than 15 sworn officers will have juvenile diversion and investigative capability.

1980—Two-thirds of all law enforcement agencies employing more than 15 sworn officers will have juvenile diversion and investigative capability.

TYPES OF PROJECTS

Program 78-C2 is designed to increase the capability of local law enforcement agencies to investigate juvenile crime and delinquency, follow up on juvenile cases processed by line officers, and divert juveniles in need of further services to appropriate agencies in the community in accordance with Section 52.03, Title 3, *Texas Family Code*. This capability will be accomplished by full-time or part-time juvenile law enforcement officers.

PROGRAM REQUIREMENTS

Eligibility

Grants will be awarded to units of local government. Priority will be given to projects addressing CJD annual achievement criteria.

General

A series of program requirements apply to all applicants and grantees. These requirements relate to indirect cost, professional or consultant fees, procurement of consultants, travel, and methods for handling other project income and payments. Detailed information regarding each requirement can be found in Appendix C.

Special

Problem documentation. Applications must include documentation of local juvenile problems, including number of status and delinquent offenses, to justify creation of juvenile investigation and diversion capability. Applications for *full-time* juvenile law enforcement officers must be documented thoroughly, with specific attention to (a) projected number of juvenile offenses to be processed during the grant year and (b) estimated average number of manhours to be spent in processing each juvenile case. Projections should be based on number of juvenile offenses and juvenile offenders during previous year.

Diversion guidelines. Applicants must agree to develop written guidelines for disposition without referral to court in accordance with Section 52.03, Title 3, *Texas Family Code*. At a minimum, such guidelines shall require diversion of all status offenders prior to any incarceration. Modifications to this policy must be submitted to CJD for determination of whether such modifications are consistent with Texas' commitment under the *Juvenile Justice and Delinquency Prevention Act* to deinstitutionalize status offenders.

TJC reporting. Any juvenile probation department receiving CJD funds must provide information requested by Texas Judicial Council in its monthly juvenile reports.

UCR reporting. Each agency receiving benefits under this program must report monthly to Texas uniform crime reporting program, DPS.

Continuation

Continuation will be in compliance with Rules and Guidelines 001.55.15, *Texas Register*, as set forth in Appendix D.

Continuation funds will be awarded only to projects that have submitted accurate, complete, and timely financial, progress, and monitoring reports required by CJD.

Assessment

Applicants must describe proposed projects in quantifiable terms. Effective October 1, 1977, all grantees must submit progress reports at the end of each grant quarter, as measured from the project start date indicated on the Statement of Grant Award. These quarterly reports must include monthly statistical information. In addition, a detailed narrative analysis of project accomplishment must be submitted after the eighth and 12th months of the grant period. See Appendix J for detailed instructions.

TECHNICAL ASSISTANCE AVAILABLE

Technical assistance is available to units of local government or state agencies from the following sources:

--CJD juvenile corrections program specialist provides general assistance in developing juvenile projects, refining applications to meet LEAA and CJD guidelines, and conducting general on-site surveys.

--U.S. Department of Justice, LEAA, National Institute of Juvenile Justice and Delinquency Prevention (Washington, D.C.) provides ongoing research into new techniques of working with juveniles, serves as a national clearinghouse for information on delinquency, and offers training to persons working with juveniles.

--LEAA may provide technical assistance by contract services. Requests are made by completing page one of "Request for Technical Assistance" form available from local criminal justice planners or CJD.

Questions concerning technical assistance should be directed to the appropriate local planner or to CJD juvenile corrections program specialist.

BUDGET

Figures in this section are based on specific project proposals (Project Notification Sheets) from 1978 metropolitan and regional criminal justice plans. Projects not included in the CJD budget will be considered for funding under this *Plan* only if budgeted projects fail to materialize or are not approved for funding. Contact the appropriate local criminal justice planner or CJD staff member regarding individual project budget status.

Budget for this program is \$599,289, including 90 percent federal funds and 10 percent state criminal justice planning funds. It is anticipated that 31 projects, from \$7,850 to \$50,342, will be funded, all for local projects.

	Local Projects	State Projects	Total
CJD (Part C, Federal)	539,360	-0-	539,360
CJD (State CJPF)	59,929	-0-	59,929
Total	599,289	-0-	599,289

STAFF CONTACT

Questions concerning this program description should be addressed to the appropriate local criminal justice planner (see Appendix A) or to CJD juvenile corrections program specialist (512-475-3001).



78-C3. Deinstitutionalization of Status Offenders

PROGRAM RATIONALE

Crime Problem Addressed

This program addresses juvenile offenses, both delinquent conduct and conduct indicating a need for supervision, as defined in Section 51.03, Title 3, *Texas Family Code*. Highest priority will be given to status offenses. Status offenses are defined as conduct that is illegal only if committed by a juvenile. In Texas status offenses include runaway, truancy, possession of alcohol, and violation of certain local ordinances when they apply only to juveniles (such as curfew and possession of inhalants).

System Problems and Needs Addressed

Approximately 30,000 status offenders, primarily truants and runaways, come to the attention of Texas juvenile courts each year. Status offenders often are treated in the same manner as children who have committed delinquent acts. One reason is a lack of dispositional alternatives.

Placing status offenders with delinquents may in-

crease the risk of their future involvement in delinquency. *Texas Juvenile Corrections Master Plan*, completed in 1975, documents that more than 75 percent of all status offenders arrested received no services and that at least 50 percent were taken into custody at least twice.

Evaluation Results Consulted

Program 78-C3 was developed in response to Congressional concern, as expressed in the *Juvenile Justice and Delinquency Prevention Act*, that status offenders "shall not be placed in juvenile detention or correctional facilities, but may be placed in shelter facilities." Each state accepting *JJDP*A funds is committed to deinstitutionalization of status offenders. This program is modeled after LEAA's discretionary grant program for the deinstitutionalization of status offenders.

Also consulted were *Texas Juvenile Corrections Master Plan*, which recommends diversion to community rehabilitation programs of nondelinquent children referred to the court, and the Lyndon B. Johnson School of Public Affairs 1976 report, "Deinstitutionalizing Status Offenders in Texas."

STRATEGIES AND STANDARDS

Strategy C—Develop, implement, and improve prevention and treatment services for delinquent youths and children in need of supervision (including status offenders).

Substrategy C3—Deinstitutionalize status offenders.

Standard C3a—Each juvenile court jurisdiction should develop residential and nonresidential alternatives to the juvenile justice system.

Annual Achievement Criteria

1978—Each juvenile court jurisdiction (county) with population greater than 50,000 will purchase or otherwise provide comprehensive residential and nonresidential services as an alternative to further processing of juveniles, particularly status offenders, coming to the court's attention. Half of all juvenile court jurisdictions with population 25,000 to 50,000 will begin purchasing such services. CJD will contribute toward this level of accomplishment by providing funding for purchase or development of such services in target counties that have conducted a needs assessment and documented a lack of needed resources.

1979—Each juvenile court jurisdiction with a population greater than 25,000 will purchase or otherwise provide comprehensive residential and nonresidential services for juveniles.

1980—Each juvenile court jurisdiction with a population greater than 25,000 will purchase or otherwise provide comprehensive residential and nonresidential services for juveniles.



CONTINUED

1 OF 3

Standard C3b—Each juvenile court jurisdiction should establish a screening and referral mechanism to divert juveniles, when appropriate, to residential and nonresidential alternatives to the juvenile justice system.

Annual Achievement Criteria

1978—Each juvenile court jurisdiction (county) with population greater than 50,000 will maintain a formal screening and referral mechanism to divert juveniles, when appropriate, to residential and nonresidential alternatives to the juvenile justice system.

1979—Each juvenile court jurisdiction (county) with a population greater than 25,000 will have developed a formal screening, referral, and coordinating mechanism for comprehensive juvenile services.

1980—Each juvenile court jurisdiction (county) with a population greater than 25,000 will have developed a formal screening, referral, and coordinating mechanism for comprehensive juvenile services.

TYPES OF PROJECTS

Program 78-C3 is designed to establish a statewide network of community-based residential and nonresidential services for status offenders as alternatives to incarceration. Counseling, education, and treatment services also will be provided to keep the status offender from again coming to the attention of juvenile justice authorities.

Funds will be used to develop, support, and continue the following type of projects:

- Staffing for 24-hour intake units in jails or detention centers with authority to divert status offenders into community-based programs.
- Youth service bureaus.
- Family counseling and crisis intervention services.
- Halfway houses, foster group and family homes, and emergency shelter facilities.
- Liaison workers to establish continuing communication among courts, police, probation, schools, and private and public social service agencies.
- Alternative schools.
- Substance abuse prevention services.
- Career development, job training and placement, and supportive and follow-up services.

PROGRAM REQUIREMENTS

Eligibility

Grants will be awarded to state agencies and units of local government.

Highest priority will be given to counties for juvenile probation departments, which will use the funds to purchase services or otherwise provide a comprehensive range of services to status offenders. In counties that do not have probation departments, the juvenile judge or

chairman of the juvenile board may serve as project director.

Priority also will be given to projects that combine funds from all available sources.

Regional councils may be considered as applicants only for projects that (1) are multicounty in nature and (2) use funds from statutory agencies to reduce project cost to CJD.

Priority will be given to projects addressing CJD annual achievement criteria.

General

A series of program requirements apply to all applicants and grantees. These requirements relate to indirect cost, professional or consultant fees, procurement of consultants, travel, and methods for handling other project income and payments. Detailed information regarding each requirement can be found in Appendix C.

Special

Juvenile court commitment. Applications must be accompanied by a written statement from the juvenile court that all status offenders coming to the court's attention will be referred to the project as long as the project is operating at capacity or lower. Any modification to this policy by the applicant must be submitted to CJD to determine whether it is consistent with Texas' commitment under the *Juvenile Justice and Delinquency Prevention Act* to deinstitutionalize status offenders.

If this requirement is not pertinent to the application for any reason, application must be accompanied by a written statement from the juvenile court endorsing the project and stating the court will use the project to full capacity in the manner described in the application.

If the project is designed to serve an area in which more than one judge has juvenile jurisdiction, all judges having such jurisdiction shall be required to endorse the application before it will be considered for funding.

Each jurisdiction applying for funds under this program description must have on file at CJD assurance of its current juvenile judge's commitment to deinstitutionalize all status offenders in its jurisdiction. If such assurance is not on file, it must be included in the application. Any modification of this requirement will be reviewed to determine whether it is consistent with Texas' commitment under the *Juvenile Justice and Delinquency Prevention Act* to deinstitutionalize status offenders.

Diversion guidelines. Applications for staffing of 24-hour intake units in jails or detention centers with authority to divert status offenders into community-based facilities shall include written guidelines, signed by the juvenile judges, in accordance with Section 52.03, Title 3, *Texas Family Code*. The guidelines must clearly set out the conditions under which such diversion shall or shall not take place and specify the facilities to which such diversion is authorized.

DPW licensing. See Appendix H.

Youth care staffing training. Within 90 days after employment, all new houseparent staff of CJD funded residential facilities for juveniles must receive at least 80 hours of training in child and youth care. Training materials and technical assistance are available through CJD and DPW.

Nonprofit organizations. If the project is to be implemented by a nonprofit agency organized for the sole or main purpose of subcontracting with a unit of government, the board of directors of such nonprofit agency shall consist of the juvenile court judge or his or her designated representative, who shall chair the board; a representative of juvenile probation; a local police official; a local school official; a DPW representative; a MH-MR representative; and representatives from the public or private sector whose participation is desirable for coordination of community facilities and resources. The local criminal justice planner(s) shall sit as an ex-officio board member(s).

This requirement shall not apply to projects organized before January 1, 1976, nor shall it restrict subcontracts for implementation with organizations such as churches, clubs, and civic groups not formed for the sole or main purpose of subcontracting with a unit of government to execute a project of this nature.

Working agreements. All local or regional applicants must include in the applications written working agreements with juvenile justice referral sources and with related CJD funded projects for delinquency prevention and control in the same locale.

TJC reporting. Any juvenile probation department receiving CJD funds must provide information requested

by Texas Judicial Council in its monthly juvenile reports.

Funding limitations on residential facilities. For residential facilities, CJD funds may be used only to meet DPW minimum licensing requirements.

Funding limitations on purchase-of-service grants. CJD monitoring will be required at the end of first six months of grant period to determine whether budget adjustments are needed.

Accreditation of alternative schools. All applications for funding of alternative schools shall be accompanied by a letter from administrative head(s) of area independent school districts indicating approval of the project.

Target group. At least 75 percent of all referrals to 78-C3 projects must be made by law enforcement agencies or the juvenile court for status offenses. The remaining 25 percent may be juveniles referred for delinquent conduct or conduct indicating a need for supervision, or dependent and neglected children as defined in Title 2 of the *Texas Family Code*. Once deinstitutionalization is achieved, funds may be used to expand services for juveniles referred for delinquent conduct or conduct indicating a need for supervision.

Match requirements. All projects funded with *Juvenile Justice and Delinquency Prevention Act* money must include local match totaling 10 percent of total project cost. This match must be cash, except in unusual circumstances, which must be submitted to and approved by LEAA before the CJD Advisory Board can consider the application. Applications for projects seeking approval of in-kind match must include applicant's certification and documentation that (1) a good-faith effort has been made to obtain cash match and cash is not available and (2) there is not reasonable alternative to the use of in-kind match.

Grantee contribution for construction projects. Grantees for construction, renovation, or expansion projects must provide a local cash commitment of at least one-half of all construction costs. All construction or major renovation projects must be reviewed by the National Clearinghouse for Correctional Programs and Architecture and must comply with Part E special requirements.

Continuation

Continuation will be in compliance with Rules and Guidelines 001.55.15, *Texas Register*, as set forth in Appendix D.

For *JJDP*A-funded projects the first 10 percent of match as required by Appendix D may be the statutory required cash match or the first 10 percent may be in-kind match if prior approval is obtained by LEAA/CJD (see "Match requirements," preceding).

However, the balance of the required match must be cash that is newly appropriated by the unit of local government or provided by a private nonprofit organization.

Continuation funds will be awarded only to projects that have submitted accurate, complete, and timely financial, progress, and monitoring reports required by CJD.

Assessment

Applicants must describe proposed projects in quantifiable terms. Effective October 1, 1977, all grantees must submit progress reports at the end of each grant quarter, as measured from the project start date indicated on the Statement of Grant Award. These quarterly reports must include monthly statistical information. In addition, a detailed narrative analysis of project accomplishment must be submitted after the eighth and 12th months of the grant period. See Appendix J for detailed instructions.

TECHNICAL ASSISTANCE AVAILABLE

Technical assistance is available to units of local government or state agencies from the following sources:

—CJD juvenile corrections program specialist provides general assistance in developing juvenile projects, refining applications to meet LEAA and CJD guidelines, and conducting needs analysis.

—A manual for juvenile probation departments, including standardized forms and office procedures, was developed during 1976.

—Department of Public Welfare provides information in developing applications for licensing of juvenile residential facilities and administrators. DPW can provide technical assistance in developing community programs for status offenders. DPW also can provide consultation about child care training.

—Texas Commission on Alcoholism is available to help local governments develop community programs for juveniles with alcoholism or alcohol abuse problems.

—Texas Judicial Council collects data on the juvenile crime problem and the juvenile justice system and will provide limited technical assistance to probation departments regarding data development.

—Texas Youth Council is available to help applicants develop community programs for juveniles.

—A statewide data collection effort has been conducted to determine where status offenders were incarcerated, the approximate number at each location, where nonsecure facilities exist to which these status offenders might appropriately be transferred, and where such facilities are needed. Results of this effort are available to

local units of government for planning purposes.

—LEAA's National Institute of Juvenile Justice and Delinquency Prevention conducts ongoing research on new techniques in working with juveniles, serves as a national clearinghouse for information on delinquency, and offers training in these techniques to persons who work with juveniles.

—In addition, LEAA may provide technical assistance by contract services. Requests are made by completing page one of "Request for Technical Assistance" form available from local criminal justice planners or CJD.

Questions concerning this procedure should be directed to the appropriate local planner or to CJD juvenile corrections program specialist.

BUDGET

Figures in this section are used on specific project proposals (Project Notification Sheets) from 1978 metropolitan and regional plans and 1978 interim detailed project proposals. Projects not included in a CJD budget will be considered for funding under this *Plan* only if budgeted projects fail to materialize or are not approved for funding. Contact the appropriate local criminal justice planner or CJD staff member regarding individual project budget status.

Budget for this program is \$4,443,046, including 90 percent federal funds and 10 percent state criminal justice planning funds for Part C projects and 100 percent federal funds for JJDPAs projects. Fifty-four grants, ranging from \$1,494 to \$537,400, are anticipated—\$3,867,193 in local projects and \$575,853 in state projects.

Not included in the following budget summary are local funds contributed to project implementation and operation. A 10 percent cash or in-kind match is required of all applicants for JJDPAs funds.

	Local Projects	State Projects	Total
CJD (Part C, Federal)	611,141	-0-	611,141
CJD (JJDPAs, Federal)	3,188,147	575,853	3,764,000
CJD (State CJPF)	67,905	-0-	67,905
Total	3,867,193	575,853	4,443,046

STAFF CONTACT

Questions concerning this program description should be addressed to the appropriate local criminal justice planner (see Appendix A) or to CJD juvenile corrections program specialist (512-475-3001).

78-C4. Local Juvenile Detention and Correctional Facilities

PROGRAM RATIONALE

Crime Problem Addressed

This program addresses juvenile offenses, both delinquent conduct and conduct indicating a need for supervision, as defined in section 51.03, Title 3, *Texas Family Code*, excluding status offenders.

System Problems and Needs Addressed

Texas Judicial Council reported that in 1976, 28,394 juveniles were detained in secure detention facilities in Texas. Of these juveniles, 16,160 were detained for delinquent conduct and 12,234 for conduct indicating a need for supervision. Forty-one percent were detained less than 24 hours, 30 percent for at least 24 hours but less than three days, 10 percent for at least three but less than five days, 10 percent for at least five but less than 10 days, and nine percent for 10 days or longer.

Section 51.12, Title 3, *Texas Family Code*, requires that in each county the judge of the juvenile court and the members of the juvenile board, if there is one, personally inspect the facility(ies) the county uses for detention of juveniles at least annually and certify in writing that such facilities are suitable or unsuitable for detention of children. In 1976 TJC conducted a survey of juvenile detention in Texas. Survey respondents indicated 154 of the state's 254 counties had at least one facility available for juvenile detention.

A vast majority (114) of facilities used to detain juveniles were described as county jails. Eighteen city jails and 17 juvenile detention homes were identified. Five counties did not specify the type of facility. Most juvenile detention homes were located in the state's densely populated counties. Seventy-four counties indicated there were no juvenile detention facilities in their jurisdiction, 26 counties did not respond to this question.

Of the 154 counties with juvenile detention facilities,

75 percent (115) reported they had certified their juvenile detention facilities, 19 percent (30) reported their facilities had not been certified, and six percent (nine) did not respond to this question. Twenty-four hour supervision was provided in 80 percent of the facilities. The total juvenile capacity ranged from 108 children in Harris County to one child in sparsely populated counties.

In view of these data, local planning units have identified a statewide need to plan and provide for juvenile detention facilities separate from city and county jails. In response to local priorities for projects to meet this need, this program provides partial funding for planning and construction of juvenile detention facilities.

Evaluation Results Consulted

National Clearinghouse for Criminal Justice Planning and Architecture studies emphasize the importance of total system planning in developing and improving juvenile detention facilities, an approach adopted in this program. This process discourages the assumption that there are standard responses to detention or correctional needs. Before taking any action, juvenile offender needs should be explored and measured against a wide range of possible alternatives and existing community resources. According to the clearinghouse, requirements for any facility cannot be determined with validity until such a process has been completed.

In addition, the National Advisory Commission on Criminal Justice Standards and Goals reviewed relevant juvenile detention data nationwide and identified a need for less emphasis on hardware and more emphasis upon the dynamic relationship between programs and physical environment. The commission also recommended that the child and his or her relationship to staff should be the primary determinants of facility planning. Viewed from this perspective, Texas' heavy reliance on jails for juvenile detention should be reevaluated.

STRATEGIES AND STANDARDS

Strategy C—Develop, implement, and improve prevention and treatment services for delinquent youths and children in need of supervision (including status offenders).

Substrategy C4—Improve availability of adequate detention facilities for delinquent juveniles.

Standard C4a—Each county should undertake planning for community corrections, based on a total system concept that encompasses the full range of juvenile needs and the overall goal of delinquency prevention and that insures that facility use is limited to those who must be detained.

Annual Achievement Criteria

1978

- (1) Three counties or regions will have completed Phase I, total system planning, to determine their juvenile detention and correctional needs and identify alternative approaches.
- (2) Two counties or regions will have completed Phase II, architectural plans, for local or regional juvenile detention or correctional facilities.
- (3) Two counties will staff juvenile detention facilities.
- (4) One county will begin construction of a juvenile detention facility.

1979

- (1) Five counties or regions will have completed Phase I, total system planning.
- (2) Five counties or regions will have completed Phase II, architectural plans.
- (3) Three counties will staff juvenile detention facilities.
- (4) One county will begin construction of a juvenile detention facility.
- (5) One county will complete construction of a juvenile detention facility.

1980

- (1) Seven counties or regions will have completed Phase I, total system planning.
- (2) Seven counties or regions will have completed Phase II, architectural plans.
- (3) Three counties will staff juvenile detention facilities.
- (4) One county will begin construction of a juvenile detention facility.
- (5) One county will complete construction of a juvenile detention facility.

Standard C4b—Each county should have access to juvenile detention and correctional facilities that meet the county's needs as defined through total system planning.

Annual Achievement Criteria

1978—Seventeen of Texas' 254 counties will have juvenile detention homes.

1979—Eighteen counties or regions will have juvenile detention homes.

1980—Nineteen counties or regions will have juvenile detention homes.

TYPES OF PROJECTS

Program 78-C4 is designed to provide for total system planning for the needs of juveniles and the community. It also is designed to provide local communities access to adequate detention or correctional facilities for juveniles.

PROGRAM REQUIREMENTS

Eligibility

Grants will be awarded to units of local government or combinations thereof. Priority will be given to projects addressing CJD annual achievement criteria. Preference will be given to projects involving more than one jurisdiction.

General

A series of program requirements apply to all applicants and grantees. These requirements relate to indirect cost, professional or consultant fees, procurement of consultants, travel, and methods for handling other project income and payments. Detailed information regarding each requirement can be found in Appendix C.

Special

Split budget. Counties that cannot obtain sufficient funds from the local criminal justice planning unit budget to undertake facility renovation or construction projects in one year may spread costs over a two-year period by seeking half of construction costs from their fair share of the current year's reasonable budget expectation (RBE) and half from the following year's RBE. To be eligible for this type of funding the project's priority must fall within the RBE for two consecutive budget years and the project must be approved in both years' plans before an application will be considered. If the project has been approved the first fiscal year but not the second, money previously set aside will be released for other eligible projects.

Jail prohibition. No 78-C4 funds will be used for renovation of city or county jails. Funds will be used only for planning, design, and construction or renovation of facilities separate from adult jails.

Project design requirements. Each jurisdiction must document consideration of the following principles in conducting total system planning and carrying out its findings:

(1) The detention facility should be located near court and community resources.

(2) Capacity of each living area in the center should not exceed 12 juveniles. Within each living area, only individual occupancy should be provided—single rooms and programming are regarded as essential. Individual rooms should be pleasant, adequately furnished, and homelike rather than punitive and hostile in atmosphere.

(3) Security should be based on a *combination* of staffing patterns, physical design, and technological devices.

(4) Appropriate existing facilities in the community should be considered instead of new construction. Preference should be given to existing residential facilities.

(5) All community resources should be investigated carefully, and facility programming should be based on full use of these resources.

(6) Detention facilities should be coeducational and should have access to a full range of supportive programs, including education, library, recreation, arts and crafts, music, drama, writing, and entertainment. Outdoor recreational areas are essential.

(7) Citizen advisory boards should be established to pursue development of in-house and community-based programs and alternatives to detention.

Separation. Projects funded under Program 78-C4 must comply with Sections 223(a)(12) and 223(a)(13) of the *Juvenile Justice and Delinquency Prevention Act* and Section 51.12(a), Title 3, *Texas Family Code*.

Consultants. Requests for proposals must meet all 78-C4 program requirements, including those listed in Appendix G. Potential applicants for projects under Program 78-C4 must complete the procurement process through selection of consultant *before submitting a grant application*. The application must include a copy of the request for proposal, timetable for the procurement process, criteria for selection, method of selection used, sample grading sheet, and qualifications of consultant selected. Notification or award by applicant to successful consultant must be withheld until applicant receives CJD approval of the procurement process.

Detailed requirements. For detailed requirements on facility planning, renovation, or construction, see Appendix G.

Phase I: Preliminary Planning Studies. Applications for preliminary planning studies must include a written plan for staffing the proposed project, including provisions for staff orientation and inservice training. Preliminary studies will not include detailed architectural drawings, except on very small projects approved in advance by CJD. Applicant must submit to CJD the qualifications of persons to be used or sought as consultants. CJD funding of a preliminary planning study does not imply further commitment to the project.

Phase II: Architectural Drawings. To qualify for a grant for detailed architectural drawings, applicant must

show firm commitment, in the form of county resolution, to provide all or at least a large part (one-half minimum) of the final construction costs locally. CJD funding of architectural drawings does not imply further commitment to the project.

Phase III: Renovation or Construction. Applicants for construction, renovation, or expansion grants must provide a local cash commitment of at least one-half of all construction costs.

Continuation

Continuation will be in compliance with Rules and Guidelines 001.55.15, *Texas Register*, as set forth in Appendix D. Pursuant to Section .009 of the Rules and Guidelines, projects for construction will be continued as follows:

CJD funding of detention facility planning does not commit CJD to the project beyond the preliminary study grant, nor does CJD funding of architectural drawings commit CJD to construction or renovation assistance.

Continuation funds will be awarded only to projects that have submitted accurate, complete, and timely financial, progress, and monitoring reports required by CJD.

Assessment

Applicants must describe proposed projects in quantifiable terms. Effective October 1, 1977, all grantees must submit progress reports at the end of each grant quarter, as measured from the project start date indicated on the Statement of Grant Award. These quarterly reports must include monthly statistical information. In addition, a detailed narrative analysis of project accomplishment must be submitted after the eighth and 12th months of the grant period. See Appendix J for detailed instructions.

TECHNICAL ASSISTANCE AVAILABLE

CJD juvenile corrections program specialist provides general assistance in developing projects, refining applications to meet LEAA and CJD guidelines, and conducting general on-site surveys.

The National Clearinghouse for Criminal Justice Planning and Architecture (Urbana, Illinois) provides technical assistance to LEAA grantees, correctional planners, architects, and others in developing correctional programs and architecture. A reference collection of correctional program statements and preliminary architectural drawings and specifications is maintained.

BUDGET

Figures in this section are based on specific project proposals (Project Notification Sheets) from 1978 metropolitan and regional criminal justice plans. Projects not included in the CJD budget will be considered for funding under this *Plan* only if budgeted projects fail to materialize or are not approved for funding. Contact the appropriate local criminal justice planner or CJD staff member regarding individual project budget status.

Budget for this program is \$323,137, including 90 percent federal funds and 10 percent state criminal justice planning funds except for construction projects, which are 50 percent federal, 50 percent state. It is anticipated that five projects, from \$20,000 to \$147,970 will be funded—all for local projects.

	Local Projects	State Projects	Total
CJD (Part C, Federal)	231,635	-0-	231,635
CJD (State CJPF)	91,502	-0-	91,502
Total	323,137	-0-	323,137

STAFF CONTACT

Questions concerning this program description should be addressed to the appropriate local criminal justice planner (see Appendix A) or to CJD juvenile corrections program specialist (512-475-3001).

D. PRETRIAL AND ADJUDICATION

78-D1. Defense

PROGRAM RATIONALE

Crime Problem Addressed

This program addresses all felony, serious misdemeanor, and juvenile offenses.

System Problems and Needs Addressed

Improved administration of justice requires an adequate number of trained and qualified criminal defense lawyers. The current shortage of such defense attorneys contributes to delay between arrest and trial. There is a particularly acute shortage of well-trained criminal defense attorneys to handle indigent cases as required by the *Constitution* and court rulings. A well-trained de-

fense bar can be expected to dispose of criminal cases with efficiency and speed.

Evaluation Results Consulted

This program is based on opinions expressed by criminal justice personnel, prosecutors, and judges during the five years CJD has funded defense projects. Also employed in program development was experience gained from intern projects at various law schools during the past five years and from recently implemented law school clinical projects, providing courtroom experience for advanced law students under supervision of an attorney. National Legal Aid and Defender Association publications, such as *Guidelines for Legal Defense Systems in the United States*, also have been consulted.

STRATEGIES AND STANDARDS

Strategy D—Increase the probability of a speedy and fair trial, and conviction where warranted.

Substrategy D1—Improve quality of public representation for indigent defendants through increased training opportunities.

Standard D1a—Each criminal defense attorney should receive at least eight hours specialized refresher training a year.

Annual Achievement Criteria

1978—Training seminars to enhance criminal defense skills of appointed counsel will be provided to 750 attorneys recommended by the courts and agreeing to accept indigent appointments.

1979—Training seminars, with updated curricula incorporating new legislative and judicial changes, will be provided to 750 additional attorneys recommended by the courts and agreeing to accept indigent appointments.

1980—Training seminars, with updated curricula incorporating new legislative and judicial changes, will be provided to 750 additional attorneys recommended by the courts and agreeing to accept indigent appointments.

Standard D1b—Students in the state's law schools should have available the opportunity to participate in a clinical criminal law program.

Annual Achievement Criteria

1978—Two of the state's seven law schools will maintain criminal law clinical programs to attract students to and prepare them for criminal defense careers.

1979—Four law schools will maintain criminal law clinical programs.

1980—Five law schools will maintain criminal law clinical programs.

TYPES OF PROJECTS

Program 78-D1 is designed to encourage fair and prompt disposition of each criminal case by supporting efforts to provide qualified legal counsel to all indigent defendants. Funds will be used to develop, support, and continue the following types of projects:

—Training seminars for attorneys who are recommended by the courts and agree to accept indigent appointments.

—Clinical projects in which advanced law students supervised by licensed attorneys represent indigent defendants in court.

—Projects to provide for defense of indigents in unusual cases in which the death penalty is sought and defense expenses create an emergency for the county.

PROGRAM REQUIREMENTS

Eligibility

Grants will be awarded to the State Bar of Texas, Texas colleges and universities, and county governments. Priority will be given to projects addressing CJD annual achievement criteria.

General

A series of program requirements apply to all applicants and grantees. These requirements relate to indirect cost, professional or consultant fees, procurement of consultants, travel, and methods for handling other project income and payments. Detailed information regarding each requirement can be found in Appendix C.

Special

Training. Training project applications must state that participants will agree to accept appointments for defense of indigents and that notice of such agreements will be furnished to judges of the jurisdiction(s) in which each participant practices.

Law schools. Law school application(s) must provide curriculum, explain nature of law school's participation in the project, describe rules and regulations governing law students, and identify where law students will be placed. The school must agree in the application to make

every effort to monitor former participants' employment for five years after graduation.

Capital cases. Applicants must submit county budgets for past three years and supporting documentation on county tax base adequate to prove need for additional funding.

Continuation

Continuation will be in compliance with Rules and Guidelines 001.55.15, *Texas Register*, as set forth in Appendix D. Pursuant to Section .009 of the Rules and Guidelines, funding for law school projects will not exceed three years for each project.

Consideration will be given to future funding of other types of projects if they continue to prove successful based on accurate, complete, and timely financial, progress, and monitoring reports required by CJD.

Assessment

Applicants must describe proposed projects in quantifiable terms. Effective October 1, 1977, all grantees must submit progress reports at the end of each grant quarter, as measured from the project start date indicated on the Statement of Grant Award. These quarterly reports must include monthly statistical information. In addition, a detailed narrative analysis of project accomplishment must be submitted after the eighth and 12th months of the grant period. See Appendix J for detailed instructions.

TECHNICAL ASSISTANCE AVAILABLE

Technical assistance for criminal defense projects is available from the National Legal Aid and Defender Association, 2100 M Street, N.W., Washington, D.C. 20037, and its National Center for Defense Management; the National College of Criminal Defense Lawyers and Public Defenders, Bates College of Law, University of Houston, 3801 Cullen, Houston, Texas 77004; Texas Center for the Judiciary; and Texas Criminal Defense Lawyers Association. Technical assistance is available in areas such as defense training and assessment of defense needs.

Technical assistance on intern and clinical projects is

available from faculty and staff of law schools with experience in such projects.

Specific requests should be addressed to CJD courts program specialist, who will aid in securing assistance from the appropriate source.

BUDGET

Figures in this section are based on specific project proposals (Project Notification Sheets) from 1978 state agency criminal justice plans. Projects not included in the CJD budget will be considered for funding under this *Plan* only if budgeted projects fail to materialize or are not approved for funding. Contact CJD staff regarding individual project budget status.

Budget for this program is \$123,003, including 90

percent federal funds and 10 percent state criminal justice planning funds. It is anticipated that one state project will be funded.

	Local Projects	State Projects	Total
CJD (Part C, Federal)	-0-	110,703	110,703
CJD (State CJPF)	-0-	12,300	12,300
Total	-0-	123,003	123,003

STAFF CONTACT

Questions concerning this program description should be addressed to CJD courts program specialist (512-475-6045).



2

78-D2. Prosecution

PROGRAM RATIONALE

Crime Problem Addressed

This program addresses all felony, serious misdemeanor, and juvenile offenses.

System Problems and Needs Addressed

Equitable and swift prosecution assists in deterring potential and repeat offenders and insures the shortest possible time from arrest to final disposition.

A primary cause of delay between arrest and trial is the lack of full-time, trained career prosecutors and support personnel to insure that criminal cases are promptly

and efficiently investigated and prepared for grand juries, trial courts, and appeals.

An adequately staffed, financed, and trained prosecution system is needed to achieve prompt processing.

Evaluation Results Consulted

This program is based on the experience of Texas prosecutors and those of other states, as well as reports such as the *Study of Prosecutors' Offices in the State of Texas—1974*, published by Texas District and County Attorneys Association.

Program 78-D2 seeks to implement standards for staffing, salaries, and operation of prosecutors' offices recommended by those experts and studies consulted.

STRATEGIES AND STANDARDS

Strategy D—Increase the probability of a speedy and fair trial, and conviction where warranted.

Substrategy D2—Improve organization and management of the prosecution component and prosecutors' offices.

Standard D2a—Each prosecutor's office should have investigative resources to assist in case preparation as well as support staff and equipment to enable the office to give thorough attention to cases prosecuted.

Annual Achievement Criteria

1978

- (1) Approximately 76 percent (75) of Texas' felony prosecutors' offices will be staffed with investigators.
- (2) Approximately 30 percent (95) of all prosecutors' offices will have assistant prosecuting attorneys and 85 percent (265) will have clerical staff.
- (3) Felony prosecutors' offices in Texas' six counties with populations greater than 250,000 will continue to maintain special crime units to investigate and prosecute such offenses as organized crime, white collar crime, or consumer fraud and the Attorney General's Office will continue to maintain special units to investigate such offenses as organized crime, white collar crime, or consumer fraud for appropriate civil actions and assistance to local prosecutors for criminal action.
- (4) Each Texas county with population exceeding 350,000 will have the services of a full-time medical examiner.
- (5) Each felony prosecutor's office serving a population of greater than 250,000 will have a section to identify and intensively prosecute career or repeat offenders.

1979

- (1) Approximately 85 percent (88) of Texas' felony prosecutors' offices will be staffed with investigators.

(2) All prosecutors' offices serving jurisdictions with populations greater than 100,000 (23) and smaller jurisdictions with unusual need will have assistant prosecuting attorneys and clerical staff.

(3) Felony prosecutors' offices in all counties with populations greater than 250,000 and smaller jurisdictions with unusual need will maintain special crime units.

(4) Each Texas county with population exceeding 250,000 will have the services of a full-time medical examiner.

(5) Each felony prosecutor's office serving a population of greater than 250,000 will have a section to identify and intensively prosecute career or repeat offenders.

1980

(1) Approximately 90 percent (93) of Texas' felony prosecutors' offices will be staffed with investigators.

(2) Approximately 95 percent of all prosecutors' offices serving jurisdictions with populations greater than 60,000 (36) will have assistant prosecuting attorneys and clerical staff.

(3) Felony prosecutors' offices in all counties with populations greater than 250,000 will maintain special crime units. Felony prosecutors' offices will have new units if need continues.

(4) Each Texas county with population exceeding 250,000 will have the services of a full-time medical examiner.

(5) Each felony prosecutor's office serving a population of greater than 250,000 will have a section to identify and intensively prosecute career or repeat offenders.

Standard D2b—Screening provisions and procedures to halt formal or informal action against persons who become involved in the criminal justice system should be implemented in all judicial jurisdictions. Screening provisions will enable the prosecutor to determine those cases in which either there is insufficient evidence to justify further proceedings or additional proceedings would not adequately further the interests of the criminal justice system.

Annual Achievement Criteria

1978—Screening units will be operating in 45 percent (10) of Texas' 23 felony prosecutors' offices serving jurisdictions with populations greater than 100,000.

1979—Screening units will be operating in 60 percent (59) of all felony prosecutors' offices.

1980—Screening units will be operating in 75 percent (74) of all felony prosecutors' offices.

Standard D2c—Information on current developments in the law should be provided to prosecutorial and judicial personnel.

Annual Achievement Criteria

1978—Legal assistance will continue to be available to all district and county attorneys, judges, and law enforcement officials by the Attorney General's Office through WATS line service and newsletter summarizing and analyzing recent major court decisions and other information of interest to criminal justice officials.

1979—Legal assistance will continue to be available to all district and county attorneys, judges, and law enforcement officials.

1980—Legal assistance will continue to be available to all district and county attorneys, judges, and law enforcement officials.

Standard D2d—All prosecutors and assistants should receive 20 hours inservice training each year.

Annual Achievement Criteria

1978—All prosecutors will have available at least 20 hours inservice training.

1979—All prosecutors will have available at least 20 hours inservice training.

1980—All prosecutors will have available at least 20 hours inservice training.

TYPES OF PROJECTS

Program 78-D2 is designed to assist in providing fair and prompt disposition of each criminal and juvenile case by improving the prosecution system with adequate staff, financing, and training.

Funds will be used to develop, support, and continue the following types of projects:

--Inservice prosecutor training on statewide and national levels, including 20 hours basic inservice training annually.

--Technical assistance and coordinative support to prosecutors' offices.

--Assistant prosecutors, investigators, support staff, equipment, and supplies for prosecutors' offices as recommended by the *1974 Study of the Prosecutors' Offices in the State of Texas*.

--Screening and diversion units.

--Career or repeat offender units.

--Special crime units.

--Attorney General's crime prevention division newsletter and statewide WATS telephone.

--Medical examiner's office.

--Career incentive pay.

PROGRAM REQUIREMENTS

Eligibility

Grants will be awarded to state agencies, private non-profit organizations, and units of local government. Priority will be given to projects that address CJD annual achievement criteria.

General

A series of program requirements apply to all applicants and grantees. These requirements relate to indirect cost, professional or consultant fees, procurement of consultants, travel, and methods for handling other project income and payments. Detailed information regarding each requirement can be found in Appendix C.

Special

Staffing. Applications must include present and proposed staffing, job descriptions, and total budget, including state appropriated funds.

Investigator selection. On selection of a new investigator, grantee must submit documentation to CJD that the investigator's qualifications comply with CJD conditions.

Assistant prosecutors. Applications for assistant prosecutors must be accompanied by a certification from the project director that the assistant(s) will devote full time to the project and will not maintain private law practice.

Equipment. Applications in which equipment is more than 30 percent of the project shall provide for a 25 percent grantee cash commitment toward its purchase.

Radlos. Applications that include radios shall provide for a 25 percent grantee cash commitment toward their purchase.

Incentive pay. Applications from prosecutors' offices that include career-incentive pay increases must provide detailed county budget requests and awards for the past two years; agreement from participating prosecutors to remain at least three years after grant award and forego all private practice; and written agreement from grantee to provide 50 percent of the career-incentive pay increase the initial funding year and, if continued by CJD funding, provide 75 percent of original career-incentive pay increase in the second year and assume total cost at the conclusion of CJD funding.

Continuation

Continuation will be in compliance with Rules and Guidelines 001.55.15, *Texas Register*, as set forth in Appendix D. Pursuant to section .009 of Rules and Guidelines, organized crime, white collar crime, and career criminal units are eligible for three years of 100 percent CJD funding and for fourth year funding if the unit of local government contributes at least one-third the amount of CJD funding for the prior year, and for fifth year funding if the unit of government assumes one-half of CJD funding for the fourth year.

Funding for career-incentive pay projects is limited to two years, both requiring grantee cash commitment. (See Special Requirements, preceding).

Continuation funds will be awarded only to projects that have submitted accurate, complete, and timely financial, progress, and monitoring reports required by CJD.

Assessment

Applicants must describe proposed projects in quantifiable terms. Effective October 1, 1977, all grantees must submit progress reports at the end of each grant quarter, as measured from the project start date indicated on the Statement of Grant Award. These quarterly reports must include monthly statistical information. In addition, a detailed narrative analysis of project accomplishment must be submitted after the eighth and 12th months of the grant period. See Appendix J for detailed instructions. In addition, forms included in Appendix K must be part of each D2 application and progress report.

TECHNICAL ASSISTANCE AVAILABLE

Technical assistance for prosecutor projects is available from the National District Attorneys Association, 211 East Chicago Avenue, Suite 1515, Chicago, Illinois, and its National Center for Prosecution Management; the National College of District Attorneys, Bates College of Law, 3801 Cullen, Houston, Texas 77007; and Texas District and County Attorneys Association, 1411 West Avenue, Suite 210, Austin, Texas 78701. These organizations provide technical assistance in areas such as prosecutor training, office organization and management, and technical equipment. Personnel of existing projects

also are available for technical assistance.

Specific requests should be addressed to CJD courts program specialist, who will assist in obtaining assistance from the appropriate source.

BUDGET

Figures in this section are based on specific project proposals (Project Notification Sheets) from 1978 metropolitan, regional, and state agency criminal justice plans. Projects not included in the CJD budget will be considered for funding under this *Plan* only if budgeted projects fail to materialize or are not approved for funding. Contact the appropriate local criminal justice planner or CJD staff member regarding individual project budget status.

Budget for this program is \$2,484,395, including 90 percent federal funds and 10 percent state criminal justice planning funds. It is anticipated that 42 grants, ranging from \$6,741 to \$380,334, will be funded. Local projects will have available \$2,104,061, state projects \$380,334.

	Local Projects	State Projects	Total
CJD (Part C, Federal)	1,893,653	342,301	2,235,954
CJD (State CJPF)	210,408	38,033	248,441
Total	2,104,061	380,334	2,484,395

STAFF CONTACT

Questions concerning this program description should be addressed to the appropriate local criminal justice planner (See Appendix A) or to CJD courts program specialist (512-475-6045).

78-D3. Judicial Agencies

PROGRAM RATIONALE

Crime Problem Addressed

This program addresses all felony, serious misdemeanor, and juvenile offenses.

System Problems and Needs Addressed

Two serious problems in the criminal justice system are pretrial and posttrial delay. There is general agreement that application of appropriate court management techniques by properly trained personnel will alleviate this problem without sacrifice of justice or dignity.

Evaluation Results Consulted

This program is based on the experience of Texas and other states as well as on special studies (including *Modern Court Management: Trends in the Role of the Court Executive* by David J. Saari) and on studies by the American Bar Association (including Maureen Solomon's *Caseflow Management in the Trial Court*), National Center for State Courts (including *Evaluation Guidebook to Computer-Aided Transcription and Video Support in the Criminal Courts*), and Institute for Court Management. These reports stress the importance of management and coordination techniques in improving court performance.

STRATEGIES AND STANDARDS

Strategy D—Increase the probability of a speedy and fair trial, and conviction where warranted.

Substrategy D3—Improve organization and management of courts exercising criminal or juvenile jurisdiction.

Standard D3a—All trial and appellate judges having criminal or juvenile jurisdiction (including justices of the peace and support personnel) should have available both orientation training immediately before or after taking office and annual inservice training.

Annual Achievement Criteria

1978

- (1) All new county, district, and juvenile judges and justices of the peace will continue to have available national, state, or local orientation training.
- (2) All experienced trial and appellate judges and justices of the peace will continue to have available national; state, or local inservice training each year.
- (3) Support personnel will continue to participate in inservice training each year.

1979

- (1) All new county, district, and juvenile judges and justices of the peace will continue to have available orientation training.
- (2) All experienced trial and appellate judges and justices of the peace will continue to have available national, state, or local inservice training each year.
- (3) Support personnel will continue to participate in inservice training each year.

1980

- (1) All new county, district, and juvenile judges and justices of the peace will continue to have available orientation training.

(2) All experienced trial and appellate judges and justices of the peace will continue to have available inservice training each year.

(3) Support personnel will continue to participate in inservice training each year.

Standard D3b—Each trial and appellate court with heavy caseload should have fulltime local trial court administrator(s) or coordinator(s) and other necessary staff support, and an information system to improve management and movement of cases.

Annual Achievement Criteria

1978

(1) Approximately 95 percent (16) of all trial courts with criminal or juvenile jurisdiction serving jurisdictions with populations greater than 120,000 and smaller jurisdictions with unusual need will have court administrator(s) or coordinator(s) and necessary support staff.

(2) One-third of all district judges with criminal jurisdiction will have a secretary or administrative staff person.

(3) Approximately 90 percent of all trial courts serving jurisdictions with populations greater than 250,000 and smaller jurisdictions with unusual need will have access to computer services adequate to perform functions such as multiple indexing, jury selection, and case scheduling.

(4) Approximately 90 percent of all district courts serving Texas' nine counties with populations greater than 200,000 will have microfilm capability and information systems.

(5) All trial and appellate courts will continue to receive caseload and court activity data collected and disseminated by Texas Judicial Council with CJD funding assistance.

(6) The Court of Criminal Appeals will have sufficient full-time professional staff to screen and monitor each case, prepare the lower court record for review, and identify arguable issues.

1979

(1) All trial courts serving jurisdictions with populations greater than 120,000 and smaller jurisdictions with unusual need will have court administrator(s) or coordinator(s).

(2) One-half of all district judges with criminal jurisdiction will have a secretary or administrative staff person.

(3) All trial courts serving jurisdictions with populations greater than 250,000 and smaller jurisdictions with unusual need will have access to computer services.

(4) Approximately 90 percent of all district courts serving counties with populations greater than 200,000 and smaller jurisdictions with unusual need will have microfilm capability and information systems.

(5) All trial and appellate courts will continue to receive caseload and court activity data collected and disseminated by Texas Judicial Council.

(6) The Court of Criminal Appeals will continue to have sufficient full-time professional staff to carry out its responsibilities in a timely manner.

1980

(1) Approximately 95 percent (19) of all trial courts serving jurisdictions with populations greater than 100,000 and smaller jurisdictions with unusual need will have court administrator(s) or coordinator(s).

(2) All district courts will have a secretary or administrative staff person.

(3) All trial courts serving jurisdictions with populations greater than 200,000 and smaller jurisdictions with unusual need will have access to computerized services.

(4) Each district court serving counties with populations greater than 200,000 and smaller jurisdictions with unusual need will have microfilm capability and information systems.

(5) All trial and appellate courts will continue to receive caseload and court activity data collected and disseminated by Texas Judicial Council.

(6) The Court of Criminal Appeals will continue to have sufficient full-time professional staff to carry out its responsibilities in a timely manner.

Standard D3c—Each judicial jurisdiction should provide a mechanism to undertake adequate investigation of defendant's characteristics and circumstances to identify those defendants who can be released before trial on their promise to appear for trial.

Annual Achievement Criteria

1978

(1) Ten of Texas' 20 counties with populations greater than 100,000 and smaller jurisdictions with unusual need will have pretrial release units.

(2) Three of Texas' six counties with populations greater than 250,000 and smaller jurisdictions with unusual need will have access to a magistrate at night.

1979

(1) Twelve counties (60 percent) with populations greater than 100,000 and smaller jurisdictions with unusual need will have pretrial release units.

(2) Four counties with populations greater than 250,000 and smaller jurisdictions with unusual need will have access to a magistrate at night.

1980

(1) Fifteen counties with populations greater than 100,000 and smaller jurisdictions with unusual need will have pretrial release units.

(2) Each county with populations greater than 250,000 and smaller jurisdictions with unusual need will have access to a magistrate at night.

Standard D3d—The period from arrest to beginning of trial in a felony prosecution should not be longer than 90 days.

Annual Achievement Criteria

1978—Judicial districts experiencing arrest to trial time of more than 90 days and documenting insufficient court staff to handle exceptionally excessive case backlogs will be provided staff for temporary courts.

1979—Judicial districts experiencing arrest to trial time of more than 90 days and documenting insufficient court staff to handle exceptionally excessive case backlogs will have staff for temporary courts.

1980—Judicial districts experiencing arrest to trial time of more than 90 days and documenting insufficient court staff to handle exceptionally excessive case backlogs will have staff for temporary courts.

Standard D3e—The use of modern technology, such as videotapes and computer-aided transcription in criminal cases, should be studied and pilot projects established.

Annual Achievement Criteria

1978

- (1) A CJD-funded pilot project using videotape systems will be continued if justified by interim evaluation.
- (2) A CJD-funded pilot project to computerize trial transcripts will be continued in one jurisdiction.

1979

- (1) Videotape pilot projects will be evaluated and plans to best use these technological advances developed.
- (2) Computerized court reporting systems will be implemented in additional jurisdictions as indicated by evaluation.

1980

- (1) Based on evaluation results of pilot projects, technological advances including court sound and security systems and videotape systems will be implemented in jurisdictions documenting need.
- (2) Based on results of pilot projects, a statewide plan for computerized court reporting will be developed and implemented.

Standard D3f—Each presiding administrative judge will have support staff adequate to carry out official responsibilities.

Annual Achievement Criteria

1978—Presiding judges of administrative judicial districts will have necessary assistance.

1979—Presiding judges of administrative judicial districts will have necessary assistance.

1980—Presiding judges of administrative judicial districts will have necessary assistance.

TYPES OF PROJECTS

Program 78-D3 is designed to encourage (a) fair and prompt determination of the guilt or innocence of persons before courts exercising criminal and juvenile jurisdiction and (b) sentencing of convicted offenders to promote rehabilitation and deter others from committing crimes. Achievement requires an improved court system that is adequately staffed, financed, and trained.

Funds will be used to develop, support, and continue the following types of projects:

—Statewide and national educational and training programs and publication of educational material for judges exercising criminal or juvenile jurisdiction and their support personnel.

—Forty hours preservice and 20 hours inservice training, as well as publication of handbooks, for all judges exercising criminal or juvenile jurisdiction, including justices of the peace.

—Administrative support to the Court of Criminal Appeals.

—Administrative support to courts including court administrator(s) or coordinator(s), additional staff, and equipment.

—Assistance to gather and disseminate statistical data and information on the judicial system.

—Pretrial release and night magistrate programs.

PROGRAM REQUIREMENTS

Eligibility

Grants will be awarded to state agencies, private non-profit organizations, and units of local government. Courts whose primary caseload is traffic offenses generally are not eligible. Priority will be given to projects that address CJD annual achievement criteria.

General

A series of program requirements apply to all applicants and grantees. These requirements relate to indirect cost, professional or consultant fees, procurement of consultants, travel, and methods for handling other project income and payments. Detailed information regarding each requirement can be found in Appendix C.

Special

Staffing. Applications must include present and proposed total staffing, job descriptions, and total budget.

Equipment. Applications in which equipment is more than 30 percent of the project shall provide for a 25 percent grantee cash commitment toward its purchase.

Temporary courts. Applications for temporary courts must include certification by the presiding judge of the administrative district that the temporary courts are necessary.

Information systems. Applications for judicial information systems will be reviewed by a judicial system expert chosen by CJD staff. CJD will participate in funding only that portion of an information system, existing or new, that is documented to be used for criminal justice system purposes.

Pretrial release. The following additional special requirements apply to applicants for projects for the implementation of pretrial release projects:

—Applications must document implementation of Article 2372p2, *VACS*.

—District and county judges must comprise the project's governing body.

—Operational rules and regulations must be attached to the application.

—Applications must include copies of forms showing information to be gathered about each person charged and applicant's certification that the project will provide a copy of information sheets to the probation department and sheriff's office.

Continuation

Continuation will be in compliance with Rules and Guidelines 001.55.15, *Texas Register*, as set forth in Appendix D.

Continuation funding will be awarded only to projects that have submitted accurate, complete, and timely financial, progress, and monitoring reports required by CJD.

Assessment

Applicants must describe proposed projects in quantifiable terms. Effective October 1, 1977, all grantees

must submit progress reports at the end of each grant quarter, as measured from the project start date indicated on the Statement of Grant Award. These quarterly reports must include monthly statistical information. In addition, a detailed narrative analysis of project accomplishment must be submitted after the eighth and 12th months of the grant period. See Appendix J for detailed instructions. In addition, forms included in Appendix K must be part of each application and progress report.

TECHNICAL ASSISTANCE AVAILABLE

Technical assistance is available for training, caseload management, and record systems projects from the Texas Center for the Judiciary; Texas Justice of the Peace Training Center, San Marcos; National Center for State Courts, Denver, Colorado; Institute for Court Management, Denver, Colorado; several national colleges for judicial training; and a number of private consultants. Personnel of existing projects also are available for technical assistance.

Specific requests should be addressed to CJD courts program specialist, who will assist in contacting the appropriate source.

BUDGET

Figures in this section are based on specific project proposals (Project Notification Sheets) from 1978 metropolitan, regional, and state agency criminal justice plans. Projects not included in the CJD budget will be considered for funding under this *Plan* only if budgeted projects fail to materialize or are not approved for funding. Contact the appropriate local criminal justice planner or CJD staff member regarding individual project budget status.

Budget for this program is \$3,142,517, including 90 percent federal funds and 10 percent state criminal justice planning funds. It is anticipated that 30 projects, from \$5,020 to \$500,000, will be funded. Local projects will have available \$1,777,469, state projects \$1,365,048.

	Local Projects	State Projects	Total
CJD (Part C, Federal)	1,599,719	1,228,543	2,828,262
CJD (State CJPF)	177,750	136,505	314,255
Total	1,777,469	1,365,048	3,142,517

STAFF CONTACT

Questions concerning this program description should be addressed to the appropriate local criminal justice planner (see Appendix A) or to CJD courts program specialist (512-475-6045).



E. CORRECTIONS

78-E1. Correctional Personnel Training, Education, and Development

PROGRAM RATIONALE

Crime Problem Addressed

This program addresses all felony, serious misdemeanor, and juvenile offenses. It is directed primarily at reducing recidivism.

System Problems and Needs Addressed

Education and training criteria for Texas' adult correctional personnel were not completed when this plan was developed. There are no legislative criteria for education and training of Texas' juvenile correctional personnel. Because of limited county budgets, state funding assistance is needed to provide preservice and inservice training and education for local correctional personnel.

Program 78-E1 was established to meet LEAA Part E requirements for at least 80 hours of preservice training and at least 20 hours of inservice or refresher training each year. Availability of training, education, and staff development programs helps improve correctional personnel effectiveness. Meeting the needs of the criminal and juvenile justice systems is the long-range goal.

Evaluation Results Consulted

The National Advisory Commission on Criminal Justice Standards and Goals and CJD Advisory Board identify a need for increased basic and inservice education and training for juvenile and adult correctional personnel. Texas Commission on Law Enforcement Officer Standards and Education has statutory responsibility for developing training for local jail personnel.

Other studies indicating a need for correctional personnel training and education include the American Justice Institute *Project STAR*; American Bar Association *Standards for Criminal Justice*; University of Georgia Institute of Government *In-Service Training for Probation, Parole and Correctional Personnel: A Plan for Action*; Sam Houston State University—Texas Probation Training Project *An Overview of Probation Manpower and Training Needs, 1973*; Board of Pardons and Paroles *Texas Adult Master Plan—Parole*; and Texas Center for the Judiciary *Texas Adult Master Plan—Probation*. In addition, the Department of Public Welfare's minimum licensing standards for juvenile residential facilities identify training needs for juvenile correctional personnel.

STRATEGIES AND STANDARDS

Strategy E—Increase the effectiveness of institutional and community-based correctional programs.

Standard E1a—Each correctional employee should receive at least 80 hours preservice training and at least 20 hours inservice training each year.

Annual Achievement Criteria

1978

- (1) All state correctional agencies will continue to provide staff-development, educational, and training programs suited to needs of individual personnel.
- (2) Inservice training that incorporates legislative and judicial changes, new corrections techniques, and revised performance objectives will be made available through local, regional, and statewide training programs.
- (3) All probation departments in communities with populations greater than 250,000 will continue to plan and implement educational and training programs.

- (4) All sheriffs and jail administrators will continue to have available jail management training with updated curriculum.
- (5) TCLEOSE certification program for jail personnel will be implemented to comply with Article 5115.1, VACS.

1979

- (1) All state correctional agencies will continue to provide staff-development, educational, and training programs suited to needs of individual personnel.
- (2) Inservice training that incorporates legislative and judicial changes, new corrections techniques, and revised performance objectives will be made available through local, regional, and statewide training programs.
- (3) All probation departments in communities with populations greater than 250,000 will continue to plan and implement educational and training programs.
- (4) Jail management training with updated curriculum will continue to be made available to all sheriffs and jail administrators.
- (5) All jail personnel will have available the training necessary to meet state requirements.

1980

- (1) All state correctional agencies will continue to provide staff-development, educational, and training programs suited to needs of individual personnel.
- (2) Inservice training that incorporates legislative and judicial changes, new corrections techniques, and revised performance objectives will be made available through local, regional, and statewide training programs.
- (3) All probation departments in communities with populations greater than 250,000 will continue to plan and implement educational and training programs.
- (4) Jail management training with updated curriculum will continue to be made available to all sheriffs and jail administrators.
- (5) All jail personnel will have available the training to meet state requirements.

Standard E1b--Each correctional officer should have an opportunity to further his or her educational attainment.

Annual Achievement Criteria

1978

- (1) Each correctional agency, institution of higher learning, and the state should plan, support, and implement a system of criminal and juvenile justice education, from internship and work study programs through graduate study.
- (2) A statewide correctional internship program will be continued based on assessment of previous year's performance. Twenty-five colleges and universities will participate, providing 140 interns to 45 agencies.
- (3) Graduates of criminal and juvenile justice education programs will have available assistance in finding appropriate placement.
- (4) Personnel from all segments of the criminal and juvenile justice system will continue to have available education and training through a CJD-funded interagency workshop. Participants may receive college credit.
- (5) All criminal and juvenile justice agencies in the state will continue to have available facilities for education and training programs through the Center for Continuing Education in Criminal Justice.

1979

(1) Each correctional agency, institution of higher learning, and the state should continue to plan, support, and implement a system of criminal and juvenile justice education.

(2) A statewide correctional internship program will continue to operate. Twenty-five colleges and universities will participate, providing 140 interns to 50 agencies.

(3) Graduates of criminal and juvenile justice education programs will have available assistance in finding appropriate placement.

(4) Personnel from all segments of the criminal and juvenile justice system will continue to have available education and training through an interagency workshop. Participants may receive college credit.

(5) All criminal and juvenile justice agencies in the state will continue to have available facilities for education and training programs through the Center for Continuing Education in Criminal Justice.

1980

(1) Each correctional agency, institution of higher learning, and the state should continue to plan, support, and implement a system of criminal and juvenile justice education.

(2) A statewide correctional internship program will continue to operate. Twenty-five colleges and universities will participate, providing 140 interns to 55 agencies.

(3) Graduates of criminal and juvenile justice education programs will have available assistance in finding appropriate placement.

(4) Personnel from all segments of the criminal and juvenile justice system will continue to have available education and training through an interagency workshop. Participants may receive college credit.

(5) All criminal and juvenile justice agencies in the state will continue to have available facilities for education and training programs through the Center for Continuing Education in Criminal Justice.

Standard E1c—State and local correctional systems should take appropriate action to establish effective working relationships with the major social institutions, organizations, and agencies of the community.

Annual Achievement Criteria

1978

(1) CJD, Department of Public Welfare, Texas Education Agency, colleges and universities, and local correctional agencies will cooperate in development of specialized training for staffs of juvenile residential facilities.

(2) Programs to coordinate interagency activities and services, including juvenile justice programs for youths with learning disabilities, will be operating in half of Texas' six communities with populations greater than 250,000 and in smaller communities in a 20-county pilot area.

1979

(1) Specialized training will be available to staffs of juvenile residential facilities in all counties.

(2) Programs to coordinate interagency activities and services, including juvenile justice programs for youths with learning disabilities, will be operating in four communities with populations greater than 250,000 and in smaller communities in a 20-county pilot area.

1980

(1) Specialized training will be available to staffs of juvenile residential facilities in all counties.

(2) Programs to coordinate interagency activities and services, including juvenile justice programs for youths with learning disabilities, will be operating in all communities with populations greater than 250,000 and in smaller communities in a 20-county pilot area.

Standard E1d--Training should be provided to correctional volunteers to give them an understanding of needs and lifestyles common among offenders.

Annual Achievement Criteria

1978

(1) North Texas State University will continue a pilot project for training adult and juvenile correctional volunteers in the North Central Texas region.

(2) All juvenile and adult correctional volunteer program coordinators will continue to have available statewide CJD-funded training to help them develop programs; identify, recruit, select, and train volunteers; and administer and evaluate their volunteer programs.

(3) CJD, DPW, TEA, colleges and universities, and local juvenile correctional agencies will cooperate in development of specialized training for volunteers in juvenile corrections programs.

1979

(1) The North Texas pilot project and other volunteer projects will be assessed to determine the most effective means of providing training to all juvenile and adult correctional volunteers in the state.

(2) All juvenile and adult correctional volunteer program coordinators will continue to have available training to help them develop programs; identify, recruit, select, and train volunteers; and administer and evaluate their volunteer programs.

(3) CJD, DPW, TEA, colleges and universities, and local juvenile correctional agencies will cooperate in development of specialized training for volunteers in juvenile corrections programs.

1980

(1) Training will be made available to all juvenile and adult correctional volunteers.

(2) All juvenile and adult correctional volunteer program coordinators will continue to have available training to help them develop programs; identify, recruit, select, and train volunteers; and administer and evaluate their volunteer programs.

(3) CJD, DPW, TEA, colleges and universities, and local juvenile correctional agencies will cooperate in development of specialized training for volunteers in juvenile correctional programs.

TYPES OF PROJECTS

Program 78-E1 is designed to improve the effectiveness of juvenile and adult correctional personnel in Texas through a variety of education, training, and staff development projects.

Funds will be available to develop, support, and continue the following types of projects:

--Regional and statewide preservice and inservice training programs for juvenile and adult correctional personnel, both institutional and community-based.

--Interagency workshop for criminal and juvenile justice personnel to share information and develop programs of mutual benefit.

--Training for juvenile and adult correctional volunteers.

--Internships in criminal justice agencies for undergraduate and graduate criminal and juvenile justice students.

--Development by TCLEOSE of a training curriculum to meet jail personnel needs.

--Management studies and staff development programs to upgrade correctional agency effectiveness.

PROGRAM REQUIREMENTS

Eligibility

Grants will be awarded to regional councils, state agencies, units of local government, or combinations of these.

In cases where a state agency subcontracts for services, the primary subcontractor must be a city or county and the subcontractor must agree to provide matching funds for continuation in accordance with CJD's continuation policy for local projects (see Appendix D).

Priority will be given to projects addressing CJD annual achievement criteria.

General

A series of program requirements apply to all applicants and grantees. These requirements relate to indirect cost, professional or consultant fees, procurement of consultants, travel, and methods for handling other project income and payments. Detailed information regarding each requirement can be found in Appendix C and L.

Special

Realistic objectives. Training projects must have realistic goals directed toward satisfying existing and foreseeable needs. Scheduling of training projects must be consistent with availability of resources (funds, facilities, etc.).

Personnel involvement in program development. When possible, correctional personnel should have an integral role in planning and conducting the training program. Programs not developed and conducted by a correctional agency must include a steering committee of personnel from correctional agencies to insure that the program addresses training needs of those for whom it is designed.

Jail personnel training. CJD funds for jail personnel training will be provided through the regional law enforcement training academy.

Continuation

Continuation will be in compliance with Rules and Guidelines 001.55.15, *Texas Register*, as set forth in Appendix D. (See also "Eligibility" requirements, preceding.)

Continuation funds will be awarded only to projects that have submitted accurate, complete, and timely financial, progress, and monitoring reports required by CJD.

Assessment

Applicants must describe proposed projects in quantifiable terms. Effective October 1, 1977, all grantees must submit progress reports at the end of each grant quarter, as measured from the project start date indicated on the Statement of Grant Award. These quarterly reports must include monthly statistical information. In addition, a detailed narrative analysis of project accomplishment must be submitted after the eighth and 12th months of the grant period. See Appendix J for detailed instructions.

TECHNICAL ASSISTANCE AVAILABLE

Technical assistance is available to units of local government or state agencies from the following sources:

--CJD juvenile and adult corrections program specialists provide general assistance in developing corrections projects, refining applications to meet LEAA and CJD guidelines, developing monitoring and evaluation indicators, and conducting general on-site surveys.

--Personnel of existing projects also are available for technical assistance. Specific requests should be addressed to CJD juvenile and adult corrections program specialists, who will assist in contacting the appropriate source.

--LEAA may provide technical assistance on a contract basis. Request for such assistance is made by completing page one of "Request for Technical Assistance" form available from local criminal justice planners or CJD.

Questions concerning this procedure should be directed to the appropriate local planner or CJD staff member.

BUDGET

Figures in this section are based on specific project proposals (Project Notification Sheets) from 1978 metropolitan, regional, and state agency criminal justice plans. Projects not included in the CJD budget will be considered for funding under this *Plan* only if budgeted projects fail to materialize or are not approved for funding. Contact the appropriate local criminal justice planner or CJD staff member regarding individual project budget status.

Budget for this program is \$666,397, including 90 percent federal funds (both Part C and Part E) and 10 percent state criminal justice planning funds. It is anticipated that nine grants, ranging from \$14,820 to \$280,130, will be funded. Local projects will have available \$110,621, state projects \$555,776. Most state

projects are designed to provide services and training to local correctional personnel.

	Local Projects	State Projects	Total
CJD (Part C, Federal)	85,451	-0-	85,451
CJD (Part E, Federal)	14,107	500,198	514,305
CJD (State CJPF)	11,063	55,578	66,641
Total	110,621	555,776	666,397

STAFF CONTACT

Questions concerning this program description should be addressed to the appropriate local criminal justice planner (see Appendix A) or to CJD juvenile and adult corrections program specialists (512-475-3001).

78-E2. Community-Based Correctional Services

PROGRAM RATIONALE

Crime Problem Addressed

This program addresses felony, serious misdemeanor, and juvenile offenses. It is directed primarily at reducing recidivism.

System Problems and Needs Addressed

Increasing crime has taxed the entire criminal and juvenile justice systems. More alternatives to incarceration are needed that will rehabilitate offenders, while reducing dockets and institutional populations.

Probation has been the traditional alternative to institutional disposition. A 1972 survey of chief probation officers showed that of Texas' 254 counties, 101 had adult probation and 146 provided services for juvenile probationers. To improve this situation, CJD increased its emphasis on establishing and expanding probation services. In 1976, 241 counties had adult probation services and 215 had juvenile probation services, according to *Texas Adult Probation Master Plan* and Texas Judicial Council.

As more counties began providing basic probation services, CJD focused on improving quality of service. District judges, who administer probation in Texas, have requested specialized services such as presentence investigation, vocational resource specialists to develop jobs for

disadvantaged offenders, and volunteer coordinators to help ease staff caseloads and involve the community in offender rehabilitation.

In addition to encouraging expansion and improvement of probation services, many correctional experts and studies recommend development and use of innovative community-based alternatives. In *Corrections in the Community: Alternatives to Imprisonment, Selected Readings* (Killinger and Cromwell, 1974) correctional experts indicate the criminal justice system would collapse from tremendous caseloads if all law violations were processed officially. Cost of handling all violations officially would be prohibitive financially and socially. Moreover, for some persons the stigma of conviction or adjudication may not be necessary to insure subsequent compliance with the law and in fact might be detrimental. For these reasons, pilot projects are being undertaken to divert arrested persons before formal trial or conviction where additional proceedings would not further the interests of the criminal justice system or the arrestee.

Evaluation Results Consulted

Evaluation of community-based correctional services is being undertaken to determine what has been done, identify service gaps, and establish goals. Results of this study will be used in developing future plans. Results of *Texas Adult Probation Master Plan* will be incorporated when finalized.

STRATEGIES AND STANDARDS

Strategy E—Increase the effectiveness of institutional and community-based correctional programs.

Substrategy E2—Develop, expand, and improve community-based correctional programs.

Standard E2a—Each county should make available adult and juvenile community-based correctional services through a probation department.

Annual Achievement Criteria

1978

(1) Approximately 96 percent (244) of Texas' 254 counties will make available and upgrade adult community-based correctional services through a probation department.

(2) Approximately 88 percent (218) of the counties will make available and upgrade juvenile community-based correctional services through a probation department.

(3) Statewide probation data will continue to be collected. A data collection instrument will be modified to incorporate adult corrections masterplan recommendations.

1979

(1) Approximately 97 percent (247) of the counties will make available and upgrade adult community-based correctional services through a probation department.

(2) Approximately 89 percent (221) of the counties will make available and upgrade juvenile community-based correctional services through a probation department.

(3) Statewide probation data will continue to be collected.

1980

(1) Approximately 98 percent (250) of the counties will make available and upgrade adult community-based correctional services through a probation department.

(2) Approximately 90 percent (224) of the counties will make available and upgrade juvenile community-based correctional services through a probation department.

(3) Statewide probation data will continue to be collected.

Standard E2b—Each judicial district should have a mechanism to divert, in appropriate cases, offenders before formal trial or conviction. Such diversion is appropriate where additional proceedings would not adequately further the interests of the individual or the community.

Annual Achievement Criteria

1978—Pilot diversion project will be evaluated and results made available to jurisdictions interested in developing such a project.

1979—Each judicial district located in Texas' six counties with population greater than 250,000 will have a mechanism to divert, in appropriate cases, offenders before formal trial or conviction based on results of pilot project.

1980—Each judicial district located in each county with population greater than 250,000 and in two of 10 counties with population 100,000 to 250,000 will have a diversion mechanism.

Standard E2c—Each probation department should begin to recruit and use volunteers in correctional programs and operations.

Annual Achievement Criteria

1978—Five (30 percent) of 16 probation departments serving counties with populations greater than 100,000 will have programs to recruit and use volunteers in correctional programs and operations.

1979—Seven probation departments (45 percent) serving counties with populations greater than 100,000 will have programs to recruit and use volunteers in correctional programs and operations.

1980—Eight probation departments (half) serving counties with populations greater than 100,000 will have programs to recruit and use volunteers in correctional programs and operations.

Standard E2d—Each sentencing court should have available pre-sentence investigation mechanism to provide pertinent information unique to the defendant and to the case before passing sentence.

Annual Achievement Criteria

1978—Sentencing courts serving five of Texas' six counties with population greater than 250,000 and smaller communities with unusual need will have special pre-sentence investigation units.

1979—Sentencing courts serving all counties with population greater than 250,000 and smaller communities with unusual need will have special pre-sentence investigation units.

1980—Sentencing courts serving all counties with population greater than 250,000 and smaller communities with unusual need will have special pre-sentence investigation units.

Standard E2e—Each offender released from correctional custody should have available services provided through various community agencies.

Annual Achievement Criteria

1978—Based on assessment of previous year's pilot project, projects to coordinate community services to TDC discharges will be implemented in one of Texas' six communities with population greater than 250,000.

1979—Projects to coordinate community services for TDC discharges will be operating in three communities with population greater than 250,000.

1980—Projects to coordinate community services for TDC discharges will be operating in five communities with population greater than 250,000.

TYPES OF PROJECTS

Program 78-E2 is designed to provide to criminal or juvenile courts sentencing and dispositional alternatives to institutionalization.

Funds will be used to develop, support, and continue the following projects:

- Adult and juvenile probation services.
- Pretrial and preadjudication diversion.
- Assistance programs for adult discharges.
- Special pre-sentence investigation units.
- Volunteer programs.
- Halfway houses.

PROGRAM REQUIREMENTS

Eligibility

Implementation will be through units of local government or combinations of these.

Priority will be given to projects addressing CJD annual achievement criteria.

General

A series of program requirements apply to all applicants and grantees. These requirements relate to indirect

cost, professional or consultant fees, procurement of consultants, travel, and methods for handling other project income and payments. Detailed information regarding each requirement can be found in Appendix C.

Special

Probation fees. Applicants for adult probation projects must document in writing that all participating counties maintain probation fees in a separate account in compliance with Attorney General's Opinion M-784, dated February 4, 1971, re: Article 42.12 (6a), *Texas Code of Criminal Procedures*. Applications must include a letter from the applicant agency's financial officer certifying that probation fees have been collected in the past and indicating the amount of such fees and the manner in which they have been expended.

Statistical basis. Applications for probation projects must include, for the preceding year, the total number of persons on misdemeanor and felony probation, number of felons and misdemeanants granted probation, and number of felony and misdemeanor probations revoked.

Personnel qualifications. Personnel qualifications must conform to statutory requirements set forth in Article 42.12, *Texas Code of Criminal Procedure*.

Investigation reports. Pre- or post-sentence investigation reports should be made on each person pleading guilty to a felony and being considered for or sentenced

to probation. PSI forms to be used and letter(s) from district judge(s) supporting use of these forms must be included in an application. An application will not be considered complete unless forms and endorsement(s) are included.

TJC reporting. Any probation department receiving CJD funds must provide information requested by Texas Judicial Council's monthly and annual reporting system.

Staffing. All probation applications requesting additional staff or specialized units must (1) include an organizational chart, (2) indicate which staff positions currently are funded locally and which from other sources, and (3) describe how new requested position(s) will provide improved probation services and how they will relate to existing positions.

Equipment. Applications in which equipment is more than 30 percent of the project shall provide for a 25 percent grantee cash commitment toward its purchase.

Continuation

Continuation will be in compliance with Rules and Guidelines 001.55.15, *Texas Register*, as set forth in Appendix D.

Continuation funds will be awarded only to projects that have submitted accurate, complete, and timely financial, progress, and monitoring reports required by CJD.

Assessment

Applicants must describe proposed projects in quantifiable terms. Effective October 1, 1977, all grantees must submit progress reports at the end of each grant quarter, as measured from the project start date indicated on the Statement of Grant Award. These quarterly reports must include monthly statistical information. In addition, a detailed narrative analysis of project accomplishment must be submitted after the eighth and 12th months of the grant period. See Appendix J for detailed instructions. Quarterly progress reports must include completed uniform statistical report forms attached as a special condition to each grant (see Appendix M). A multicounty probation department must submit a uniform report form for each county in its jurisdiction.

TECHNICAL ASSISTANCE AVAILABLE

Technical assistance is available from the following sources:

—CJD adult and juvenile corrections program specialists provide general assistance in developing corrections

projects, refining applications to meet LEAA and CJD guidelines, and conducting general needs analysis.

—*Texas Adult Probation Manual*, which is available to all adult probation departments, includes recommendations for standard office and court procedures and standardized legal forms.

—Texas Center for the Judiciary, the juvenile judges' subcommittee of the Judicial Section of the State Bar, Texas Probation Association, and Texas Judicial Council will assist in updating *Texas Juvenile Probation Manual*, which is available to all juvenile probation officers.

—Texas Center for the Judiciary, a panel of trial judges and adult probation officers, and Texas Judicial Council will develop standardized data collection and reporting forms to assist adult probation departments in data management.

—In cooperation with local probation departments, Texas Rehabilitation Commission provides rehabilitation services for adult and juvenile offenders.

—LEAA may provide technical assistance by contract services. Requests are made by completing page one of "Request for Technical Assistance" form available from local criminal justice planners or CJD.

Questions concerning this procedure should be directed to the appropriate local planner or CJD staff member.

BUDGET

Figures in this section are based on specific project proposals (Project Notification Sheets) from 1978 metropolitan and regional criminal justice plans. Projects not included in the CJD budget will be considered for funding under this *Plan* only if budgeted projects fail to materialize or are not approved for funding. Contact the appropriate local criminal justice planner or CJD staff member regarding individual project budget status.

Budget for this program is \$870,010, including 90 percent federal funds and 10 percent state criminal justice planning funds. It is anticipated that 25 projects, ranging from \$6,444 to \$291,451 will be funded, all to local projects.

	Local Projects	State Projects	Total
CJD (Part C, Federal)	783,008	-0-	783,008
CJD (State CJPF)	87,002	-0-	87,002
Total	870,010	-0-	870,010

STAFF CONTACT

Questions concerning this program description should be addressed to the appropriate local criminal justice planner (see Appendix A) or to CJD adult or juvenile corrections program specialist (512-475-3001).

78-E3. County Correctional Facilities

PROGRAM RATIONALE

Crime Problem Addressed

This program addresses all felonies and serious misdemeanors. It is directed primarily at reducing recidivism.

System Problems and Needs Addressed

A 1974 TDC survey of jails in 210 of Texas' 254 counties revealed the following deficiencies:

—Approximately 67 percent of the county jails did not provide 24-hour supervision for each cell block.

—Most jails did not conform to minimum statutory construction requirements, were overcrowded, and were operated beyond capacity.

—Only 13 percent of the counties indicated availability of rehabilitation programs in their jails.

—Approximately 48 percent of the counties indicated their jails were experiencing plumbing or electrical malfunctions, or both.

Deficiencies highlighted in the TDC survey and continuing litigation indicate that county jail facilities in the state must conform to certain minimum standards of construction, maintenance, programming, and operation. Recognizing these needs, the 64th Legislature established a state jail standards commission charged with developing and enforcing statewide minimum standards.

Texas Commission on Jail Standards implemented a pilot inspection of jails in 1977 to determine problems and needs of Texas detention facilities. The commission

will inspect each county jail annually thereafter. The commission's findings may have significant impact on future direction of the E3 program.

Evaluation Results Consulted

National Clearinghouse for Criminal Justice Planning and Architecture studies emphasize the importance of total system planning in developing and improving detention facilities, an approach adopted in this program. Because each geographic area and its respective needs are unique, the total system planning approach discourages the assumption that there are standard response(s) to correctional needs. According to the clearinghouse, requirements for any facility cannot be determined with validity until community and offender needs have been assessed and measured against a wide range of existing and possible resources.

Program 78-E3 emphasis on improving rehabilitative services, particularly offender education and training, has been influenced by a Western Interstate Commission for Higher Education study on education in adult correctional institutions. This study indicated recidivism may be linked directly to lack of basic education among inmates. National estimates are that 25 percent of inmates are functional illiterates and 90 percent are school dropouts. As a result, many offenders lack basic skills needed for employment. For this reason, remedial or compensatory education and vocational training efforts in detention facilities remain an important component of this program.

STRATEGIES AND STANDARDS

Strategy E—Increase the effectiveness of institutional and community-based correctional programs.

Substrategy E3—Improve county correctional facilities and their rehabilitation programs.

Standard E3a—Each county correctional system and local planning agency should undertake cooperative planning for community corrections, based on a total system concept that encompasses the full range of offender needs and the overall goal of crime reduction and that insures facility use is limited to those who must be incarcerated.

Annual Achievement Criteria

1978—Communities will have undertaken planning for construction and renovation of approximately 56 adult detention facilities. CJD funding of such efforts will be based on locally established priorities, severity of need, and availability of funds.

1979—Communities will have undertaken planning for approximately 62 adult detention facilities.

1980—Communities will have undertaken planning for approximately 68 adult detention facilities.

Standard E3b—Each county operating correctional facilities for adults should provide rehabilitative services consistent with security of the institution.

Annual Achievement Criteria

1978—Six percent (15) of all counties, representing at least 62 percent of the state's population, will provide, consistent with institutional security, rehabilitative services in adult correctional facilities including counseling, academic and vocational education, and recreation.

1979—Seven percent (17) of all counties, representing at least 64 percent of the population, will provide rehabilitative services in adult correctional facilities.

1980—Eight percent (20) of all counties, representing at least 66 percent of the population, will provide rehabilitative services in adult correctional facilities.

Standard E3c—Each county operating a correctional facility should take steps to insure inmates the right to medical care comparable in quality and accessibility to care available to the general public.

Annual Achievement Criteria

1978—Half of Texas' 20 county jails serving communities with populations greater than 100,000 will provide or contract for medical and dental services for inmates comparable to care available to the general public.

1979—Fifty-five percent (11) of county jails serving communities with populations greater than 100,000 will provide or contract for medical and dental services for inmates comparable to care available to the general public.

1980—Sixty percent (12) of county jails serving communities with populations greater than 100,000 will provide or contract for medical and dental services for inmates comparable to care available to the general public.

Standard E3d—State standards for county correctional facilities and operational procedures should be developed and state inspection to insure compliance should be authorized.

Annual Achievement Criteria

1978—All county jails will be inspected annually by Commission on Jail Standards.

1979—All county jails will be inspected annually by Commission on Jail Standards.

1980—All county jails will be inspected annually by Commission on Jail Standards.

TYPES OF PROJECTS

Program 78-E3 is designed to create in county detention facilities a climate conducive to inmate safety and health and to establish programs that encourage constructive use of inmate time.

Funds will be used to develop, support, and continue the following types of projects:

—Rehabilitation programs offering educational/voca-

—tional training, study release, work release, job placement, recreation, and crisis intervention.

—Planning of county jails.

—Renovation or construction of county jails.

—Programs offering medical, dental, and psychiatric services.

—Closed circuit television surveillance equipment for county jails.

—Annual inspection of all county jails.

PROGRAM REQUIREMENTS

Eligibility

Grants will be awarded to units of local government or combinations thereof and to state agencies, for the purpose of inspection of county jails. Priority will be given to projects addressing CJD annual achievement criteria. Preference will be given to projects involving more than one jurisdiction.

General

A series of program requirements apply to all applicants and grantees. These requirements relate to indirect cost, professional or consultant fees, procurement of consultants, travel, and methods for handling other project income and payments. Detailed information regarding each requirement can be found in Appendix C.

Special

UCR reporting. Each agency receiving benefits under this program description must report monthly to Texas uniform crime reporting program, DPS.

Split budget. Counties that cannot obtain sufficient funds from the local criminal justice planning unit budget to undertake jail renovation or construction projects in one year may spread costs over a two-year period by seeking half of construction costs from their fair share of the current year's reasonable budget expectation (RBE) and half from the following year's RBE. To be eligible for this type of funding the project's priority must fall within the RBE for two consecutive budget years and the project must be approved in both years' plans before an application will be considered. If the project has been approved the first fiscal year but not the second, money previously set aside will be released for other eligible projects.

Border projects. Applications for construction or renovation of county jails situated along the Mexican-U.S. border must indicate average number of illegal aliens incarcerated per month during the most recent 12-month period.

Rehabilitation programs. Applications for inmate education and rehabilitation programs in county jails shall include a written plan to make maximum use of resources available in the community in which the facility is located.

Libraries. Applications for providing library services to inmates in county jails shall include a written plan to make maximum use of resources available in the community in which the facility is located.

Closed circuit television. Prospective applicant for CCTV must submit a detailed diagram showing placement and requirements for CCTV monitoring equipment and a plan for manpower deployment. CCTV may not be used to reduce manpower or to invade the privacy of the cell area. Additional guidelines for closed circuit television surveillance equipment for county jails may be obtained from CJD's adult corrections program specialist.

Procurement of consultants. Requests for proposals must meet all 78-E3 program requirements, including those listed in referenced appendices. Potential applicants for projects under Program 78-E3 must complete the procurement process through selection of consultant *before submitting a grant application.* The application must include a copy of the request for proposal, timetable for the procurement process, criteria for selection, method of selection used, sample grading sheet, and qualifications of consultant selected. Notification or award by applicant to successful consultant must be withheld until applicant receives CJD approval of the procurement process.

Detailed requirements. For detailed requirements on facility planning, renovation, or construction, see Appendix G.

Preliminary Technical Assistance. Before preparing and submitting an application for adult detention facility preliminary planning, unit(s) of local government should request technical assistance from CJD's adult corrections program specialist. Technical assistance will be limited to inspection and discussion with county authorities regarding procedures for compliance with standards.

Phase I: Preliminary Planning Studies. Applicants for Phase I projects must document justification for the proposed addition, renovation, or new facility.

Detailed information on Phase I, including submission and approval requirements, are outlined in Appendix G.

CJD funding of this type of grant does not imply further commitment to the project.

Phase II: Architectural Drawings. To qualify for a grant for detailed architectural drawings, applicant must show firm commitment, in the form of county resolution, to provide all, or at least a large part (one-half minimum), of the final construction costs locally. Because CJD funds are limited, applicants for 78-E3 funds must not expect CJD to provide all of the remaining 50 percent of final construction cost. Applicants should identify how and from what sources the remaining construction or renovation funds will be obtained.

CJD funding of architectural drawings does not imply further commitment to the project.

Phase III: Renovation or Construction. Applicants for construction, renovation, or expansion grants must provide a local cash commitment of at least one-half of all construction costs.

A detailed explanation of special requirements for Phase III is included in Appendix G.

Part E special requirements. All county jail projects funded by CJD under Program E3 must document compliance with Part E special requirements as set forth in Appendix G.

Continuation

Continuation will be in compliance with Rules and Guidelines 001.55.15, *Texas Register*, as set forth in Appendix D. Pursuant to section .009 of the Rules and Guidelines, projects for jail construction will be continued as follows:

CJD funding of detention facility planning does not commit CJD to the project beyond the preliminary study grant, nor does CJD funding of architectural drawings commit CJD to construction or renovation assistance.

Also pursuant to section .009, closed circuit television projects will be funded for one year only. CCTV projects that previously have been funded by CJD under other program descriptions are not eligible for funding.

Continuation funds will be awarded only to projects that have submitted accurate, complete, and timely financial, progress, and monitoring reports required by CJD.

Assessment

Applicants must describe proposed projects in quantifiable terms. Effective October 1, 1977, all grantees must submit progress reports at the end of each grant quarter, as measured from the project start date indicated on the Statement of Grant Award. These quarterly reports must include monthly statistical information. In addition, a detailed narrative analysis of project accomplishment must be submitted after the eighth and 12th months of the grant period. See Appendix J for detailed instructions.

Additionally, progress reports must include completed uniform statistical report forms attached as a special condition to each statement of grant award (see Appendix N). Grantees for construction or renovation of jails along the U.S.-Mexican border must provide monthly statistics on the number of illegal aliens incarcerated.

TECHNICAL ASSISTANCE AVAILABLE

Technical assistance is available to units of local government or state agencies from the following sources:

—CJD adult corrections program specialist provides general assistance in developing corrections projects, refining applications to meet LEAA and CJD guidelines, and conducting general on-site surveys.

—A list of in-state, nonprofit probation consultants is filed with the CJD adult corrections program specialist. Consultants will assist in planning, developing, and implementing improvements in programs and facilities. They also provide advice on use of volunteer services in the community treatment centers and halfway houses.

—LEAA may provide technical assistance by contract services. Requests are made by completing page one of "Request for Technical Assistance" form available from local criminal justice planners or CJD.

Questions concerning this procedure should be directed to the appropriate local planner or CJD staff member.

BUDGET

Figures in this section are based on specific project proposals (Project Notification Sheets) from 1978 metropolitan, regional, and state agency criminal justice plans. Projects not included in the CJD budget will be considered for funding under this *Plan* only if budgeted projects fail to materialize or are not approved for funding. Contact the appropriate local criminal justice planner or CJD staff member regarding individual project budget status.

Budget for this program is \$735,575, including 90 percent federal funds (both Part C and Part E) and 10 percent state criminal justice planning funds except for construction projects, which are 50 percent federal, 50 percent state. It is anticipated that 20 projects, from \$3,500 to \$256,892, will be funded—\$478,683 for local projects and \$256,892 for state projects.

	Local Projects	State Projects	Total
CJD (Part C, Federal)	158,347	-0-	158,347
CJD (Part E, Federal)	272,466	231,203	503,669
CJD (State CJPF)	47,870	25,689	73,559
Total	478,683	256,892	735,575

STAFF CONTACT

Questions concerning this program description should be addressed to the appropriate local criminal justice planner (see Appendix A) or to CJD adult corrections program specialist (512-475-3001).

78-E4. State Agency Correctional Projects

PROGRAM RATIONALE

Crime Problem Addressed

This program addresses all felonies and serious misdemeanors. It is directed primarily at reducing recidivism.

System Problems and Needs Addressed

More than 20,000 inmates are currently in Texas Department of Corrections custody. Average time served in TDC is less than three years. These offenders need counseling, training, and support services that will enable them to adjust to the community following release and to lead law-abiding productive lives rather than to continue criminal careers.

Legislation enacted in 1977 requiring supervision for all TDC inmates released to mandatory supervision as well as those paroled will have significant impact on future direction of this program.

Enhanced planning capability is needed to enable TDC and the Board of Pardons and Paroles to keep pace with expanded caseloads and provide better services to inmates and parolees and better protection to the public.

This program is directed at rehabilitation of the convicted felony offender who has been incarcerated at

TDC, discharged from TDC on completion of sentence, or paroled.

Evaluation Results Consulted

Federal court decisions relating to offender rights, CJD Advisory Board standards, and TDC studies have contributed to development of this program.

A TDC publication, *Significant Factors Relating to Recidivists*, indicated offenders who receive vocational training while incarcerated had substantially lower recidivism rates than those who did not. For this reason, Program 78-E4 emphasizes provision of innovative vocational training programs.

The study also identified a high correlation between alcohol and drug abuse problems and recidivism. This finding led to development and continued support of counseling and therapy for inmates with alcohol and drug abuse problems.

A 1975 management study of the Board of Pardons and Paroles identified need for systematic criteria for parole decisionmaking. Program 78-E4, as well as Texas Adult Corrections Masterplan, will address this need. The master plan has addressed mandatory supervision, an issue that will have important implications on the board's operation. To supplement board personnel, a volunteer program is needed.

STRATEGIES AND STANDARDS

Strategy E—Increase the effectiveness of institutional and community-based correctional programs.

Substrategy E4—Develop, expand, and improve statewide rehabilitation programs.

Standard E4a—Each agency operating correctional institutions should have an inmate classification system.

Annual Achievement Criteria

1978—TDC's information system will be fully operational and capable of providing data on all inmates' job skills and interests for evaluation of inmate training and employment needs on reception and release.

1979—TDC's information system will continue to provide data on all inmates' job skills and interests for evaluation of inmate training and employment needs on reception and release.

1980—TDC's information system will be fully operational and capable of providing data on all inmates' job skills and interests for evaluation of inmate training and employment needs on reception and release.

Standard E4b--Each correctional agency operating major institutions, and each institution, should establish appropriate procedures for handling special problem offenders.

Annual Achievement Criteria

1978--TDC will continue its pilot program providing comprehensive rehabilitation for all interested inmates with a history of drug or alcohol abuse and will modify the program based on assessment of previous year's program.

1979--TDC will continue its pilot drug and alcohol abuse program, incorporating assessment results from previous year's program.

1980--TDC will continue its pilot drug and alcohol abuse program, incorporating assessment results from previous year's program.

Standard E4c--Each correctional institution should structure its programs to provide for individualized inmate education and training. These programs should be geared directly to reintegration of the offender into the community.

Annual Achievement Criteria

1978

(1) TDC will continue existing educational and vocational training programs and evaluate their effectiveness. These programs will be modified and new ones developed based on evaluation results and identified inmate job skills and employment needs.

(2) TDC will provide individualized prerelease planning assistance for approximately 26 percent of inmates to be paroled or discharged in 1978.

1979

(1) TDC will continue existing educational and vocational training programs and evaluate their effectiveness. These programs will be modified and new ones developed based on evaluation results and identified inmate job skills and employment needs.

(2) TDC will provide individualized prerelease planning assistance for approximately 26 percent of inmates to be paroled or discharged in 1979.

1980

(1) TDC will continue existing educational and vocational training programs and evaluate their effectiveness. These programs will be modified and new ones developed based on evaluation results and identified inmate job skills and employment needs.

(2) TDC will provide individualized prerelease planning assistance geared to offender reintegration into the community for approximately 26 percent of its inmates to be paroled or discharged in 1980.

Standard E4d--Each correctional agency should begin to develop an integrated process of long-, intermediate-, and short-range planning for administrative and operational functions.

Annual Achievement Criteria

1978

(1) TDC will continue its research, development, and planning capabilities emphasizing innovative program development and evaluation; organizational coordination; and long-, intermediate-, and short-range planning for administrative and operational functions.

(2) BPP will develop research, development, and planning capabilities based on recommendations of *Texas Adult Corrections Masterplan*.

1979

(1) TDC will continue its research, development, and planning capabilities.

(2) BPP will develop research, development, and planning capabilities based on recommendations of *Texas Adult Corrections Masterplan*.

1980

(1) TDC will continue its research, development, and planning capabilities.

(2) BPP will develop research, development, and planning capabilities based on recommendations of *Texas Adult Corrections Masterplan*.

Standard E4e—Each correctional agency should develop and implement policies and procedures to fulfill offenders' right of access to legal assistance with problems relating to their custody, control, management, or legal affairs while under correctional authority.

Annual Achievement Criteria

1978

(1) TDC will, with state appropriations, continue to provide all inmates legal assistance.

(2) All indigent parolees in the state, adult and juvenile, will have an opportunity for legal counsel at revocation hearings.

1979

(1) TDC will continue to provide all inmates legal assistance.

(2) All indigent parolees in the state, adult and juvenile, will have an opportunity for legal counsel at revocation hearings.

1980

(1) TDC will continue to provide all inmates legal assistance.

(2) All indigent parolees in the state, adult and juvenile, will have an opportunity for legal counsel at revocation hearings.

Standard E4f—The Board of Pardons and Paroles should establish policy guidelines to structure and control discretion and provide uniformity in decisionmaking.

Annual Achievement Criteria

1978—BPP will develop and implement policy guidelines to structure and control discretion and provide uniformity in decisionmaking.

1979—Parole policy guidelines will be used in making all parole decisions.

1980—Parole policy guidelines will be used in making all parole decisions.

Standard E4g—The state should develop a parole manpower and training program to recruit and train volunteers as well as full-time professional parole officers.

Annual Achievement Criteria

1978

(1) A program to recruit attorneys as volunteer parole aides will operate in seven of Texas' 13 cities with populations greater than 100,000 and in surrounding counties.

(2) All parole officers serving as hearing officers will have access to specialized training.

1979

(1) A program to recruit attorneys as volunteer parole aides will operate in eight cities with populations greater than 100,000 and in surrounding counties.

(2) All parole officers serving as hearing officers will have access to specialized training.

1980

(1) A program to recruit attorneys as volunteer parole aides will operate in nine cities with populations greater than 100,000 and in surrounding counties.

(2) All parole officers serving as hearing officers will have access to specialized training.

TYPES OF PROJECTS

Program 78-E4 is designed to reduce recidivism by improving the operation and rehabilitative services of state correctional agencies.

Funds will be used to develop, support, and continue the following types of projects:

- Legal services to adult and juvenile indigent parolees in revocation proceedings.
- Innovative vocational training for inmates.
- Counseling and therapy for inmates with alcohol and drug problems.
- Parole volunteers.
- Support of research, development, and planning capabilities of eligible state agencies.
- Support of BPP efforts to improve parole decision-making and reintegration supervision.

PROGRAM REQUIREMENTS

Eligibility

State correctional agencies including Texas Department of Corrections, Board of Pardons and Paroles, the State Bar, and Texas A&M University are eligible for funds under Program 78-E4. Priority will be given to projects addressing CJD annual achievement criteria.

General

A series of program requirements apply to all applicants and grantees. These requirements relate to indirect

cost, professional or consultant fees, procurement of consultants, travel, and methods for handling other project income and payments. Detailed information regarding each requirement can be found in Appendix C.

Continuation

Continuation funds will be awarded only to projects that have submitted accurate, complete, and timely financial, progress, and monitoring reports required by CJD.

Assessment

Applicants must describe proposed projects in quantifiable terms. Effective October 1, 1977, all grantees must submit progress reports at the end of each grant quarter, as measured from the project start date indicated on the Statement of Grant Award. These quarterly reports must include monthly statistical information. In addition, a detailed narrative analysis of project accomplishment must be submitted after the eighth and 12th months of the grant period. See Appendix J for detailed instructions.

TECHNICAL ASSISTANCE AVAILABLE

Technical assistance is available from the following sources:

- CJD adult corrections program specialist provides general assistance in developing corrections projects, re-

fining applications to meet LEAA and CJD guidelines, and conducting general needs analysis.

--LEAA may make technical assistance available on a contract basis. Requests for such aid may be made by completing page one of "Request for Technical Assistance" form available from CJD.

BUDGET

This section is based on specific project proposals (Project Notification Sheets) from state agency criminal justice plans. Projects not included in the CJD budget will be considered for funding under this *Plan* only if budgeted projects fail to materialize or formal applications are not approved for funding. Questions regarding which projects were budgeted should be directed to the appropriate CJD program staff member (see "Staff Contact" section following).

Budget for this program is \$877,181, including 90

percent federal funds (both Part C and Part E) and 10 percent state criminal justice planning funds. It is anticipated that four projects ranging from \$93,245 to \$380,137 will be funded--all to state agencies.

	Local Projects	State Projects	Total
CJD (Part C, Federal)	-0-	342,123	342,123
CJD (Part E, Federal)	-0-	447,339	447,339
CJD (State CJPF)	-0-	87,719	87,719
Total	-0-	877,181	877,181

STAFF CONTACT

Questions concerning this program description should be addressed to the appropriate local criminal justice planner (see Appendix A) or to CJD adult corrections specialist (512-475-3001).



78-E6. Alcohol and Drug Abuse Programs

PROGRAM RATIONALE

Crime Problem Addressed

This program addresses alcohol and drug abuse offenses.

System Problems and Needs Addressed

This program is directed at rehabilitation of both persons who have come into the criminal or juvenile justice system for alcohol and drug abuse offenses and those who have committed other offenses but whose rehabilitation is hampered by alcohol or drug abuse problems.

Alcohol and drug abuse constitute a serious criminal justice problem, both in number of persons involved in alcohol- and drug-related offenses and in terms of seriousness of crimes directly or indirectly related to chemical abuse. While it is difficult to assess accurately the extent of alcohol and drug abuse in the state, studies indicate that 30 to 50 percent of persons held in local jails and adult institutions have been arrested on alcohol- or drug-related charges, such as public drunkenness, driving while intoxicated, misdemeanor possession of marijuana, and heroin possession. An additional number, while arrested for other offenses, have serious drug abuse or alcohol abuse problems. In 1972, 10 percent of TDC recidivists studied reported they were alcoholics and 22 percent said they were or had been addicted to drugs.

These problems are not confined to the state's urban centers. A survey of the 81st Judicial District from June, 1973, through May, 1974, indicated 66.2 percent of the persons detained in the district's rural counties were charged with either alcohol- or drug-related offenses.

Evaluation Results Consulted

The National Advisory Commission on Criminal Justice Standards and Goals *Police* report cites numerous studies supporting its recommendations to divert alcohol and drug abusers who need treatment and can be dealt with outside of the criminal justice system.

The commission's *Community Crime Prevention* report, which recommends that states and local governments establish multimodality drug treatment systems, also was used in developing this program.

Additional studies were consulted. The Drug Enforcement Administration's *Drug Abuse and the Criminal Justice System* describes a successful model drug abuse program and offers recommendations for development of other drug abuse programs. Texas Commission on Alcoholism's *Texas Law: A Perspective on Alcohol Use and Abuse and Alcoholism--1974* identifies legal issues involved in drug and alcohol use in Texas and their implications for program development. The Drug Abuse Prevention Division (DAPD) of Texas Department of Community Affairs (TDCA) has developed an exhaustive description of drug abuse problems in the state.

STRATEGIES AND STANDARDS

Strategy E—Increase the effectiveness of institutional and community-based correctional programs.

Substrategy E6—Develop, expand, and improve criminal and juvenile justice alcohol abuse, drug abuse, and substance abuse prevention and treatment programs.

Standard E6a—Each jurisdiction should establish procedures for voluntary referral of defendants with alcohol or drug abuse problems to treatment, either before or after conviction or adjudication.

Annual Achievement Criteria

1978

(1) Three of Texas' 13 cities with populations greater than 100,000 and smaller communities with special need will provide court-supervised treatment programs for drug dependent persons.

(2) Pilot alcohol treatment center will continue to operate in one 10-county planning region and will be initiated in one other jurisdiction with population more than 250,000 based on pilot project evaluation results.

(3) Substance abuse prevention projects will continue to operate for juveniles in three of Texas' 13 communities with populations greater than 100,000.

1979

(1) Four cities with populations greater than 100,000 and smaller communities with special need will provide court-supervised treatment programs for drug dependent persons.

(2) Two of Texas' six communities with populations greater than 250,000 and the pilot 10-county region will maintain court-supervised alcohol treatment centers.

(3) Substance abuse prevention projects will be maintained for juveniles in three communities with populations greater than 100,000.

1980

(1) Five cities with populations greater than 100,000 and smaller communities with special need will provide court-supervised treatment programs for drug dependent persons.

(2) Two communities with populations greater than 250,000 and the pilot 10-county region will maintain court-supervised alcohol treatment centers.

(3) Substance abuse prevention projects will be maintained for juveniles in three communities with populations greater than 100,000.

Standard E6b—Local adult and juvenile correctional agencies should establish effective working relationships with major social institutions, organizations, and agencies of the community.

Annual Achievement Criteria

1978

(1) DWI court class programs will operate in 20 jurisdictions.

(2) Three drug abuse treatment programs will be operating. (See Annual Achievement Criteria E6a1.)

1979

(1) DWI court class program will operate in 25 jurisdictions.

(2) Four drug abuse prevention and treatment programs will be operating. (See Annual Achievement Criteria E6a1.)

1980

(1) DWI court class programs will operate in 30 jurisdictions.

(2) Five drug abuse treatment programs will be operating. (See Annual Achievement Criteria E6a1.)

TYPES OF PROJECTS

This program is directed at rehabilitation of persons who enter the criminal or juvenile justice system for alcohol, drug, or substance abuse offenses and persons who have committed other offenses but whose rehabilitation is hampered by alcohol, drug, or substance abuse problems. It is designed to divert the abuser from the criminal or juvenile justice system as early as possible,

consistent with the welfare of the abuser and that of the community.

This program also is directed at prevention of alcohol, drug, and substance abuse among adults and juveniles.

Wherever possible CJD funds 78-E6 projects jointly with Texas Commission on Alcoholism (TCA) or DAPD.

Funds will be available to develop, support, and continue the following types of projects:

—Community-based programs to make maximum use

of existing services and facilities and provide integrated treatment, rehabilitation, counseling, and education to persons identified by the criminal or juvenile justice system as having an alcohol-, drug-, or substance-related problem.

—In conjunction with TCA funding, DWI court class programs for persons who have been screened by a pre-sentence investigating officer and recommended by the court for such services.

—Long-term and short-term residential care for persons identified by the criminal or juvenile justice system as offenders in need of such care and rehabilitation services for alcohol, drug, or substance abuse problems.

—Institutional or community-based programs for identification, referral, treatment, and supervision of persons identified by the criminal or juvenile justice system as drug dependent offenders; and for urinalysis of adult drug dependent offenders.

—Preservice and in-service training for personnel of alcohol, drug, and substance abuse treatment programs.

PROGRAM REQUIREMENTS

Eligibility

Grants will be awarded to cities, counties, regional councils, state agencies, or combinations of units of government. In cases where a state agency subcontracts for services, the primary subcontractor must be a city or county and the subcontractor must agree to provide matching funds for continuation, in accordance with CJD continuation policy for local projects. (See Appendix D.)

Priority will be given to projects that combine funding from all available sources.

State agencies are eligible for funding for E6 projects that have statewide impact and that will be implemented by the state agency.

CJD will consider funding of local projects jointly with Texas Commission on Alcoholism or the Drug Abuse Prevention Division of the Texas Department of Community Affairs. To be eligible for CJD funding, such projects must have at least 50 percent cash match from TCA or TDCA. This method of funding will be used to pass through CJD funds to local projects.

Priority will be given to projects addressing CJD annual achievement criteria.

General

A series of program requirements apply to all applicants and grantees. These requirements relate to indirect cost, professional or consultant fees, procurement of

consultants, travel, and methods for handling other project income and payments. Detailed information regarding each requirement can be found in Appendix C.

Special

Intake. Intake into alcohol, drug, or substance abuse treatment programs should be through a criminal or juvenile justice agency.

Fund use. Program 78-E6 funds will provide necessary staff for drug, alcohol, or substance abuse programs; equipment and materials necessary to meet project objectives; medical services, on a contract basis, for abusers served by a project; screening and urinalysis of adult project clients, as appropriate; transportation of clients between criminal or juvenile justice agencies and the project and between the project and support service agencies (e.g.: medical services, jobs, social services); cost of project evaluation; job placement and counseling services; and staff training.

Access to records. The appropriate court should have access at all times to treatment records. Clients' confidentiality will be protected in keeping with Part II of Title 42 of the *Code of Federal Regulations* (40 FR 27802, July 1, 1975). Any application for a grant under this program must include a written agreement by the head of the implementing agency to make all records, including treatment records, available to the appropriate court on request, subject to these regulations.

Base data. Applicant agency must provide or establish base data on chemical abuse and recidivism rate among the target population and should quantify, where appropriate, the reduction in those rates that the project seeks to affect.

Criminal justice referral. Each application for 78-E6 funds must include a goal of at least 75 percent criminal or juvenile justice referrals and must certify that priority will be given to criminal or juvenile justice referrals over "walk-in" or other agency referrals.

DWI court classes. Applicants for local DWI court class projects should submit applications to TCA in accordance with joint guidelines developed by TCA and CJD. Such projects, however, must be included and prioritized in the appropriate local criminal justice plan. At least 50 percent of project cost must be paid by TCA.

Methadone prohibition. No clients of projects funded under Program 78-E6 may be referred, directly or indirectly, by project staff to methadone maintenance programs.

Public intoxicants. Public intoxicants may be served by CJD-funded projects only secondarily to other alcohol or drug abuse clients and in no event shall CJD funds be used to serve client groups more than 15 percent of which are public intoxicants.

Continuation

Continuation will be in compliance with Rules and Guidelines 001.55.15, *Texas Register*, as set forth in Appendix D. (See also "Eligibility" paragraph preceding.)

In joint funded projects, other funding sources must contribute same or greater share of project cost each year.

Continuation funds will be awarded only to projects that have submitted accurate, complete, and timely financial, progress, and monitoring reports required by CJD.

Assessment

Applicants must describe proposed projects in quantifiable terms. Effective October 1, 1977, all grantees must submit progress reports at the end of each grant quarter, as measured from the project start date indicated on the Statement of Grant Award. These quarterly reports must include monthly statistical information. In addition, a detailed narrative analysis of project accomplishment must be submitted after the eighth and 12th months of the grant period. See Appendix J for detailed instructions.

TECHNICAL ASSISTANCE AVAILABLE

Technical assistance is available to units of local government or state agencies from the following sources:

—CJD adult and juvenile corrections program specialists provide general assistance in developing corrections projects, refining applications to meet LEAA and CJD guidelines, and conducting general on-site surveys.

—Texas Commission on Alcoholism provides technical assistance for training programs, developing grant applications, public awareness programs, and efforts to link new resources and projects with existing ones. This assistance is available in each state planning region through either a regional alcohol services developer, a regional council on alcoholism, or a mental health-mental retardation center. Persons desiring assistance should contact the appropriate regional agency or TCA in Austin.

—The Drug Abuse Prevention Division, Texas Department of Community Affairs, provides assistance in program development, media presentations, information dissemination, and training. Publications are available through DAPD, which is a clearinghouse for federally published drug abuse materials.

—LEAA may provide technical assistance by contract services. Requests are made by completing page one of "Request for Technical Assistance" form available from local criminal justice planners or CJD.

Questions concerning this procedure should be directed to the appropriate local planner or to CJD staff member.

BUDGET

Figures in this section are based on specific project proposals (Project Notification Sheets) from 1978 metropolitan, regional, and state agency criminal justice plans. Projects not included in the CJD budget will be considered for funding under this *Plan* only if budgeted projects fail to materialize or are not approved for funding. Contact the appropriate local criminal justice planner or CJD staff member regarding individual project budget status.

Budget for this program is \$601,194, including 90 percent federal funds and 10 percent state criminal justice planning funds. It is anticipated that seven grants, from \$4,360 to \$176,476, will be funded. Local projects will have available \$301,875, state projects (including joint funding projects) \$299,319.

	Local Projects	State Projects	Total
CJD (Part C, Federal)	271,688	269,387	541,075
CJD (Part E, Federal)	-0-	-0-	-0-
CJD (State CJPF)	30,187	29,932	60,119
Total	301,875	299,319	601,194

STAFF CONTACT

Questions concerning this program description should be addressed to the appropriate local criminal justice planner (see Appendix A) or to CJD adult or juvenile corrections program specialist (512-475-3001).

F. TECHNOLOGY AND INFORMATION

78-F1. Information Systems

PROGRAM RATIONALE

Crime Problem Addressed

This program addresses all crime, especially *UCR* Part I index offenses and white collar crime.

System Problems and Needs Addressed

Strengthening criminal justice system weaknesses characterized by incomplete, inaccurate, and untimely information on crime, offenders, and events is the program's emphasis. It also addresses a noted lack of usable data on agency operations that might be analyzed to develop improved criminal justice system capability. The standard for this program was adopted as an answer to increasing need for more and different kinds of information by criminal justice system personnel. New hardware, software, or processing procedures soon will provide additional operational alternatives for collecting, storing, and disseminating criminal justice data. The advent of inexpensive microprocessing technology is expected to have significant impact.

Such state-of-the-art advancements make obsolete the traditional finite standard. A "relative" operational standard, however, will provide impetus to insure the newest techniques and equipment are incorporated into daily operations of criminal justice agencies. This constant upgrading becomes the measure of success of a "relative" standard by providing higher levels of service to the justice community.

Evaluation Results Consulted

Studies and plans specifically relating to Texas' needs in this area are *Master Plan—Texas Criminal Justice Information System* by Governor's Office of Information Services; *Texas Crime Information Center—Final Report* by Systems Science Development Corporation; *The Texas State Plan for Improving the Effectiveness of Police Communications* by Kelly Scientific Corporation; *State and Regional Information Systems* by Institute of Urban Studies, University of Texas at Arlington; and the *STACOM Study* by Jet Propulsion Laboratory, California Institute of Technology, in cooperation with Texas Department of Public Safety and CJD.

STRATEGIES AND STANDARDS

Strategy F—Increase the availability of criminal justice information systems.

Substrategy F—Develop, expand, and improve criminal justice information systems.

Standard F—Each component agency of the criminal justice system (police, courts, corrections) should be served by an information system that supports internal management needs and provides for secure and effective sharing of information with other criminal justice agencies.

Annual Achievement Criteria

1978

(1) Every agency documenting criminal justice information system needs will have new or upgraded systems to meet these needs. Specifically:

—A computerized criminal history and crime information system will be continued in a statewide law enforcement agency.

—A computerized system containing data to be used in detecting and prosecuting white collar crime will be continued and improved.

—A computerized data base will be developed and expanded to improve operation of the state correctional system.

—Law enforcement computerized record management, statistical analysis, or tactical deployment systems will be implemented in selected local and state-level criminal justice agencies.

—Existing computerized data base systems will be expanded in selected counties to provide operational services to neighboring criminal justice governmental units.

—Studies and pilot projects on development of technology transfer of computerized criminal justice systems will be completed and transfer will be undertaken.

—Micrographics and other types of data storage and retrieval systems will be implemented in selected agencies.

(2) Federal and state requirements for privacy of criminal history information will be implemented in criminal justice agencies covered by those requirements, except where LEAA has concurred in extension of compliance deadlines.

1979

(1) Transfer of pilot projects will continue and will be expanded.

(2) Studies will be undertaken in half of the the state's planning regions to determine each region's:

—Existing computerized record management systems in individual local criminal justice agencies.

—Local use of existing agency and regional computerized record management systems.

—Use of improved, noncomputerized record management systems by local criminal justice agencies.

(3) Information systems will be implemented or enhanced to address one-fourth of the needs identified in the regional studies.

(4) Federal and state requirements for privacy and security of criminal history information will be implemented in criminal justice agencies covered by those requirements, except where LEAA has concurred in extension of compliance deadlines.

1980

(1) Studies will have been undertaken in every state planning region to determine:

—Existing computerized record management systems in individual local criminal justice agencies.

—Local use of existing agency and regional computerized record management systems.

—Use of improved, noncomputerized record management systems by local criminal justice agencies.

(2) Information system implementation or enhancement will be completed for half the applications identified in the regional studies.

(3) Federal and state requirements for privacy and security of criminal history information will be fully implemented in criminal justice agencies covered by those requirements.

TYPES OF PROJECTS

Program 78-F1 is designed to improve availability and accuracy of information about crime, offenders, events, and agency operation through use of automated and semiautomated techniques.

Funds will be used to study, develop, initiate, continue, and expand the following types of projects:

—Central computerized criminal history and crime information systems.

—Computerized data base development and expansion.

—Computerized law enforcement record management, statistical analysis, and tactical deployment systems.

—Studies and pilot projects related to computerized criminal justice information systems.

—Expansion of pilot projects to new participant agencies.

—Reorganized record storage and retrieval systems using micrographic and other storage medium technology.

—Comprehensive evaluation of information systems.

PROGRAM REQUIREMENTS

Eligibility

Grants will be awarded to units of local government, regional councils, and state agencies. Priority will be given to projects addressing CJD annual achievement criteria.

General

A series of program requirements apply to all applicants and grantees. These requirements relate to indirect cost, professional or consultant fees, procurement of consultants, travel, and methods for handling other project income and payments. Detailed information regarding each requirement can be found in Appendix C.

Special

UCR. Each agency receiving benefits under this program must report monthly to Texas uniform crime reporting program, DPS.

Statewide evaluation. All agencies benefiting from projects under this program agree by accepting a grant award to participate in an intensive joint evaluation of radio, landline, and information systems in Texas. Such evaluation will be conducted by a qualified consulting firm under contract to a state agency. This evaluation is projected to begin in fiscal 1979, when the new landline system is expected to be substantially implemented.

Information system implementation. Applicants for projects to implement an information system agree by accepting a grant under this program to comply with all federal and state legislation, regulations, guidelines, and procedures relating to the security and privacy, accuracy, completeness, and timeliness of criminal information.

CJD will participate in funding only that portion of an information system, existing or new, that is documented to be used for criminal justice system purposes.

Continuation

Continuation will be in compliance with Rules and Guidelines 001.55.15, *Texas Register*, as set forth in Appendix D.

Continuation funds will be awarded only to projects that have submitted accurate, complete, and timely financial, progress, and monitoring reports required by CJD.

Assessment

Applicants must describe proposed projects in quantifiable terms. Effective October 1, 1977, all grantees must submit progress reports at the end of each grant quarter, as measured from the project start date indicated on the Statement of Grant Award. These quarterly reports must include monthly statistical information. In

addition, a detailed narrative analysis of project accomplishment must be submitted after the eighth and 12th months of the grant period. See Appendix J for detailed instructions.

TECHNICAL ASSISTANCE AVAILABLE

Limited technical assistance is available through Texas Criminal Justice Information User's Group (TCJIUG) on subjects relating to the planning, design, implementation, and operation of computerized information systems. Requests for assistance should be made to the CJD citizen involvement program specialist. The requesting person or agency will be referred by CJD to the proper TCJIUG member.

DPS data processing division, communications division, and criminal records division should be contacted concerning interface with the statewide system.

Other sources also are available for specific needs. CJD citizen involvement program specialist should be contacted for referral.

BUDGET

Figures in this section are based on specific project proposals (Project Notification Sheets) from metropolitan, regional, and state agency criminal justice plans. Projects not included in the CJD budget will be considered for funding under this *Plan* only if budgeted projects fail to materialize or are not approved for funding. Contact the appropriate local criminal justice planner or CJD staff member regarding individual project budget status.

Budget for this program is \$1,315,663, including 90 percent federal funds and 10 percent state criminal justice planning funds. It is anticipated that 11 projects, from \$19,327 to \$929,000, will be funded, all for local projects.

	Local Projects	State Projects	Total
CJD (Part C, Federal)	1,184,097	-0-	1,184,097
CJD (State CJPf)	131,566	-0-	131,566
Total	1,315,663	-0-	1,315,663

STAFF CONTACT

Questions concerning this program description should be addressed to the appropriate local criminal justice planner (see Appendix A) or to CJD citizen involvement program specialist (512-475-6045).





Appendices



APPENDIX A

Local Criminal Justice Planners

The following persons are responsible for criminal justice planning, plan implementation, and technical assistance services in the state's 24 planning regions and six metropolitan areas. Questions regarding the CJD program should be addressed first to the appropriate local criminal justice planner.

Mr. John Scott
Criminal Justice Planner/Coordinator
Panhandle Regional Planning Commission
Post Office Box 9257
Amarillo, Texas 79105
(806) 372-3381

Ms. Dorothy Miller
Criminal Justice Planner
South Plains Association of Governments
1611 Avenue M
Lubbock, Texas 79401
(806) 762-8721

Mr. David G. Alford
Criminal Justice Coordinator
Nortex Regional Planning Commission
2101 Kemp Boulevard
Wichita Falls, Texas 76309
(817) 322-5281

Mr. Frederic W. Keithley
Director of Criminal Justice
Nortex Central Texas Council
of Governments
Post Office Drawer "COG"
Arlington, Texas 76011
(817) 640-3300

Mr. Tommie Buchanan
Executive Director
Dallas Area Criminal Justice Council
8035 East R.L. Thornton Freeway
Suite 606
Dallas, Texas 75228
(214) 324-3421

Criminal Justice Planning Coordinator
Tarrant County Metropolitan Planning Unit
Post Office Drawer "COG"
Arlington, Texas 76011
(817) 640-3300

Mr. Glen Goodwin
Director of Criminal Justice
Ark-Tex Council of Governments
Post Office Box 5307
Texarkana, Texas 75501
(214) 794-3481

Mr. Gary Price
Criminal Justice Planner
East Texas Council of Governments
Fifth Floor—Citizens Bank Building
Kilgore, Texas 76662
(214) 984-8641

Mr. Les Wilkerson
Criminal Justice Coordinator
West Central Texas Council of Governments
Post Office Box 3195
Abilene, Texas 79604
(915) 672-8544

Ms. Rhoda Tillman
Regional Coordinator
West Texas Council of Governments
Mills Building
303 North Oregon, Suite 700
El Paso, Texas 79901
(915) 532-2910

Mr. William R. Starling
Metropolitan Planner
El Paso Metropolitan Criminal
Justice Council
City-County Building—Room 515
El Paso, Texas 79901
(915) 543-2967

Mr. Richard Kleinhans
Criminal Justice Coordinator
Permian Basin Regional
Planning Commission
Post Office Box 6391
Midland, Texas 79701
(915) 563-1082

Mr. Dennis Jones
Criminal Justice Coordinator
Concho Valley Council of Governments
7 West Twohig Building, Room No. 505
San Angelo, Texas 76901
(915) 653-1214

Mr. Newton Bartley
Criminal Justice Planner
Heart of Texas Council of Governments
110 South 12th Street
Waco, Texas 76701
(817) 756-6631

Mr. Daniel Joseph
Criminal Justice Program Manager
Capital Area Planning Council
611 South Congress, Suite No. 400
Austin, Texas 78704
(512) 443-7653

Mr. Gene Draper
Criminal Justice Planner/Coordinator
Metropolitan Austin Criminal
Justice Planning Unit
P. O. Box 1088--Room 213B
Austin, Texas 78767
(512) 477-6511, Ext. 2656

Mr. Claude C. Stewart
Criminal Justice Coordinator
Brazos Valley Development Council
Post Office Drawer 4128
Bryan, Texas 77801
(713) 822-7421

Mr. Ron Willis
Criminal Justice Planner
Deep East Texas Council of Governments
272 East Lamar Street
Jasper, Texas 75951
(713) 384-5704

Mr. Leonard Baize
Director of Criminal Justice
South East Texas Regional
Planning Commission
Post Office Drawer 1387
Nederland, Texas 77627
(713) 727-2384

Mr. Glen Reid
Criminal Justice Manager
Houston-Galveston Area Council
3701 West Alabama Street
Houston, Texas 77027
(713) 627-3200

Mr. Jim Wilkinson
Metropolitan Criminal Justice Planner
Harris County Metropolitan Planning Unit
3701 West Alabama Street
Houston, Texas 77027
(713) 627-3200

Mr. Thomas D. Woods
Criminal Justice Coordinator
Golden Crescent Council of Governments
P. O. Box 2028
202 E. Santa Rosa
Victoria, Texas 77901
(512) 578-1587

Mr. Carlie Evans
Criminal Justice Coordinator
Alamo Area Council of Governments
400 Three Americas Life Building
San Antonio, Texas 78205
(512) 225-5201

Mr. William H. Holchak
Director of Bexar Metropolitan
Criminal Justice Council
Legal Professional Building
200 Main Plaza
San Antonio, Texas 78200
(512) 220-2619

Mr. Jesus Saldivar
Criminal Justice Coordinator
South Texas Development Council
Post Office Box 2187
Laredo, Texas 78041
(512) 722-3995

Mr. Doyle Rachel
Criminal Justice Coordinator
Coastal Bend Council of Governments
P. O. Box 6609
Corpus Christi, Texas 78411
(512) 854-3081

Miss Dee Dee Schueler
Criminal Justice Coordinator
Lower Rio Grande Valley
Development Council
First National Bank Building
2nd Floor—Room 207
McAllen, Texas 78501
(512) 682-3481

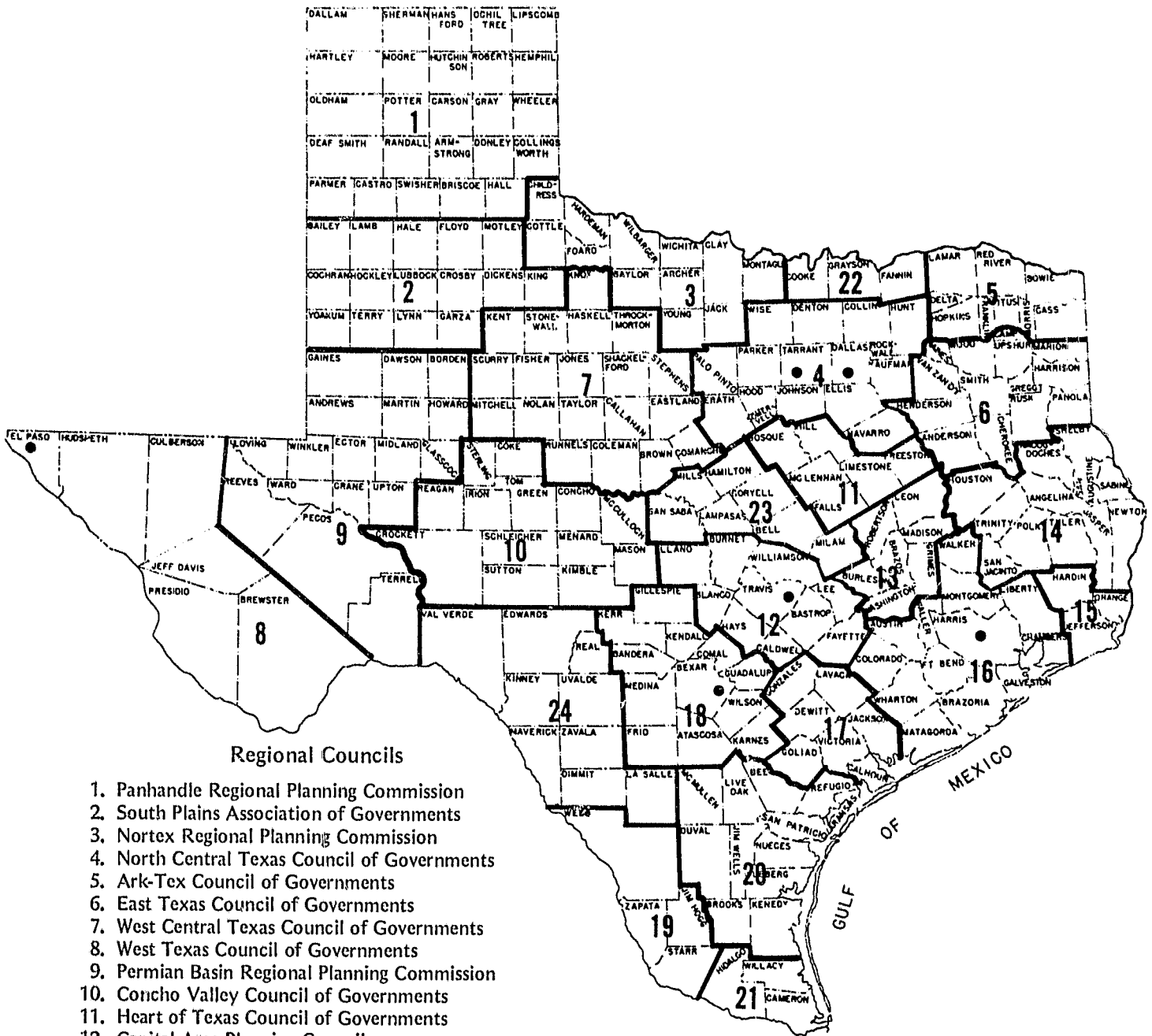
Mr. Joe Tooley
Criminal Justice Coordinator
Texoma Regional Planning Commission
1000 Arnold Boulevard
Grayson County Airport
Denison, Texas 75020
(214) 786-2955

Mr. Lindell R. Bishop
Criminal Justice Coordinator
Central Texas Council of Governments
Post Office Box 729
Belton, Texas 76513
(817) 939-1801

Mr. Rodolfo Reyna
Criminal Justice Planner/Coordinator
Middle Rio Grande Development Council
Post Office Box 1461
Del Rio, Texas 78840
(512) 775-1581

FIGURE 1

Texas Regional Councils and Metropolitan Planning Units



Regional Councils

1. Panhandle Regional Planning Commission
2. South Plains Association of Governments
3. Nortex Regional Planning Commission
4. North Central Texas Council of Governments
5. Ark-Tex Council of Governments
6. East Texas Council of Governments
7. West Central Texas Council of Governments
8. West Texas Council of Governments
9. Permian Basin Regional Planning Commission
10. Concho Valley Council of Governments
11. Heart of Texas Council of Governments
12. Capital Area Planning Council
13. Brazos Valley Development Council
14. Deep East Texas Council of Governments
15. South East Texas Regional Planning Commission
16. Houston-Galveston Area Council
17. Golden Crescent Council of Governments
18. Alamo Area Council of Governments
19. South Texas Development Council

20. Coastal Bend Council of Governments
21. Lower Rio Grande Valley Development Council
22. Texoma Regional Planning Commission
23. Central Texas Council of Governments
24. Middle Rio Grande Development Council

● Metropolitan Planning Units

- | | |
|--------------------------|---------------------------|
| Harris County—Houston | Tarrant County—Fort Worth |
| Dallas County—Dallas | El Paso County—El Paso |
| Bexar County—San Antonio | Travis County—Austin |

APPENDIX B

CJD Organization and Administration

Passage of the *Omnibus Crime Control and Safe Streets Act of 1968* marked the beginning of a comprehensive intergovernmental effort to reduce crime and delinquency. This Act created the Law Enforcement Assistance Administration charged with administering federal funds to local and state criminal justice agencies through state planning agencies.

Recognizing the essentially local nature of crime, LEAA provided for crime reduction programs that are locally planned and designed. Federal funds for local and state projects are coordinated through state planning agencies. The Criminal Justice Division of Governor Dolph Briscoe's Office is Texas' state planning agency. CJD is responsible for developing an annual state criminal justice plan and budget, administering programs developed in the plan, and providing technical assistance to local criminal justice planning units and state criminal justice agencies.

CRIMINAL JUSTICE DIVISION ADVISORY BOARD

A 25-member Criminal Justice Division Advisory Board appointed by Governor Briscoe participates in development of the annual state plan and budget prior to recommending it for the Governor's approval. The Advisory Board also reviews each grant application submitted to CJD and recommends action to the Governor.

Advisory Board membership represents all areas of the criminal justice system, elected officials from various levels of government, and citizens.

The Board is organized into four subcommittees with the following membership:

JOE LAMANTIA
Advisory Board Chairman
McAllen

T. L. ROACH, JR.
Vice Chairman
Amarillo

POLICE SUBCOMMITTEE

John E. Lawhon, Chairman
Attorney
Denton

Colonel Wilson E. Speir
Director, DPS
Austin

Don Byrd
Chief of Police
Dallas

Elton Cude
District Clerk
San Antonio

Robert Burdette
Assistant District Attorney
Houston

Robert Gladney
Sheriff
Angleton

**CORRECTIONS
SUBCOMMITTEE**

Sam Callan, Chairman
District Judge
El Paso

Clara Pope Willoughby
San Angelo

Frank Evans
Appellate Judge
Houston

P. L. Flores
Laredo

W. J. Estelle, Jr.
Director, TDC
Huntsville

George Roane
Attorney
Rosenberg

COURTS SUBCOMMITTEE

Richard Telles, Chairman
County Commissioner
El Paso

Carol Vance
District Attorney
Houston

Henry Wade
District Attorney
Dallas

Hall Timanus
Attorney
Houston

Wayne Lawrence
District Judge
Palestine

Grainger W. McIlhany
District Judge
Wheeler

**CITIZEN INVOLVEMENT
AND TECHNOLOGY
SUBCOMMITTEE**

Frank Lombardino, Chairman
State Senator
San Antonio

Oscar Soliz
District Clerk
Corpus Christi

Robert Lee Smith
Corpus Christi

George Jambers
Whitsett

T. L. Roach, Jr.
Amarillo

Jim Sale
Dallas

CRIMINAL JUSTICE DIVISION ADVISORY BOARD EXECUTIVE ORDER

In October, 1968, the Governor of Texas issued an executive order creating the Criminal Justice Council and charging it with responsibility for statewide criminal justice planning and coordination as well as implementation of the *Omnibus Crime Control and Safe Streets Act*.

The council's structure has been changed several times since then. An executive order issued October, 1971, created an executive committee to assist the full council with its large work volume. Three years later, Governor Dolph Briscoe reorganized the council into a 20-member Criminal Justice Division Advisory Board. On March 12, 1976, the board's jurisdiction was expanded by Executive Order 26 to include administration of the *Juvenile Justice and Delinquency Prevention Act of 1974*. Board membership was enlarged to 25. A copy of the executive order follows.

EXECUTIVE ORDER NO. 26

**Relating to Organization of the Criminal Justice
Division Advisory Board, Office of the Governor**

WHEREAS, The State of Texas recognizes the responsibility of the State and its political subdivisions in the complete criminal justice system; and

WHEREAS, there is need for effective statewide comprehensive planning and coordination of all criminal justice activities and for implementation of the provisions of the *Crime Control Act of 1973* and the *Juvenile Justice and Delinquency Prevention Act of 1974*; and

WHEREAS, the development and implementation of a comprehensive criminal justice plan is necessary to make the streets safe and to protect the life, liberty and property of every citizen of the State of Texas;

NOW, THEREFORE, I, Dolph Briscoe, Governor of the State of Texas, by virtue of the power vested in me, do hereby reorganize the Criminal Justice Division Advisory Board, Office of the Governor, established by Executive Order dated November 29, 1974.

The Governor shall appoint a Chairman and twenty-four (24) persons, one of which shall be designated as Vice-Chairman from state and local criminal justice agencies, including agencies directly related to the prevention and control of juvenile delinquency, units of general local government, public agencies maintaining programs to reduce and control crime, and representatives of citizen, professional, and community organizations, including organizations directly related to delinquency prevention who shall serve as members of the Criminal Justice Division Advisory Board.

The Chairman shall serve in behalf of and at the direction of the Governor. The Governor shall appoint such subcommittees as deemed necessary and appropriate. The purposes of the Criminal Justice Division Advisory Board are:

1. Recommend to the Governor an annual comprehensive plan with budget of the Criminal Justice Division for approval and submission to the Law Enforcement Assistance Administration;
2. Provide testimony before the House of Representatives and Senate of Texas when requested by the Governor; and
3. Recommend to the Governor the funding of planning and action grant applications for approval.

All state officials' and employees' services shall be an additional duty of their respective offices.

The Executive Director of the Criminal Justice Division shall serve as an ex-officio, non-voting member of the Criminal Justice Division Advisory Board.

Members of the Criminal Justice Division Advisory Board shall serve without compensation, but shall be reimbursed for reasonable and necessary expenses incurred in performing their duties.

The members of the Criminal Justice Division Advisory Board shall serve from the effective date of this Order for a term of one year.

The Governor shall fill by appointment for the unexpired term any vacancy on the Criminal Justice Division Advisory Board caused by death, resignation or inability to serve. Inability to serve shall include failure to attend two consecutive meetings, either in person or by designee. Members whose terms have expired shall continue to serve until their successors are appointed and have accepted such appointment. All members of the Criminal Justice Division Advisory Board shall serve at the pleasure of the Governor.

This order is effective on the 12th day of March, 1976.

In official recognition whereof, I hereby affix my signature this the 12th day of March, 1976.

ATTEST:

/s/ Mark White

MARK WHITE
Secretary of State

/s/ Dolph Briscoe
DOLPH BRISCOE
Governor of Texas

JUVENILE JUSTICE AND DELINQUENCY PREVENTION ADVISORY BOARD

On June 28, 1976, Governor Briscoe issued an executive order creating the Juvenile Justice and Delinquency Prevention Advisory Board. On June 30, 1976, Governor Briscoe appointed 21 persons to the juvenile advisory board. The board consists of persons all who have training, experience, or a special knowledge concerning the prevention and treatment of juvenile delinquency or juvenile justice administration. Board membership includes representation of units of local government, criminal justice and juvenile justice agencies, and private organizations concerned with delinquency prevention or treatment. At least one-third of the members were under the age of 26 at the time of appointment and less than half are full-time employees of the federal, state, or local government.

Procedural rules currently governing the CJD advisory board apply to the juvenile advisory board's operations. All meetings are public and meeting dates are published in advance in compliance with state statutes. The juvenile advisory board convenes every other month one week prior to the CJD advisory board. The juvenile board has the same responsibilities, duties, and functions as the CJD board relative to state plan development and project review, with jurisdiction limited to juvenile matters. The juvenile advisory board operates in an advisory capacity to the CJD advisory board, recommending plans and projects, for board approval. CJD staffs the juvenile board as it does the CJD advisory board.

The board consists of the following membership:

JOHN MARK MCLAUGHLIN

Chairman
San Angelo

DON R. WORKMAN

Vice Chairman
Lubbock

Mary Margaret (Lisa) Donovan
San Antonio

Mrs. Bonner Brown
Houston

Sue Anne Mathis
Dallas

A. W. (Bill) Arnold, III
San Antonio

Maria Elena Alvarado
Beeville

Mary Jane Martinez
Amarillo

Gene G. Freeland
Dallas

Ray Dell Galloway
Austin

Pat McClung
Dallas

Jess M. Irwin, Jr. Commissioner
Texas Rehabilitation Commission
Austin

Suzanne Nygren
Houston

Robert Lanier
Houston

James Smith
Austin

Robert Lee Smith
Corpus Christi

Horace R. Brandenberger
Mason

Robert Reyna
Houston

Fernando Castaneda, Chief of Police
Mason

Jamie H. Clements
Temple

Frank G. Evans
Appellate Judge
Houston

JUVENILE JUSTICE AND DELINQUENCY PREVENTION ADVISORY BOARD EXECUTIVE ORDER

WHEREAS, The State of Texas recognizes the responsibility of the State and its political subdivisions in the field of juvenile justice and delinquency prevention; and

WHEREAS, there is need for effective statewide planning and coordination of juvenile justice and delinquency prevention activities and for implementation of the provisions of the Juvenile Justice and Delinquency Prevention Act of 1974 in the State of Texas.

NOW, THEREFORE, I, Dolph Briscoe, Governor of the State of Texas, by virtue of the power vested in me, do hereby create and establish the Juvenile Justice and Delinquency Prevention Advisory Board.

The Governor shall appoint an advisory group (A) which shall consist of not less than twenty-one and not more than thirty-three persons who have training, experience, or a special knowledge concerning the prevention and treatment of juvenile delinquency or the administration of juvenile justice, (B) which shall include representation of units of local government, law enforcement, corrections or probation personnel, and juvenile or family court judges, and public agencies concerned with delinquency prevention or treatment such as welfare, social services, mental health, education, or youth services departments, (C) which shall include representatives of private organizations concerned with delinquency prevention or treatment; concerned with neglected or dependent children; concerned with the quality of juvenile justice, education or social services for children; which utilize volunteers to work with delinquents or potential delinquents; community-based delinquency prevention or treatment programs; and organizations which represent employees affected by the Juvenile Justice and Delinquency Prevention Act of 1974.

The Governor shall designate a chairman, who shall serve on behalf of and at the direction of the Governor. The purposes of the Juvenile Justice and Delinquency Prevention Advisory Board are:

1. Review and make specific recommendations to the Executive Director, Criminal Justice Division, and the Criminal Justice Division Advisory Board of those portions of the proposed annual comprehensive state criminal justice plan that pertain to juvenile justice and delinquency prevention;
2. Make recommendations to the Executive Director, Criminal Justice Division, and the Criminal Justice Division Advisory Board regarding the improvement and coordination of existing services, the identification of problems and needs, the development of new programs to meet the needs identified, and the establishment of priorities and standards and goals.
3. Provide testimony before the House of Representatives and Senate of Texas when requested by the Governor; and

4. Appoint the Projects Review and such other subcommittees, with the advice and consent of the Executive Director, Criminal Justice Division, as deemed necessary and appropriate.

The Juvenile Justice and Delinquency Prevention Advisory Board shall meet at least annually and at such other times as may be necessary and appropriate.

The Juvenile Justice and Delinquency Prevention Advisory Board subcommittee for projects review shall meet as may be necessary and appropriate.

All state officials' and employees' services shall be an additional duty of their respective offices.

The Executive Director, Criminal Justice Division, shall serve as an ex-officio, non-voting member of the Juvenile Justice and Delinquency Prevention Advisory Board.

The Governor shall fill the appointment of any vacancy on the Juvenile Justice and Delinquency Prevention Advisory Board caused by death, resignations or inability to serve. Inability to serve shall include failure to attend two consecutive meetings, either in person or by designee.

All members of the Juvenile Justice and Delinquency Prevention Advisory Board shall serve at the pleasure of the Governor.

This Executive Order is effective on the 28th day of June, 1976, and shall remain in effect until amended, modified, or repealed by me.

JUDICIAL PLANNING COMMITTEE

The Judicial Planning Committee was established by Order of the Supreme Court of Texas on May 2, 1977. The order establishing the committee also appointed committee members and set forth committee functions. Committee functions include developing an annual judicial plan and recommending action to CJD Advisory Board on proposed CJD financial assistance to courts and related judicial agencies.

SUPREME COURT OF TEXAS ORDER

Pursuant to Section 203(c) of S. 2212 of the 94th Congress which became law upon the signature of the President on October 15, 1976 as Public Law 94-503, the Crime Control Act of 1976, which provides in part that "the court of last resort of each state. . .may establish or designate a judicial planning committee for the preparation, development and revision of an annual state judicial plan" and to perform other functions enumerated in the said act, the Supreme Court of Texas does hereby create the Judicial Planning Committee of the State of Texas to serve as the principal agency within the Texas judicial system to plan, coordinate, administer and supervise grant-funded programs which are designed to improve the administration of criminal and juvenile justice in program areas in which the judicial branch of government has primary responsibility.

Under the provisions of Section 203(c) of Public Law 94-503, which provides that "the members of the judicial planning committee shall be appointed by the court of last resort. . .and serve at its pleasure", the following are hereby appointed as members of the Judicial Planning Committee of the State of Texas to serve at the pleasure of the Court:

Honorable Joe R. Greenhill
Chief Justice, Supreme Court of Texas

Honorable M. Ted Butler
Judge, 226th Judicial District, San Antonio

Honorable James G. Denton
Justice, Supreme Court of Texas

Honorable Darrell B. Hester
Judge, 197th Judicial District, Harlingen

Honorable Charles W. Barrow
Justice, Supreme Court of Texas

Honorable Mary Pearl Williams
Judge, County Court at Law No. 2, Travis County

Honorable Truman Roberts
Judge, Court of Criminal Appeals

Honorable Ronald D. Earle
District Attorney, Travis County

Honorable Wendell Odom
Judge, Court of Criminal Appeals

Mr. George E. Gilkerson
Lubbock County

Honorable Clarence A. Guittard
Chief Justice, Fifth Court of Civil Appeals, Dallas

Mr. Jim D. Bowmer
Bell County

Honorable Max M. Rogers
Presiding Judge, Second Administrative Judicial District, Huntsville

Honorable Ben Z. Grant
State Representative, Harrison County

Honorable Paul Peurifoy
Presiding Judge, First Administrative Judicial District, Dallas

Mr. David A. Anderson
Travis County

Honorable John Thomas Boyd
Judge, 64th Judicial District, Plainview

Ms. Gabrielle K. McDonald
Harris County

Any vacancy on the Judicial Planning Committee shall be filled by the Supreme Court.

The Chief Justice of the Supreme Court is hereby designated the Chairman of the Judicial Planning Committee and shall be authorized to employ the necessary staff for the efficient operation of the committee, approve expenditures of the committee, direct the operations of the committee, and the administrative staff thereof, call meetings of the committee, perform such other duties and responsibilities to insure the proper operations of the committee as may be necessary from time to time, and to make such applications, as necessary, to the Criminal Justice Division of the Governor's Office and other appropriate agencies for grants of funds for the operation of the Judicial Planning Committee heretofore established by order of this Court.

The committee may establish advisory committees to assist it in its deliberations and to promote the involvement of the public, the executive and legislative branches of government, and other interested parties, in its efforts to upgrade the state court system. The committee is empowered to review applications to the Law Enforcement Assistance Administration and to the Criminal Justice Division of the Governor's Office for assistance in court projects, to establish priorities for the improvement of the courts of the state, to define, develop, and coordinate programs and projects for the improvement of the courts of the state, to develop, in accordance with Part C of the Crime Control Act of 1976, an annual state judicial plan for the improvement of the courts of the state to be included in the state comprehensive criminal justice plan and to develop, if the committee deems feasible and advisable a multi-year master plan of the improvement of the courts of the state.

The Supreme Court of the State of Texas may, from time to time, promulgate rules for the operation of the committee. Subject to the rules of the Court, the committee is hereby authorized to adopt other rules as are necessary for the proper and efficient operation of the committee.

IT IS THEREFORE ORDERED by the Court that this order shall take effect upon its promulgation by the Supreme Court and shall be spread upon the minutes of the Court.

SO ORDERED by the Court en banc in chambers, this 2nd day of May, 1977.

STAFF

The Criminal Justice Division is headed by Robert C. Flowers, executive director. Executive staff includes Willis Whatley, general counsel, and Percy Symonette, office of management coordination. CJD is organized into six sections. Section directors are Frances Smith Dodds, system research and planning; Gordon Johnson, system program management; Kenneth R. Carter, comptroller; Bobby Riggs, audit; Pat D. Westbrook, administrative systems and control; and Joe Pearce, staff support.

PLANNING PROCESS

Development of the annual criminal justice plan for Texas culminates a year-long planning process. This process begins at the local level with preparation of local plans identifying local crime problems, system resources, goals, and objectives and projecting program and funding needs. Local criminal justice planning units funded with Part B money are located in each of the state's 24 planning regions and six major metropolitan areas (see Appendix A). Their input, with criminal justice plans from relevant state agencies, form the state's proposal for action based on crime-reduction goals, system improvement standards, and analysis of the state's crime problems, needs, and resources.

This plan is reviewed by the Juvenile Justice and Delinquency Prevention and Criminal Justice Division Advisory Boards, as well as the Judicial Planning Committee, and suggested changes, additions, and deletions are made. A concurrent A-95 review is made by other state agencies through the Governor's Division of Budget and Planning. With the Governor's approval the plan is submitted to the Law Enforcement Assistance Administration. Once approved by LEAA, it becomes the official document detailing implementation of the state's crime reduction program.

State plan implementation begins with the application for grants by local and state agencies and organizations. Each application is reviewed by CJD to determine its merit and whether it conforms with the state plan and budget. Applications that have impact on juvenile matters are submitted to the JJDP advisory board for consideration and recommendation to the CJD advisory board. Those with impact on court matters are reviewed first by the Judicial Planning Committee. Applications are then submitted with all relevant information to the appropriate CJD advisory board subcommittee for review and recommendation to Governor Briscoe.

If an application is denied funding, the applicant may request a reexamination of the decision through an appeal process.

After a grant award is made, quarterly administrative and fiscal reports are submitted for CJD staff monitoring. In addition, the project is evaluated in accordance with CJD evaluation policy.

At the end of each fiscal year a progress report describing the performance of the state's crime reduction programs is prepared.

To be considered by CJD for the 1979 budget year (October 1, 1978, to September 30, 1979), proposed projects must be prioritized as part of a local (regional or metropolitan) criminal justice plan and submitted to CJD by the local planning unit no later than March 27, 1978. Proposed projects must be described in detail, including identification and analysis of crime problem(s) and criminal justice system problem(s) and need(s) the project is to address; goals, standards, and methods of achieving them, and categorical budget. Copies of CJD's Project Notification Sheet are available from local criminal justice planners (see Appendix A).

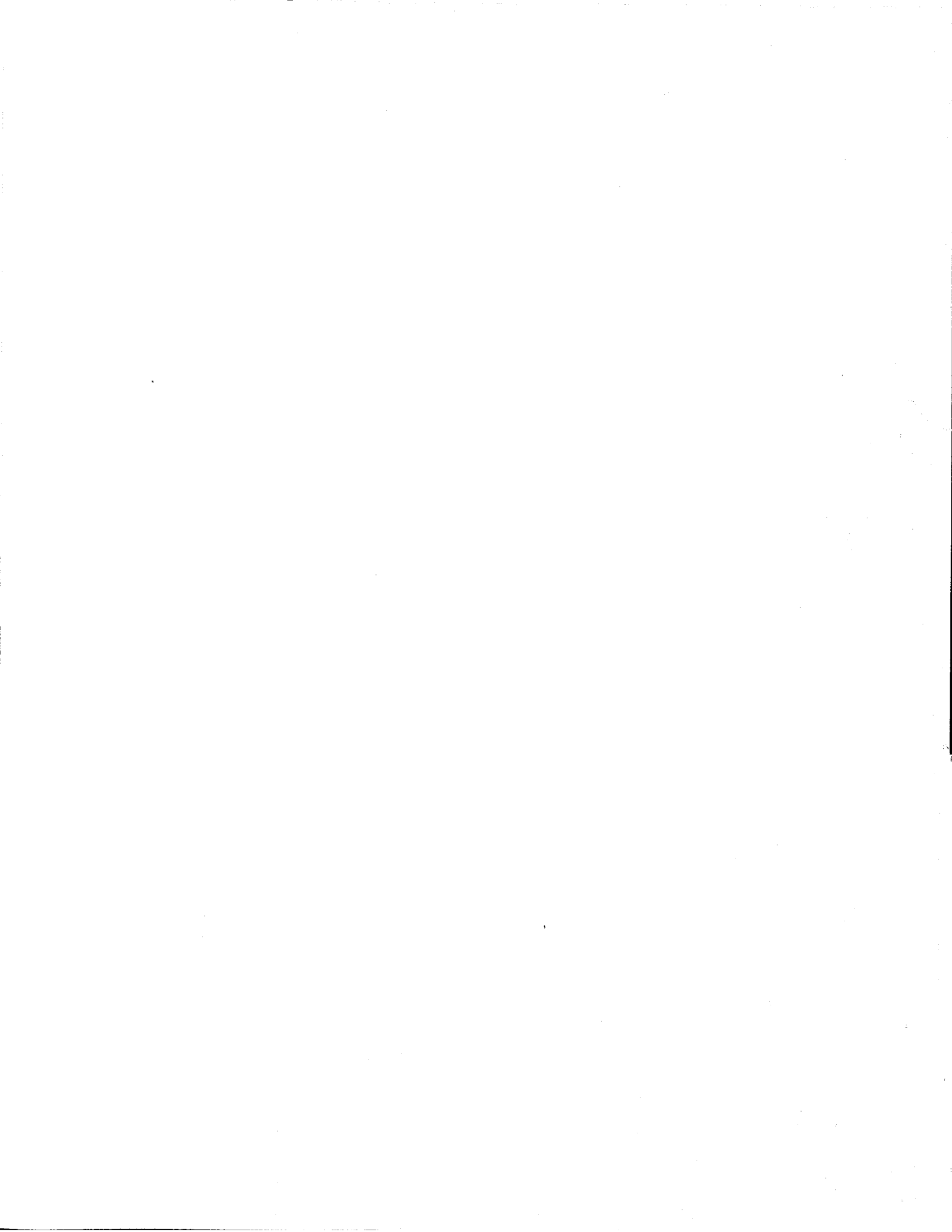
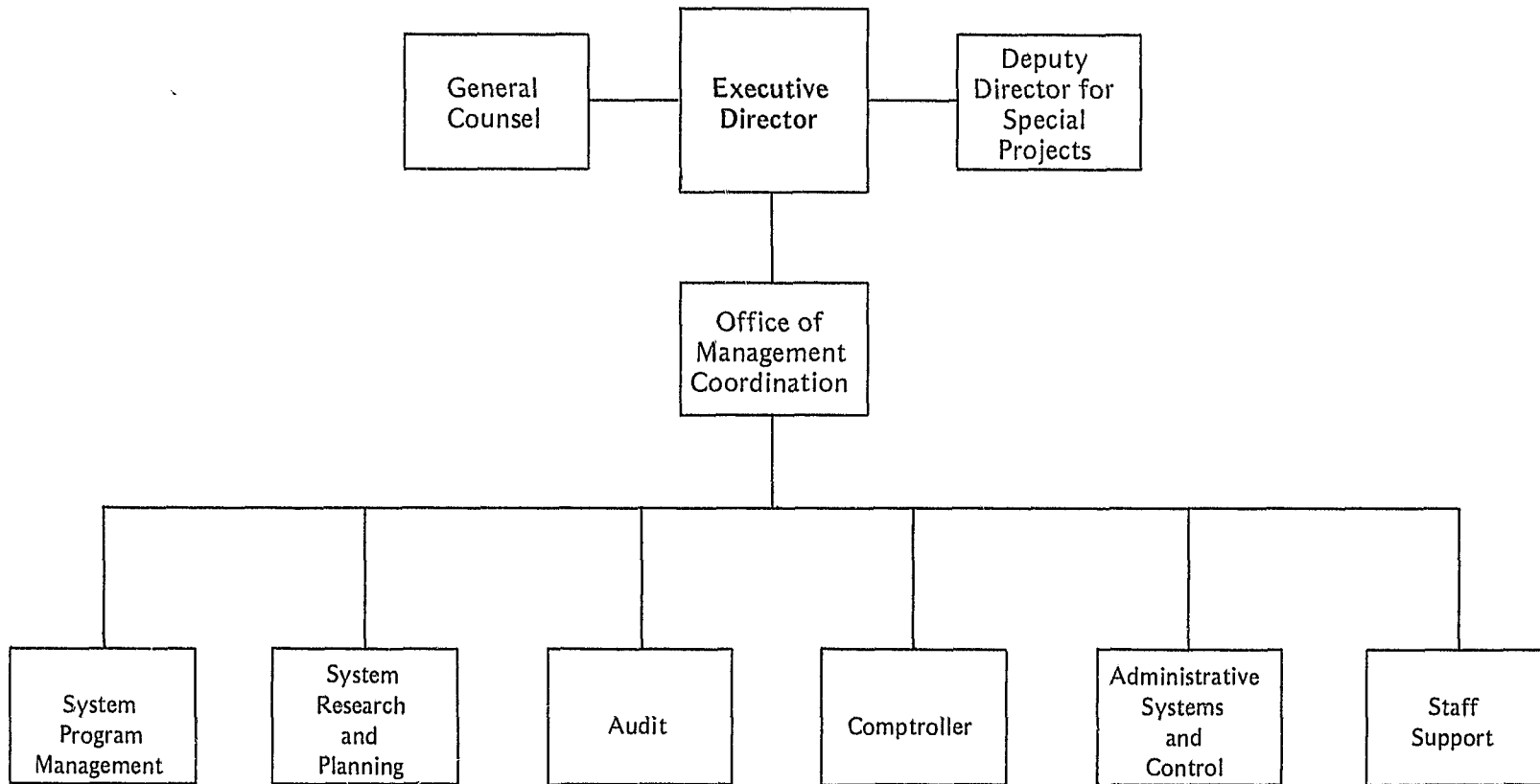


FIGURE 2

CRIMINAL JUSTICE DIVISION

Organization Chart



Robert Flowers

Executive Director

September 1, 1976



APPENDIX C

General Program Requirements

1. Indirect Cost

CJD funding of indirect cost will be allowed for action grants, where not prohibited or restricted in a program description, only to the maximum amount indicated in the following schedule. Regional councils created by Article 1011m, VACS, are excepted.

Equipment costs in excess of \$50,000 shall not be included in determining total project cost in calculating indirect cost.

Projects funded subsequent to approval of the 1976 Criminal Justice Plan for Texas shall be subject to this provision regardless of the year of funds available for the project.

FIGURE 3
INDIRECT COST COMPUTATION TABLE

(1)	(2)	(1)	(2)	(1)	(2)	(1)	(2)
\$	\$	\$	\$	\$	\$	\$	\$
1,000	50	32,000	1,320	62,000	2,280	92,000	3,015
2,000	100	33,000	1,355	63,000	2,307	93,000	3,035
3,000	150	34,000	1,390	64,000	2,335	94,000	3,055
4,000	200	35,000	1,425	65,000	2,362	95,000	3,075
5,000	250	36,000	1,460	66,000	2,390	96,000	3,095
6,000	295	37,000	1,495	67,000	2,417	97,000	3,115
7,000	340	38,000	1,530	68,000	2,445	98,000	3,135
8,000	385	39,000	1,565	69,000	2,472	99,000	3,155
9,000	430	40,000	1,600	70,000	2,500	100,000	3,175
10,000	475	41,000	1,632	71,000	2,525	110,000	3,350
11,000	515	42,000	1,665	72,000	2,550	120,000	3,525
12,000	555	43,000	1,697	73,000	2,575	130,000	3,675
13,000	595	44,000	1,730	74,000	2,600	140,000	3,825
14,000	635	45,000	1,762	75,000	2,625	150,000	3,950
15,000	675	46,000	1,795	76,000	2,650	160,000	4,075
16,000	715	47,000	1,827	77,000	2,675	170,000	4,175
17,000	755	48,000	1,860	78,000	2,700	180,000	4,275
18,000	795	49,000	1,892	79,000	2,725	190,000	4,350
19,000	835	50,000	1,925	80,000	2,750	200,000	4,425
20,000	875	51,000	1,955	81,000	2,772	210,000	4,475
21,000	912	52,000	1,985	82,000	2,795	220,000	4,525
22,000	950	53,000	2,015	83,000	2,817	230,000	4,575
23,000	987	54,000	2,045	84,000	2,840	240,000	4,625
24,000	1,025	55,000	2,075	85,000	2,862	250,000	4,675
25,000	1,062	56,000	2,105	86,000	2,885	260,000	4,725
26,000	1,100	57,000	2,135	87,000	2,907	270,000	4,775
27,000	1,137	58,000	2,165	88,000	2,930	280,000	4,825
28,000	1,175	59,000	2,195	89,000	2,952	290,000	4,875
29,000	1,212	60,000	2,225	90,000	2,975	300,000	4,925
30,000	1,250	61,000	2,252	91,000	2,995		
31,000	1,285						

(Above 300,000 = 4,925 + 0.50% of excess above 300,000)

(1) = CJD Cost (not exceeding amount shown)

Example: Direct CJD Cost = \$25,500; Indirect Cost Limit = \$1,062

(2) = Maximum Indirect Cost Allowable -- CJD Funding

For Total CJD Request of \$26,562

2. Professional or Consultant Fees

Consultant fees for an individual must not exceed \$135 per day or \$16.88 per hour and should be based on the prevailing market rate for the type of work being performed. Fees for consulting firms will be determined in accordance with CJD and LEAA guidelines on procurement and contracts.

Grantee shall document justification of the payment of professional or consultant fees to speakers, trainers, evaluators, guests, and like people. Federal, state, and local governmental officials or employees, including university and college faculty and employees, are not eligible for the payment of professional or consultant fees from CJD or LEAA funds.

3. Procurement of Consultants

Potential applicants for any project requiring consultant fees in excess of \$2,500 must provide in the grant application a copy of the request for proposal, timetable for the procurement process, criteria for selection, method of selection to be used, and sample grading sheet. Award or notification by the applicant to the successful consultant must be withheld until applicant receives CJD approval of the procurement process.

Any state agency or regional council that is a potential applicant for a project including consultants must conform to the provisions of S.B. 737 of the 65th Legislature, effective August 29, 1977.

4. Travel

All travel and subsistence payments will be in accordance with the CJD *Financial Management Guide* effective October 1, 1977, with the following exception for police training (78-B1):

In regional training projects, travel will be in accordance with grantee agency guidelines but cannot exceed state rates as provided for in the current state appropriations bill. In regional training projects neither trainee travel to and from the academy nor subsistence while attending academy courses within the region will be funded.

In statewide courses trainee subsistence will be funded, not to exceed the amount provided for in the state appropriations act, but trainee transportation will not be funded.

In out-of-state courses, transportation and subsistence, not to exceed the amount provided for in the state appropriations act, will be funded.

5. Other Project Income

All other project related income or payments earned during the grant period shall be retained by the grantee and, in accordance with the grant agreement, shall be either:

(1) Added to funds committed to the project by the grantor and grantee and be used to further eligible program objectives, or

(2) Deducted from the total project costs for the purpose of calculating the net costs on which CJD share of costs will be based.

APPENDIX D

Continuation Funding Policy for Local Projects 001.55.15.001-.010

These rules and guidelines are promulgated under the authority of Public Law 90-351, Title I, Omnibus Crime Control and Safe Streets Act of 1968 as amended by Public Law 91-644, Omnibus Crime Control Act of 1970, and Public Law 93-83, Crime Control Act of 1973; and Public Law 93-415, Juvenile Justice and Delinquency Prevention Act of 1974; and rules and guidelines promulgated by the Law Enforcement Assistance Administration.

.001. Applicability. This policy shall apply to units of local government, a combination of local units of government, and regional councils and metropolitan planning units.

.002. Definitions.

(a) *Local Projects*. Local projects include those of a unit of local government, a combination of units of local government, and a regional council or metropolitan planning unit.

(b) *Juvenile Justice Act Funds*. Local projects funded from Juvenile Justice Act funds require a ten percent grantee cash or in-kind match. The CJD will fund 90 percent of project costs in the first year. The funding level in .005 applies in the second through the fifth years except that in-kind match, if approved in the first year, may be used in the second through the fifth year provided, however, that the cash contribution required must be provided less the original approved ten percent in-kind match.

(c) *CJD Funds*. CJD funds include Crime Control Act bloc grant Part C and E funds, Criminal Justice Planning Fund matching funds, Juvenile Justice Act formula funds and LEAA discretionary funds from whatever source.

.003. Requirements. Continuation funding for local projects will be considered by the CJDAB when the following requirements have been met:

(a) the project is included as a high priority in a regional or metropolitan criminal justice plan for the year of continuation funding,

(b) the project is included in a *Criminal Justice Plan for Texas* for the year of continuation funding,

(c) all administrative, program, planning, financial and evaluation requirements have been met,

(d) the participating units of local government have passed resolutions providing for their respective share of the cash contribution required for that year of funding,

(e) the resolutions required in (d) are attached to the application for grant.

.004. Base for New Projects. The base for computation of the CJD funds and local cash contribution for the second through the fifth year of new projects shall be the first year of CJD funding with the following modifications:

(a) equipment cost funded by the CJD shall be deducted from the CJD amount before the calculation of subsequent year funding,

(b) documented increases in project cost that require CJD assistance may be allowed and the CJD funds and local cash contribution shall share in this cost at their respective percentages for the year of funding.

.005. Level of Funding for New Projects. Level of funding for projects receiving their first year of CJD funding after October 1, 1976, will be at the following ratios of maximum CJD funds and minimum local cash contributions:

<u>Year</u>	<u>CJD Funds (maximum)</u>	<u>Local Cash Contribution (minimum)</u>
First	100%	0%
Second	80%	20%
Third	60%	40%
Fourth	40%	60%
Fifth	20%	80%

.006. Projects Currently Funded. Projects currently funded by the CJD on or before October 1, 1976, will be eligible for continuation funding as provided for in the *1976 Criminal Justice Plan for Texas* if the project meets the requirements of .003.

.007. Education and Training Projects. Education and training projects for criminal justice personnel may be excepted from this policy.

.008. Equipment Projects. Projects for equipment are one year projects unless otherwise noted and are excepted from this policy.

.009. Special Projects. Projects for jail construction, landline communications, cadet, intern career development and career incentive pay, organized crime and white collar crime units are excepted from this policy and will be continued as provided in the program description of the current *Criminal Justice Plan for Texas*.

.010. Exceptions. The CJD, based on written documentation submitted by the applicant, may recommend to the CJDAB on a project by project basis exceptions to this policy.

Issued in Austin, Texas, on September 3, 1976.

/s/ Robert C. Flowers

Robert C. Flowers
Executive Director
Criminal Justice Division

APPENDIX E

Miniblock Participation

001.55.18.001-.019

These rules and guidelines are promulgated under the authority of Public Law 90-351, Title I, Omnibus Crime Control and Safe Streets Act of 1968 as amended by Public Law 91-644, Omnibus Crime Control Act of 1970, Public Law 93-83, Omnibus Crime Control Act of 1973, and Public Law 94-503, Crime Control Act of 1976; and Public Law 93-415, Juvenile Justice and Delinquency Prevention Act of 1974; and rules and guidelines promulgated by the Law Enforcement Assistance Administration.

.001. Eligibility: Cities and counties with a population of two hundred and fifty thousand (250,000) or more, and cities and counties with a population of two hundred thousand (200,000) or more which have three or more projects in the final recommended budget by the Criminal Justice Division Advisory Board, are eligible under this rule and guideline.

.002. Participation: Eligible cities and counties must notify the Criminal Justice Division (CJD) in writing on or before March 30 of each year if they desire to participate under this rule and guideline. Such notice shall be given by the mayor or county judge to CJD's director of System Research and Planning.

.003. Regional and Metropolitan Plan Requirements: Participating cities or counties must attach to the regional or metropolitan plan submitted in accordance with the CJD guidelines for local plans the following:

- (a) Executed mini-block grant conditions promulgated by CJD
- (b) Personnel or merit system procedures
- (c) Policy or procedure on procurement
- (d) Policy or procedure on travel
- (e) Policy on equipment control
- (f) Total budget in summary for criminal justice activities
- (g) Completed A-95 review and comments
- (h) Review and comments by the Chief Financial Officer of the governmental unit must be submitted on each project notification sheet and a certification that all budgetary items are in compliance with local policy.

.004. Date of Consideration for Recommendations for Approval: The Criminal Justice Division Advisory Board (CJDAB) will consider projects eligible for inclusion in mini-block that are contained in the metropolitan or regional plan with the attachments required in .003. The CJDAB recommendations for approval or disapproval to the Governor will be at the meeting at which it considers the *Criminal Justice Plan for Texas*, including budgets for Part C and E and JJDP funds based on proposed projects, subject to .005.

.005. Approval: Approval of projects under this rule and guideline are subject to Congressional appropriations and allocations for Part C and E and JJDP funds.

.006. Implementation of Projects: Individual projects must be implemented within 30 days of the date contained in the project notification sheet. CJD may, on written request, extend the implementation date for a maximum of thirty additional days. All projects must be implemented by September

30 of the budget year. Failure to implement the project within this timeframe shall drop the project from the approved projects and the project funds revert to the Criminal Justice Division for redistribution throughout the state for unbudgeted projects. Projects may not be implemented sooner than the date reflected in the project notification sheet without the prior written approval of CJD. Under no condition, can a project be implemented earlier than October 1 of the budget year from which it is funded. Requests for changes in project implementation dates should be addressed to CJD's director of Administrative Systems and Control.

.007. Cancellation of Projects: The participating city or county shall notify the CJD (director of Administrative Systems and Control) by resolution of the cancellation of any approved project immediately on the determination to cancel the project. The project shall be dropped from the approved projects and the project funds revert to the Criminal Justice Division for redistribution throughout the state for unbudgeted projects.

.008. Implementation Resolution: The participating city or county shall submit a resolution to implement each project, with the EEO certification and a copy of the project notification sheet, within 30 days preceding the implementation of the project. This resolution must clearly reflect the commitment of the applicable required cash contributions from local funds and the applicable in-kind contribution, if any, which must have LEAA approval prior to implementation, for JJDPA projects. The participating city or county must accept in writing within 30 days any special conditions required by the Criminal Justice Division. Documentation required by this paragraph shall be submitted to CJD's director of Administrative Systems and Control.

.009. Statewide Comprehensive Plan: The Criminal Justice Division shall, if necessary, make adjustments in priorities to ensure a statewide comprehensive plan as required by the current amendments to the Crime Control Act and Juvenile Justice and Delinquency Prevention Act.

.010. Maintenance of Effort: The Criminal Justice Division shall, if necessary, make adjustments in priorities to ensure the maintenance of efforts required for juvenile justice and corrections projects from Part C funds.

.011. Deviations: The amount of each approved project shall not be exceeded by the participating city or county. Participating city or county must obtain prior written approval from CJD for major project changes. These include (a) changes of substance in project activities, design, or research plans set forth in the approved project notification sheet; (b) changes in the project director or other key personnel identified in the approved project notification sheet; (c) expenditure of project funds representing more than a 15 percent or \$2,500 variation, whichever is greater, between categories of the total approved budget, including both CJD grant funds and grantee contribution; and (d) all additions to or deletions of approved equipment purchases. Changes shall be sent to the Administrative Systems and Control Section, Criminal Justice Division. The city or county must notify the appropriate A-95 clearinghouse of financial or program deviations for their review and comment to the Criminal Justice Division.

.012. Contracts: Contracts must be approved in writing by the Criminal Justice Division prior to expenditure of any funds under the contracts. When available, such contracts should be submitted to CJD along with those documents required by paragraph .003, herein. Subsequent contracts should be transmitted by letter to CJD's director of Administrative Systems and Control.

.013. Request for Funds: Request for funds shall be submitted (to the CJD Comptroller) on a monthly basis or on a timetable prescribed by CJD and shall be in the form required by CJD.

.014. Progress and Financial Reports: A participating city or county shall submit financial reports in accordance with the frequency and schedules prescribed by CJD. Progress reports shall be submitted in accordance with the frequency in the appropriate program description in the current *Criminal Justice Plan for Texas*. All financial and progress reports shall be submitted in accordance with the prescribed CJD forms for such reports.

.015. Deobligation of Funds: Unobligated funds shall be returned immediately to the Criminal Justice Division with the final financial report.

.016. Compliance with the Law Enforcement Assistance Administration Rules and Guidelines and the Criminal Justice Division Rules and Guidelines: Participants shall comply with all applicable Law Enforcement Assistance Administration (LEAA) rules and guidelines and Criminal Justice Division rules and guidelines.

.017. Failure to Comply with Any Applicable Law Enforcement Assistance Administration Rule or Guideline or Criminal Justice Division Rule or Guideline: Failure of a participant to comply with any LEAA rule or guideline or CJD rule or guideline may result in a withholding of all funds.

.018. Termination of Funds: Failure of a participant to comply with any LEAA rule or guideline or CJD rule or guideline within thirty days after funds are withheld may result in a termination of all funds.

.019. Refunds to the Criminal Justice Division on Audit Review Board Determinations: Participants shall immediately refund all funds due after a final determination by the Audit Review Board and approval by the Executive Director of the Criminal Justice Division. Failure to comply with this provision shall subject participant to the provisions of .017 and .018.

Issued in Austin, Texas, on June 27, 1977.

/s/ Robert C. Flowers

Robert C. Flowers
Executive Director
Criminal Justice Division



APPENDIX F

Tape Logging Equipment Restrictions

Use of tape logging equipment purchased with CJD funding shall be subject to the following restrictions:

1. Telephone systems shall be maintained, established, or modified so that recordings are made only of calls at the complaint desk emergency number, of radio communications, and of law enforcement word processing system communications. There shall be designated in the telephone directory and the telephone information service both an "emergency" telephone number and a "general" or "administrative" telephone number.

2. Such equipment shall not be used to infringe on privileged attorney-client communications of persons being detained or questioned by a law enforcement agency. Grantee must provide and designate a telephone instrument and line that will provide a means of secure and private communication for attorney-client contacts. A pay telephone so provided and designated will not meet this requirement.

3. There shall be emitted a regular and reasonably audible "beep" whenever the equipment is used in connection with telephone calls.

4. Equipment must be installed in compliance with federal and state laws and regulations and with applicable telephone company tariffs. Any other use of the equipment is expressly prohibited.



APPENDIX G

Requirements for Planning, Construction, and Renovation of Correctional Facilities

Projects funded before December 1, 1976, and all juvenile detention projects must adhere to Part E Special Requirements included in this appendix.

As outlined in the following, design and construction projects will be funded in three distinct phases:

I. Preliminary Planning

II. Detailed Architectural Planning

III. Renovation or Construction

To avoid unnecessary delay during the grant period, consultants for any phase of renovation or construction projects must be selected before application is submitted.

Phase I: Preliminary Planning. Planning consultant shall prepare for applicant a clear, written statement that includes the following items:

- (a) Definition of functions and objectives of the proposed addition, renovation, or new facility.
- (b) Facility population trends based on available data over a period of at least the preceding five years to determine anticipated demand for facility components.
- (c) Reasonable use of alternatives to incarceration.
- (d) Feasibility of sharing facilities.
- (e) Special provisions to be available to alcohol and drug abusers.
- (f) Correctional programs to be available.
- (g) Plan for staffing the proposed project, including staff orientation and in-service training.
- (h) Architectural program.
- (i) Schematics.
- (j) Outline specifications.
- (k) Cost estimates to assist agency determine compatibility of project needs and budget.

Guidelines shall be established for implementation of programs planned in this phase.

Phase II: Detailed Architectural Planning. This phase includes two stages: design development and construction documents.

Design Development Stage. From approved schematic design studies (Phase 1), the architect shall prepare and submit appropriate documents for the applicant's approval.

Construction Documents Stage. From the approved design development documents, architect shall complete drawings and specifications detailing renovation or construction to be done.

Phase III: Renovation or Construction. In accordance with pertinent state and LEAA regulations, this phase includes:

- Invitation to bid.
- Award of renovation or construction contract.
- Actual renovation or construction in accordance with the detailed architectural drawings developed in Phase II.

Submission and Approval Requirements—Complete schematic design studies and design development documents prepared during Phase I must be submitted to and approved by the National Clearinghouse for Criminal Justice Planning and Architecture, University of Illinois, Urbana. Detailed architectural drawings and specifications prepared in Phase II must be approved by the National Clearinghouse before proceeding to the renovation or construction phase (Part E Review Requirement).

Information shall be furnished to the executive director of Texas Commission on Jail Standards, or his authorized representative, by applicant during the planning and construction stages of any county jail facility. Applicant shall provide complete submission of all information presented by consultant, including an analysis of projected construction cost prepared by the architect under the direction of the sheriff, to TCJS executive director in no more than 5 days after these submissions are made to the owner. (Texas Commission on Jail Standards Section 217.04, Construction Approval Rules, and Section 217.05, New Construction Rules).

Submissions shall be made to the executive director at the following stages of planning:

Phase I

On completion of the schematic design studies and at the time design development studies illustrating the scale and relationship of project components and cost estimates are submitted to the owner for approval.

Phase II

On completion of the design development stage of drawings and other documents to fix and describe the size and character of the entire project as to structural, mechanical, and electrical systems, life safety and detention locking systems, materials, cost estimates, and such other essentials as may be appropriate are submitted to the owner.

On completion of all construction documents including drawings and specifications setting forth in detail requirements for the construction of the entire project including necessary bidding information and bidding forms and final cost estimates of construction cost and operation cost. These documents shall include the conditions of the construction contract or contracts and the form of agreement to be entered into between the owner and the contractor(s).

A copy of the documentation submitted to each of the agencies above shall be submitted simultaneously to CJD for information purposes.

Each time a submission is made to the Executive Director of the Texas Commission on Jail Standards, notification shall be given directly to the Executive Director by the sheriff and owner that they have reviewed the information furnished. Each submission as referred to above, must be reviewed by the Executive Director and CJD before proceeding to the next project phase.

Final inspection of the completed facility to determine compliance with approved contract documents and Jail Standards, shall be made before acceptance by the owner, by a team including the Executive Director or his designated representative, the architect, a representative of the Commissioners' Court, sheriff and county officer or employee responsible for construction. The facility shall not be occupied until the owner has received a written statement of compliance with approved contract documents and Jail Standards from the Executive Director.

Part E Special Requirements

In each phase, applicants must document compliance with the following Part E Special Requirements:

1. Assurances on Funds Control and Title to Property.

- a. The application must set out assurances that title and control of funds will not be transferred to private agencies.

- b. The application must set assurances that Part E funds and property will not be diverted to non-correctional uses.

2. Advanced Design Techniques.

The application must provide for advanced techniques in design of facilities and institutions. (This statement must be approved by the National Clearinghouse for Criminal Justice Planning and Architecture).

3. Regional Sharing of Facilities.

If programs are set out which provide for correctional institutions or facilities for a single urban center, the application must justify noncoverage of outlying areas by the facility.

4. Assurances that Personnel Standards Reflect Advanced Practices.

- a. The application must contain a statement clearly showing the organization will utilize personnel standards and personnel programs.
- b. If standards do not exist, the application must indicate what efforts will be undertaken to upgrade current levels.

5. Assurances Related to Improved Recruiting, Organization, Training, and Education Projects.

- a. The applicant must provide a clear statement of ongoing and proposed manpower improvement efforts.
- b. As a minimum, the application must provide for 80 hours recruit training and 20 hours per year in-service training for all categories of correctional personnel.

6. Special Requirements for Construction Programs.

The application must include the following:

- a. Evidence that consideration was and will be given to reasonable use of alternatives to incarceration, i.e.:
 - (1) Summons in lieu of arrest and incarceration.
 - (2) Direct commitment to a treatment program, such as
 - (a) Alcohol detoxification and/or treatment center.
 - (b) Drug detoxification and/or treatment center.
 - (c) Mental health program.
 - (d) Intake diagnostic and screening for sex-related offenses.
 - (e) Intake diagnostic and screening for juveniles.
 - (3) Release on own recognizance.
 - (4) Conditional release.
 - (5) Community bail program.
 - (6) Probation.
 - (7) Work-furlough release.
- b. Evidence that consideration was and will be given to minimization of incarceration. Application must identify.
 - (1) What programs will be utilized for pre-trial alternatives.
 - (2) What programs will be utilized for post-trial alternatives.
- c. Statement on areas to be served.
 - (1) Geographic
 - (2) Client

- (a) Misdemeanants
 - (b) Felonies
 - (c) Male
 - (d) Female
 - (e) Juveniles
- d. Comparative rates of dispositions for fines, suspended sentences, probation, institutional sentences, and other alternatives.
- e. Rates of parole.
- f. What special provisions will be utilized for alcohol and drug abusers.
- g. Indication of whether there is complete architectural separation of juvenile, adult female, and adult male offenders.
- h. Indication of whether a study has been made of feasibility for sharing facilities.
- i. Indication of whether the design provides for the following correctional treatment programs:
- (1) Safety and sanitation.
 - (2) Medical services.
 - (3) Food service.
 - (4) Educational vocational training.
 - (5) Work/study release.
 - (6) Intake/release procedures.
 - (7) Classification of offenders.
 - (8) Recreation.
 - (9) Probation services.
 - (10) Parole services.
 - (11) Research/evaluation.
 - (12) Information system/records.
- j. A statement of willingness to accept Federal prisoners.
- k. If the application is for planning funds, a statement of qualifications of persons or consultants to be used.
- l. The required statement of objectives, architectural programs, schematics, outline specifications, and cost estimates.
- m. Certification of the manner and means contractual services will be obtained in accord with state and/or local laws and regulations.
- n. Certification that professional services will be obtained on the basis of professional competence and in accord with prevailing fee schedules.
- o. A-95 clearance.

APPENDIX H

Texas Department of Public Welfare Licensing

CJD funds may be used to purchase or provide placements in emergency shelters, foster family homes, halfway houses, therapeutic camps, and residential treatment centers licensed or certified by the Texas Department of Public Welfare, with the exception of residential facilities operated by counties, pending clarification of the law.

Administrators of CJD-funded residential child care facilities must be licensed by Department of Public Welfare, with the exception of administrators of facilities operated directly by counties, pending clarification of the law.

Copies of all required licenses shall be filed with the grant application. In the case of a new unlicensed facility, CJD will waive this requirement and provide funding not to exceed three months so a physical facility may be obtained, licensed, and made ready for occupancy, and so staff may be hired and receive 80 hours of preservice training. No client shall be served by any CJD-funded project until the appropriate facility and child care administrator licenses/certifications are in effect.

Loss of any required license will result in automatic cancellation of CJD funding.



APPENDIX I

CJD Grant Application Form and Instructions

The following form, CJD-1, is the standard grant application format for Criminal Justice Division action funds. Instructions for the completion of this form follow the application.



APPLICATION FOR GRANT

1. Applicant Agency or Institution: (Name, address)	2. Program No. Under Which Funding Expected: 3. Type of Application: (check appropriate block) Original () Revision () Continuation () If continuation give number of last grant. _____
--	---

4. Short Title of Project: (Do not exceed one typed line)

5. Project Director: (Name, title, address, telephone)	6. Financial Officer: (Name, title, address, telephone)
---	--

7. Period and Amount of Request: From ____/____/____ Through ____/____/____ Amount \$ _____	8. State Application Identifier: S.A.I. Number _____ Date Assigned ____/____/____
---	---

9. Official Authorized to Sign Application: (Name, title, address, telephone)	10. Federal or State Support: Will other federal or state support be available for any part of this project: Yes ____ No ____ If yes, identify and explain:
--	---

11. Legislative Budget Board Review and Comment (State Agencies Only)
This application was submitted to the Legislative Budget Board for review and comments on ____/____/____.
The comments are/are not attached.

12. Attachments (check if included):

(a) Clearinghouse, review and comment Name of clearinghouse: _____	(c) Contracts _____
(b) Local governing body resolution authorizing application _____	(d) Letters of endorsement _____
	(e) Other (describe) _____

13. Date:	14. Total Pages in Application:
-----------	---------------------------------

15. Area Served: (a) State Planning Region: (b) Counties:	16. CJD USE ONLY Grant Number _____ Geographic Area: _____ Date Received: _____ Region: _____ Program Area: _____ County(s) _____ City _____
---	--

Office of the Governor



Criminal Justice Division

APPLICATION FOR GRANT

I. Project Title:

Period of Proposed Request:

From _____

Through _____

II.

PROPOSED PROJECT BUDGET

Budget Category	CJD Support Federal and State	Grantee Cash Contribution	Cash Total	In-Kind Contribution	Total Project Budget
A. Personnel					
B. Professional & Contract Services					
C. Travel					
D. Equipment					
E. Construction					
F. Supplies & Direct Operating Expense					
G. Indirect Cost					
H. Total					

Organizations applying for a grant under the Crime Control Act should detail the total project cost above. However, only the CJD support and the grantee cash contribution must be accounted for. The in-kind contribution category is for information purposes only.

Those applying for funds through the Juvenile Delinquency Act must supply a 10 percent cash match except under exceptional circumstances when a 10 percent in-kind match can be substituted with prior LEAA approval. All cash and in-kind contribution must be accounted for.

For a complete explanation of the CJD continuation policy applicable to local projects, refer to Rules & Guideline No. 001.55.

NOTE: Initial funding by the CJD does not automatically qualify the project for continuation funding.

Office of the Governor



Criminal Justice Division

APPLICATION FOR GRANT

EXPLANATION OF GRANTEE CONTRIBUTION

Office of the Governor



Criminal Justice Division

APPLICATION FOR GRANT

BUDGET NARRATIVE

Begin below and add as many continuation pages (4a, 4b, etc.) as may be needed to explain each item of the project budget. Limit this narrative to an explanation of the basis for arriving at the cost of each item including grantee contribution items.

Office of the Governor



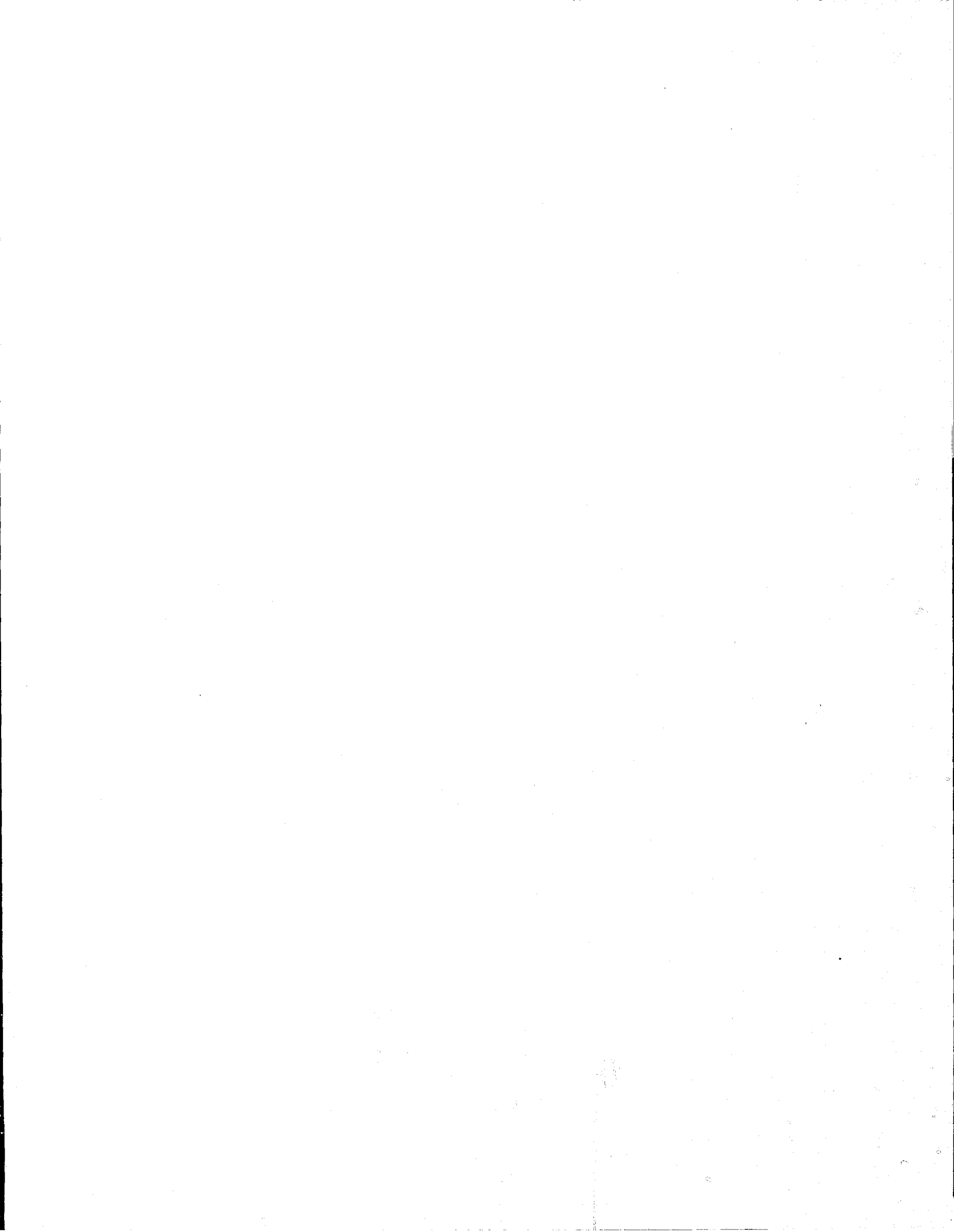
Criminal Justice Division

APPLICATION FOR GRANT

PROJECT DESCRIPTION

Organize this section under the following headings: A. Background and Justification, B. Goals, C. Indicators of Goal Achievement, D. Project Plan, and E. Assessment.

Insert after this sheet as many additional pages (5a, 5b, 5c, etc.) as may be needed to complete the description.



INDICATORS OF GOAL ACHIEVEMENT

Grantee Name, Address, and Telephone 	Grant Number _____ Grant Title _____ _____	Report Required MONTHLY/QUARTERLY Report Period _____ Date _____ Project Director _____
--	--	--

Indicator	Current Level	Projected Annual Range	Periodic Progress Reporting											
			Q1			Q2			Q3			Q4		
			M1	M2	M3	M4	M5	M6	M7	M8	M9	M10	M11	M12

Office of the Governor



Criminal Justice Division

APPLICATION FOR GRANT

Project Title:

The following standard grant conditions, (where applicable), *must* be certified and agreed to by the applicant in order to validate the application. Also, where a condition is applicable and requires additional information, such information should be included in or as an addition to the application. (Additional explanation of these grant conditions may be found in CJD publications.)

Standard Grant Conditions

1. Project initiation. Acceptance of the grant award must be returned to the CJD within 30 days after the date of the award. If an approved project has not commenced within 60 days after acceptance of the grant award, the grantee will report by letter the steps taken to initiate the project, reasons for the delay, and expected starting date. If 90 days after acceptance of the award the project is not operational, a further statement of implementation delay will be submitted by the grantee to the Criminal Justice Division. On receipt of the 90-day letter CJD may cancel the project and redistribute the funds to other project areas. CJD, where warranted by extenuating circumstances, may request approval from the LEAA regional office to extend the implementation date of the project past the 90-day period.
2. Project completion. With the exception of the final project report, final financial report, and liquidation of goods or services encumbered before the termination date, grants must be completed no later than the termination date set forth in the Statement of Grant Award or any approved extension thereof. Grantees should keep in mind the grant condition prohibiting the obligation of funds beyond such termination dates, the requirement for liquidation of obligations within 90 days after the termination date, and the requirement for the return of unobligated grant funds within such period.
3. Reports. The grantee shall submit, at such times and in such forms as may be prescribed, any reports that the Criminal Justice Division may require, including quarterly financial and progress reports and final financial and progress reports. The grantee's failure to submit required reports within the prescribed time constraints may result in unnecessary delays in the processing of request for funds.
4. Fiscal regulations. The fiscal administration of grants shall be subject to such rules, regulations, and policies concerning accounting and records, payments of funds, cost allowability, submission of financial reports, etc., as may be prescribed by CJD.
5. Utilization and payment of funds. Funds awarded may be expended only for purposes and activities covered by the grantee's approved project plan and budget. Payments will be made on the basis of periodic requests and estimates of fund needs submitted by the grantee. Payments will be adjusted to correct previous overpayments or underpayments.
6. Written approval of changes. Grantees must obtain prior written approval from CJD for major project changes. These include (a) changes of substance in project activities, design, or research plans set forth in the approved application; (b) changes in the project director or other key personnel identified in the approved application; (c) expenditure of project funds representing more than a 15 percent or \$2,500 variation, whichever is greater, between category of the total approved budget, including both CJD grant funds and grantee contribution; and (d) all additions to or deletions of approved equipment purchases. Any project changes in the grantee's prerogative to initiate are subject to cost allowability and budget guidelines that may be described in the CJD publications mentioned in the preamble to this section.

(Continue on reverse side)

7. Maintenance of records. Financial records, supporting documents, statistical records, required reports, and all other records pertinent to the grant project or any component part thereof shall be retained for three years from the date of the grantee's submission of the final expenditure report, except that records for nonexpendable property acquired with federal grant funds shall be retained for three years after final disposition. The records shall be retained beyond the three-year period if audit findings have not been resolved. Provisions to this effect must be included in all contracts, subcontracts, or other arrangements for implementation of this project or any component thereof.
8. Inspection and audit. The State of Texas, the U.S. Department of Justice, and Comptroller General of the United States, or any of their duly authorized representatives shall have access to any books, documents, papers, and records pertinent to this grant project for the purpose of making audit, examination, excerpts, and transcripts. A provision to this effect shall be included in all contracts, subcontracts, or other arrangements for implementation of this project or any component thereof.
9. Termination of aid. A grant may be terminated or fund payments withheld by CJD if it finds a substantial failure to comply with the provisions of P.L. 90-351 as amended or regulations or guidelines promulgated thereunder, including these grant conditions or application obligations, but only after notice and hearing and pursuant to all procedures set forth in applicable CJD rules and guidelines.
10. Obligation of grant funds. Grant funds may not, without advance written approval by CJD, be obligated prior to the effective date or subsequent to the termination date of the grant period. Obligations must be related to goods or services provided and utilized for ultimate program purposes.
11. Title to property. Title to property acquired wholly or partly with grant project funds in accordance with approved budgets shall vest in the grantee, subject to divestment at the option of LEAA or CJD (to the extent federal funds contributed to the acquisition thereof) exercisable on notice within 180 days after the end of the grant period or termination of the grant. The grantee shall exercise due care in the use, maintenance, protection, and preservation of such property during the period of grantor interest.
12. Use of property for criminal justice purposes. All property acquired with grant project funds or donated property representing a grantee contribution shall be committed to use for law enforcement purposes throughout its useful life.
13. Project income. All income earned by a grantee with respect to grant funds or as a result of conduct of the grant project (sale of publications, registration fees, service charges on fees, etc.) must be accounted for. All project income must be applied to project purposes or as a reduction of total project cost.
14. Publications. Grantee may publish at its expense the results of grant activity without prior CJD review, provided that any publication (written, visual, or sound) includes acknowledgement of CJD grant support. The following disclaimer must be included in the acknowledgement:

The fact that the Criminal Justice Division provided financial support to the activity described in this publication does not necessarily indicate CJD concurrence in the statements or conclusions contained herein.

At least three copies of any such publication must be provided to CJD. CJD reserves the right to require additional copies before or after review of the original three. Publication with grant funds of copies beyond those required by CJD must be provided for in the approved application plan and budget. For large quantity publication, CJD may require advance submission of manuscript.
15. Copyrights. Where activities supported by this grant produce original books, manuals, films, computer programs (including executable computer programs and supporting data in any form), or other copy-rightable material, the grantee may copyright such, but CJD reserves a royalty-fee, nonexclusive, and

irrevocable license to produce, publish, and use such materials, and to authorize others to do so. Disposition of royalties will be determined by CJD. Provisions appropriate to effectuate the purposes of this condition must be in all employment contracts, consultants' agreements, and other contracts.

16. Patents. If any discovery of invention arises or is developed in the course of or as a result of work performed under this grant, by the grantee or contractor, the grantee shall refer the discovery or invention to CJD, which will determine whether or not patent protection will be sought; how any rights therein, including patent rights, will be disposed of and administered; and the need for other action required to protect the public interest in work supported with federal funds, all in accordance with the Presidential Memorandum of October 10, 1963, on Government Patent Policy. In the final narrative report the grantee shall identify any discovery or invention arising under or developed in the course of or as a result of work performed under this grant or shall certify that there are no such inventions or discoveries.
17. Allowable costs. The allowability of costs incurred under any grant shall be determined in accordance with the general principles of allowability and standards for selected cost items set forth in Federal Management Circular 74-4, "Principles for Determining Costs Applicable to Grants and Contracts with State and Local Governments," 74-7, "Uniform Administrative Requirements for Grants-In-Aid to State and Local Governments," and Federal Management Circular 73-8, "Principles in Determining Costs Applicable to Research and Development Under Grants and Contracts with Educational Institutions."
18. Expenses not allowable. Grant funds may not be expended for (a) items not part of the approved budget or subsequently approved by CJD; (b) purchase of land and/or payment of real estate mortgages or taxes; (c) construction of buildings or implementation of improvements thereon unless specifically provided for in the grant agreement; (d) entertainment, amusements, or social activities, or incidental costs related thereto; and (e) purchase of automobiles or other automotive vehicles unless provided for in the grant agreement.
19. Proposal costs. Grant funds may not be committed or expended for costs of preparing proposals without prior CJD approval.
20. Third party participation. No contract or agreement not incorporated in the approved proposal or approved in advance by CJD may be entered into by the grantee for execution of project activities or provision of services to a grant project (other than purchase of supplies or standard commercial or maintenance services less than \$3,000). Any such arrangements shall provide that the grantee will retain ultimate control and responsibility for the grant project and that the contractor shall be bound by these grant conditions and any other requirements applicable to the grantee in the conduct of the project.
21. Release of information. Pursuant to Section 521, (a) through (d), of the Act, all records, reports, papers, and other documents kept by recipients of CJD funds, including grantees and their contractors, relating to the receipt and disposition of such funds are required to be made available to CJD and LEAA, under the terms and conditions of the Federal Freedom of Information Act.
22. Education support. No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving CJD financial assistance with the exception of the qualifications set forth in Title IX, Section 901 (A) of Public Law 92-318 (86 Stat. 373). The applicant certifies that it will comply with the provisions of the National Environmental Policy Act of 1969, Pub. L. 91-190; the National Historic Preservation Act of 1966, Pub. L. 89-665; the Flood Disaster Protection Act of 1973, Pub. L. 93-234; the Clean Air Act, Pub. L. 88-206; the Federal Water Pollution Control Act Amendments of 1972, Pub. L. 92-500; the Safe Drinking Water Act, Pub. L. 93-523; the Endangered Species Act of 1973, Pub. L. 93-205; the Wild and Scenic Rivers Act, Pub. L. 90-542; the Fish and Wildlife

Coordination Act, Pub. L. 85-624; the Historical and Archeological Preservation Act, Pub. L. 93-291; the Coastal Zone Management Act of 1972, Pub. L. 92-583; the Hatch Political Activity Act, Pub. L. 93-443; the Animal Welfare Act of 1970, Pub. L. 91-579; the Impoundment Control Act of 1974, Pub. L. 93-344; the Rehabilitation Act of 1973, Pub. L. 93-112; the Intergovernmental Cooperation Act of 1968, Pub. L. 90-577; the Uniform Relocation Assistance and Real Property Acquisitions Policies Act of 1970, Pub. L. 91-646; the Civil Rights Act of 1964, Pub. L. 88-352; the Joint Funding Simplification Act of 1974, Pub. L. 93-510; the Education Amendments of 1974, (Title IX), Pub. L. 93-318; Executive Orders Nos. 11246, 11375, 11507, 11738, 11752, and 11914; Office of Management and Budget Circulars Nos. A-87, A-95, and A-102; and all amendments and additions to those statutes, orders, and circulars.

To validate this application, the following special items must be certified and agreed to by the applicant:

Special Items

Nonsupplanting requirement. In compliance with the requirement that federal funds, made available under Part C, Title I, Public Law 90-351, as amended, be used "not to supplant state or local funds," this is to certify that the below described recipient of federal funds under Part C, Title I, Public Law 90-351, as amended, will use such funds to increase state or local funds that would, in the absence of such federal aid, be made available for law enforcement purposes. It is understood that the above certification by the financial officer will be required on the final report of expenditures and status of action grant funds.

Assurance of compliance with Civil Rights Act of 1964. No person shall, on the ground of race, religion, color, national origin or sex, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under, or denied employment in connection with, grants awarded pursuant to the Act, the Juvenile Justice Act (Pub. L. 93-415, as amended), or any project, program or activity or subgrant supported or substantially benefiting by this grant. The grantee must comply with the provisions and requirements of Title VI of the Civil Rights Act of 1964 and regulations issued by the Department of Justice and the Law Enforcement Assistance Administration thereunder as a condition of award of Federal funds and continued grant support. The grantee further must comply with the Justice Department equal employment opportunity regulations in federally-assisted programs, to the end that discrimination in employment practices of State planning agencies, law enforcement agencies or offices administering, conducting or participating in any program or activity receiving Federal financial assistance, on the ground of race, religion, color, sex or national origin, is prohibited (28 C.F.R. 842.101, *et Seq.*). This grant condition shall not be interpreted to require the imposition in State plans or planning agency subgrant programs of any percentage ratio, quota system, or other program to achieve racial balance or eliminate racial imbalance in a law enforcement agency. The United States reserves the right to seek judicial enforcement of this condition.

Applicant's agreement. It is understood and agreed by the applicant that any grant received as a result of this application shall be subject to the above standard conditions, special items, and other policies and rules issued by the Criminal Justice Division for administration of grant projects; all provisions under P.L. 90-351, as amended; and memoranda issued by CJD.

Certified by:

Signature of project director

Signature of financial officer

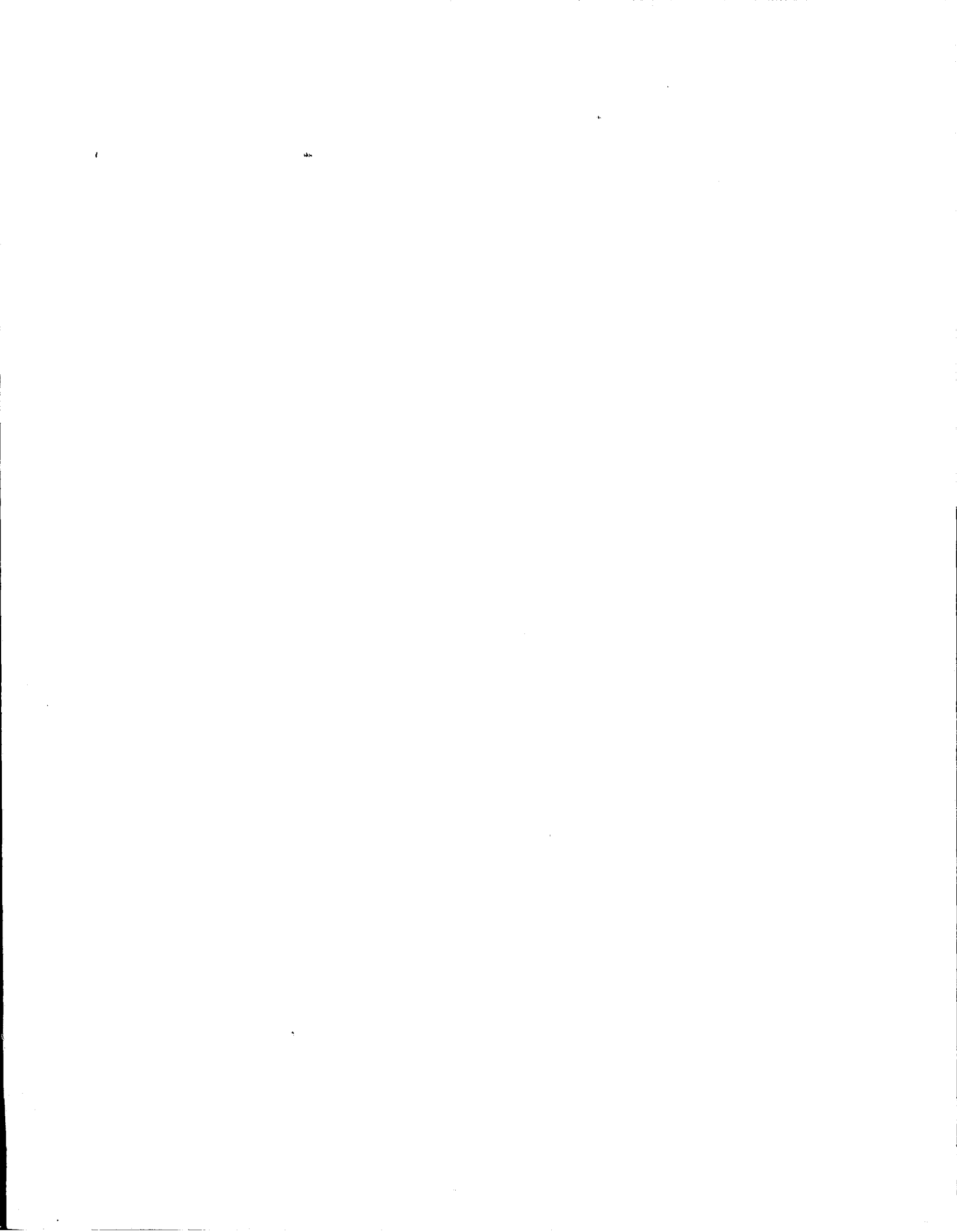
Signature of authorized official

Name of authorized official

Title

Agency

Date



CONTINUED

2 OF 3

EQUAL EMPLOYMENT OPPORTUNITY PROGRAM CERTIFICATION

I, _____, certify that:

This agency employs fewer than 50 people, therefore, the _____
(criminal justice agency)
is not required to file an equal opportunity program in accordance with 28 CFR 42.301 et seq., Subpart E.

This agency employs 50 or more people and has received or applied to the Criminal Justice Division, Office of the Governor for total funds in excess of \$25,000, therefore, the _____ has formulated an equal employment
(criminal justice agency)
opportunity program in accordance with 28 CFR 42.201 et seq., Subpart E and that it is on file in the office of _____
(name, address, title)
for review or audit by an official of the Criminal Justice Division, Office of the Governor or the Law Enforcement Assistance Administration, as required by relevant laws and regulations.

PROJECT TITLE _____

GRANT NUMBER _____

Official Authorized to Sign Application

Project Director

DATE

DATE

**GENERAL INFORMATION & INSTRUCTIONS FOR
CRIMINAL JUSTICE DIVISION GRANT APPLICATION
FORM CJD-1 (5/1/77)**

Before preparing the application, please study carefully the detailed instructions for each part of the application. If you have any questions, contact CJD's Program Management section, 512/475-6026 or Administrative Systems and Control section, 512/475-6881 for help.

Whenever there is not enough space provided in the application form for an adequate answer, use a continuation page, which should be clearly identified with the application page number and item number (e.g.: Continuation Sheet—Page 1—Item 14).

CJD needs an original complete application and two copies, plus one additional copy of Page 1 only. Each must include:

- A. Completed Standard Form 424.
- B. Copies of the Letter of Review and Comment from the appropriate clearinghouse, which is required by federal regulation. (See OMB Circular A-95.) The appropriate clearinghouse is (1) for units of local government—your regional council of governments or (2) for regional councils and state agencies—the Governor's Office of Budget and Planning (Attention Quentin Woomer, 411 West 13th, Austin 78701), or (3) for projects impacting jurisdictions in more than one region—all affected regional councils.
- C. Certified copies of a resolution authorizing the application passed by the applicant's governing body. Applications from two or more units of government will require resolutions from each governing body.
- D. State agencies only will provide certification that the Legislative Budget Board has been provided a copy of the application for review and comment.

To be considered by the CJD Advisory Board, the application must:

- A. Be complete.
- B. Be in accordance with CJD guidelines.
- C. Have completed internal review at CJD.
- D. Be included in the current plan budget or have met the requirements of Policy Statement, P-603. Applications must be received by CJD at least 60 days prior to the project initiation date.

Mail completed applications to:

**Administrative Systems & Control Section
Criminal Justice Division
Office of the Governor
411 West 13th Street
Austin, Texas 78701**

CJD encourages you to consult the current *Criminal Justice Plan for Texas* before and during the application process. Your application must be consistent with the Program under which CJD funding is requested, and must address any special restrictions or requirements set out in the state plan program description.

Instructions for Page 1

1. *Applicant.* Enter the official name and address, including zip code, of the applicant agency or institution.
2. *Program number under which funding is expected.* Enter the program category and fiscal year under which funding is expected. Refer to the applicable *Criminal Justice Plan* to find the program category number; enter the fiscal year and category from which funding is expected. (Example: 77-A01)
3. *Type of application.* Check whether this is the first application for this project (original), a revision of a prior application (revision) or a request for continuation support (continuation). In the last two cases, list the number of the last grant for this project.
4. *Short title of project.* Enter a brief, descriptive title no longer than one typed line. A revision or continuation project has the same title as the original project.
5. *Project director.* Enter the name of the person who will be in direct charge of the project. He or she should acknowledge support of the project by signing in the space provided on Page 7c.
6. *Financial officer.* Enter the name of the person responsible for fiscal matters relating to the project, and in charge of accounting, management of funds, verification of expenditures. He or she must be someone other than the project director. In the case of some private nonprofit organizations, it may be necessary to have a financial officer independent of the organization. He or she should acknowledge support of the project by signing in the space provided on page 7c.
7. *Period and amount of request.* List the beginning and ending dates of the period for which support is presently requested. This period should not exceed 12 months. Enter the total amount of CJD funds requested to conduct the project for the present period. (This should be the same as CJD Support, Item H, Page 2.)
8. *State application identifier.* Enter the S.A.I. number and date it was assigned by the clearinghouse performing A.95 Review and Comment.
9. *Official authorized to sign application.* This is the person who can enter into binding commitments on behalf of the applicant agency. Ordinarily, this will be the chief officer of the governmental unit, agency or institution—and someone other than the project director.
10. *Federal or state support.* If other federal or state funds will be available for financing components of the project, they must be explained fully. All related programs (OEO, HEW, DOL, etc.) must be listed by grant number, date and action thereon.
11. *Legislative Budget Board Review and comments.* Enter date application was sent to Legislative Budget Board and indicate whether comments are attached to the application. (This is applicable to state agencies only.)
12. *Attachments.* Check in the space provided whether the following attachments are included.
 - a. The application should include the appropriate A-95 clearinghouse review and comment letter. List the agency which performed the review.
 - b. Applications from units of local government must include a copy of the resolution, or certified copy of the minutes of the meeting, authorizing submission of the application.
 - c. When feasible, attach any proposed contracts.
 - d. A letter of endorsement by the administrative head of the implementing agency is required unless he is the project director (which he generally will not be). The letter must approve the project and pledge the full support of his office to successful project operation.
 - e. Briefly describe any other attachments.
13. *Date.* The date when the application is completed and signed.
14. *Pages in application.* Show the total number of pages (separate sheets) contained in the complete application, not counting brochures and printed materials.
15. *Area served.* Enter name of the jurisdiction(s) to be served by the project.
16. *CJD use only.* This is reserved for CJD staff use.

Instructions for Page 2

Where substantial contract services are shown under budget item B or E, a breakdown or the contract price by major cost element or other applicable basis for computation should be included.

This section should also contain an explanation of the applicant's methods for selecting contractors for equipment, services, and construction. If such items are to be acquired during the grant period, the selection basis must be explained in the Budget Narrative. The proposed contract should be included as an attachment to the application. When such contract is mentioned, a special condition will be included in the grant award requiring CJD approval before obligation of any funds. Description of procurement procedures is an important part of the budget narrative. Failure to describe procurement procedures adequately can result in delays in processing your grant application.

Any grantee contribution items to be furnished "in-kind contribution" (in the form of goods, services, or facilities usage) must be identified and the basis for valuation or computation indicated.

The budget narrative also should show the relationship between the budgeted expenditure categories and the proposed operation of the project. If the project has several major components (e.g., curriculum development, actual training, and evaluation of training), the amount of expenditures relating to each component under the various categories should be identified or discussed.

The extent and type of detail and explanation in the narrative will depend on the financial structure and particular needs of the project. The important consideration is that all components and items of the budget be explained clearly enough to permit intelligent evaluation by those responsible for application review.

Before completing this portion of the application, the applicant should consult CJD publications for explanation of pertinent financial guidelines. The proposed budget should be prepared through coordination with the project director if designated or the agency to assume responsibility for project operations and the designated financial officer.

The budget form must be completed in detail with amounts rounded to the nearest dollar. It should be accompanied by a separate narrative (Page 4 of the application) providing justifications and detailing the basis for determining the cost of the items included in each budget category. CJD support, cash contribution, and in-kind contribution must be listed separately. The period covered by the budget must coincide with the proposed period for which funding is requested (Page 1, Item 3).

The budget has separate columns to show which cost or budget items will be supported from grant funds, which from cash contributions and which from in-kind contribution.

The total cost of items listed under the various budget categories should be shown under the "CJD Support" or "Grantee Cash Contribution" or "in-kind contribution," depending on the funding source planned for the item.

Only the subtotals should be inserted, and all items in the category should be listed on the continuation page.

A continuation sheet should contain a listing of all items in the various categories and identified in a columnar format by types of funding sources.

Instructions for Page 3

Explanation of grantee cash contribution, in-kind contribution, and continuation funding plan. Describe (1) nature, (2) source, and (3) project utilization of the grantee contribution for the proposed project period as listed in the grantee contribution column of Page 2 of this application. Following this should be an explanation in the terms described above (nature, source, and project utilization) of how the applicant proposes to support the project after CJD funding has concluded (attach continuation pages as needed).

Instructions for Page 4

Provide here a detailed explanation of the subtotal of the budget categories shown on Page 2, for each classification of funding source and, i.e., CJD support, cash contribution, and in-kind contribution. In completing the pages, data should be identified by the major category included.

A. Personnel

List each position by title, showing the annual salary rate, and the percentage of time to be devoted to the project by the employee. Also include a brief job description of what function each individual will perform.

List employee fringe benefits separately under the various categories, i.e., F.I.C.A., retirement, and insurance, etc.

Budgets should take into account time needed to acquire new staff and changing demands for personnel during the course of the project.

B. Professional and Contract Services

For individuals, consultants, and other nongovernmental organizations to be compensated for professional services: List each, the proposed fee rates (by week, day, or hour), and the amount of time to be devoted to such services.

For government organizations performing professional services: List types of services being performed and estimated contract price. The contract price should be limited to cost.

Itemize in this section travel expenses for individual professionals and consultants.

C. Travel

Itemize travel expenses of project personnel by purpose (e.g., faculty to training site, field interview, and advisory group meetings) and show basis for computation (e.g., 5 trips for "x" purpose at \$80 average cost; \$50 transportation and 2 days per diem at \$15; or 6 people to 3-day meeting each at \$70 transportation and \$45 subsistence). In training project where travel and subsistence of trainees are included, these items should be listed separately, indicating the number of trainees and unit costs involved. Travel allowances in lieu of reimbursement for actual mileage are unallowable. Travel expense involving mileage is limited to private automobiles only.

All travel reimbursement must be made in accordance with local travel policy, a copy of which should be attached.

D. Equipment and Other Capital Assets

Each type of item to be purchased should be separately listed with each unit cost. Basis for cost should be explained (e.g., catalog used, bid price). This category should include all nonconsumable items with a unit cost of \$50 or more and a useful life exceeding the grant period. Equipment under \$50 should be listed under direct supplies. A clear description of the equipment should be included. The use of "brand name or equivalent" is acceptable. However the grantee should be cautioned that the CJD is not approving the brand name item per se.

E. Construction

List type of project, new building, purchase of existing structure, major alteration, or remodeling.

F. Supplies and Other Operating Expenses

List items by major type (e.g., office supplies, training materials, research forms, telephone and postage, maintenance and expenses on grantee owned vehicles) and show basis for computation on all listed expense: a specific itemization of each type of expense with basis for computation. For tuition expenses: itemization of the cost of each school with support brochures when possible.

G. Indirect Cost

Where indirect is claimed, refer to CJD Policy Statement P-606 dated 12-1-75 for an explanation of allowability. A copy of the grantee's approved indirect cost rate should be included with application where applicable.

Instructions for Page 5

A. Background and Justification

This section should identify both the (1) crime problem(s) and (2) criminal justice system problem(s) and need(s) the proposed project seeks to address. These problems must be documented with quantified crime and criminal justice system statistics for the most recent 12 to 36 month period, in monthly or annual increments, as appropriate.

For CJD to consider funding a project, a problem must be shown to exist and be well documented.

B. Goals

Definition. A goal is a specific, measurable, long-range (three to five years) accomplishment the project is designed to achieve. A goal may be directed at either crime reduction or system improvement. An example of a crime reduction goal would be to "reduce the incidence of burglary by three percent by 1980" while a system improvement goal would be to "decrease arrest to trial time to 90 days by 1979."

Narrative. Application narrative must (1) identify each selected goal, (2) include a discussion of the reasons for selecting each goal, and (3) include base data indicating the level of achievement with respect to each goal prior to project implementation (crime incidence or rate, or level of system performance).

Reporting. At the end of the eighth month of project operation, a project assessment will be required as outlined in Item E of this instruction page. This assessment must include an indication of the extent to which project goals were achieved.

C. Indicators of Goal Achievement

Definition. An indicator is a means of measuring project progress toward achieving a goal at periodic intervals throughout project funding period. Indicators may be stated in terms of the amount of goal achievement expected by the end of the requested funding period or in terms of project operation. For example, an indicator of goal achievement for a goal of reducing burglary incidence by three percent by 1980 could be "reduce number of reported burglaries from 450 to 400 by end of 1978" and/or "conduct 125 neighborhood crime-prevention seminars."

Narrative. Each indicator should be identified in the application narrative. An indicator must be quantified in terms of an expected numeric achievement and not in terms of percentages. Following each operational indicator, the relationship between the indicator and project goal(s) should be discussed. Discussion of the relationship should indicate how accomplishment of the indicator will contribute toward achievement of specific crime reduction or system improvement goals.

Reporting. The reporting form on Page 6 of the application is to be used to report at regular intervals on project progress with respect to each indicator.

D. Project Plan

This section should describe how the proposed project would be carried out. At a minimum, it should include the following:

Methodology. Discussion of general project methodology.

Implementation schedule. Description of various phases of project operation. Applicant must specify estimated dates of initiation and completion for each stage. Each project phase must be time-specific.

Organization. Description of proposed project staff organization.

Coordination. Identification of other groups or agencies whose cooperation or support is necessary to project success. Wherever possible, application should include documentation of needed support or cooperation, such as letters of endorsement from authorized officials.

E. Assessment

Project assessment will be in terms of goals and indicators set forth in Items B and C, preceding. See program description in the current *Criminal Justice Plan for Texas* as a guideline for the assessment process.

Application. This section of the application should indicate dates that reports will be submitted to CJD and by whom. In addition, it should include a description of what provisions have been or will be made to collect the data.

Periodic reports. Grantees will be expected to report monthly or quarterly (see current *Criminal Justice Plan for Texas*) on the same indicators identified in Item C and presented on Page 6.

Final (Eight-Month) report. In addition, at the end of the eighth month of project operation (eight months from date of project initiation as indicated on the Statement of Grant Award), grantee must provide a detailed narrative assessment of cumulative progress toward meeting anticipated goals and indicators. It should discuss project operation as well as impact on reducing crime and improving the criminal justice system. Impact should be addressed in measurable terms.

External or internal factors effecting project performance should be analyzed and reported. Project adjustments made or anticipated should be identified and reported.

Finally, this assessment should describe the current status of each problem and need identified in Item A of the application.

For projects seeking continued funding beyond this request, the eight-month report will be used by the grantee and CJD to determine whether to continue project funding. This report also serves as the internal project evaluation required by LEAA.

Instructions for Page 6

Grantee will be expected to report to CJD monthly or quarterly on progress in terms of each indicator of goal achievement. The first three columns are to be completed with the application. The remainder are to be completed during project period and returned to CJD monthly or quarterly as required in the current *Criminal Justice Plan for Texas*.

Indicator

This column should include each indicator of goal achievement as identified on Page 5, Item C, of this application.

Current Level

This column should be used to indicate the existing level of performance with respect to each indicator.

Projected Annual Range

Data provided in this column should identify the upper and lower limits of achievement expected for each indicator during the requested funding period.

Periodic Progress Reporting

Columns under this heading are to be used to report monthly or quarterly on project progress toward achieving each goal. Progress is to be measured in terms of the indicator of goal achievement. For example, if the indicator is "reduce number of burglaries reported from 450 to 400," Column M1 should identify the actual number of burglaries reported during the first month of project operation.

APPENDIX J

Projects Assessment Requirements

APPLICATION

Each applicant for CJD funds is required to complete a CJD grant application (Form CJD-1). This application must include documentation justifying the project, identification of project goals, detailed project plan and calendar, applicant's contributing resources, and applicant's agreement to assess project accomplishment. Applicant should describe thoroughly and in quantitative terms the current situation in its jurisdiction, including presentation of statistical data in detail sufficient to justify the funding request. Goals must be stated in measurable terms.

Indicators of Goal Achievement. Indicators must be identified in the grant application. These indicators must be:

- Quantified.
 - Related to the project's goals.
 - Designed to measure project operation and project impact on crime and the criminal justice system.
- Page 6 of the application, Form CJD-1 (Appendix 1), is the format in which indicators are to be displayed.

PERIODIC REPORTS

Once a grant is awarded, grantee must submit, on a quarterly basis, progress reports summarizing monthly project activity. Reporting quarters are based on the project initiation date indicated on the Statement of Grant Award. Progress reports must include quantification of project accomplishments in terms of each indicator of goal achievement included in the application.

Reporting will be on the Page 6 form prepared with the application. Grantees are encouraged to include a narrative analysis with completed report form.

EIGHT-MONTH AND FINAL REPORTS

Each grantee must submit to CJD a written substantive assessment of project performance at the end of the project's eighth month and twelfth month, as counted from the project initiation date on the Statement of Grant Award. These assessments should document and analyze project accomplishment in achieving goals stated in the application, as well as its impact in reducing crime and improving the criminal justice system.

At a minimum, the project should be assessed in terms of the extent to which indicators of goal achievement set forth in the project application were met.

External or internal factors affecting project performance should be analyzed. Project adjustments made or anticipated should be identified.

Finally, each assessment should describe the current status of problems and needs identified in the "background and justification" section of the application and indicate how the project affected them.



APPENDIX K

Reporting Forms for Courts and Prosecution Projects

The following progress report forms are to be used monthly and submitted quarterly to CJD from courts and prosecution projects.

FIGURE 5

COURTS OR PROSECUTION—MISDEMEANOR

INDICATORS OF GOAL ACHIEVEMENT

Grantee Name, Address, and Telephone _____ _____ _____	Grant Number _____ Grant Title _____ _____ _____	Report Required MONTHLY/QUARTERLY Report Period _____ Date _____ Project Director _____
--	---	--

Indicator	Current Level	Projected Annual Range	Periodic Progress Reporting											
			Q1			Q2			Q3			Q4		
			M1	M2	M3	M4	M5	M6	M7	M8	M9	M10	M11	M12
Complaint														
Total number of cases to complaint														
Total number of defendants to complaint														
Total number of days														
Average—(cases) = total days divided by total cases =														
Average—(defendants) = total days divided by total defendants =														
Information														
Total number of cases to information														
Total number of defendants to information														
Total number of days														
Average—(cases) = total days divided by total cases =														
Average—(defendants) = total days divided by total defendants =														
Plea														
Total number of cases to plea														
Total number of defendants to plea														
Total number of days														
Average—(cases) = total days divided by total cases =														

COURTS OR PROSECUTION—MISDEMEANOR

(Continued)

INDICATORS OF GOAL ACHIEVEMENT

Indicator	Current Level	Projected Annual Range	Periodic Progress Reporting											
			Q1			Q2			Q3			Q4		
			M1	M2	M3	M4	M5	M6	M7	M8	M9	M10	M11	M12
Average—(defendants) = total days divided by total defendants =														
Trial														
Total number of cases to trial														
Total number of defendants to trial														
Total number of days														
Average—(cases) = total days divided by total cases =														
Average—(defendants) = total days divided by total defendants =														
<p>*Note: Use all cases and defendants reaching events during the reporting period. A case and defendant may reach several during the reporting period. Do not repeat prior month or months events information. The quarterly, semi-annual and annual reports are totals of the number of cases, defendants and days of each event in the report period. The average for the report period must be computed based on the cumulative totals.</p>														

COURTS OR PROSECUTION—FELONY

(Continued)

INDICATORS OF GOAL ACHIEVEMENT

Indicator	Current Level	Projected Annual Range	Periodic Progress Reporting											
			Q1			Q2			Q3			Q4		
			M1	M2	M3	M4	M5	M6	M7	M8	M9	M10	M11	M12
Plea														
Total number of cases to plea														
Total number of defendants to plea														
Total number of days														
Average—(cases) = total days divided by total cases =														
Average—(defendants) = total days divided by total defendants =														
Trial														
Total number of cases to trial														
Total number of defendants to trial														
Total number of days														
Average—(cases) = total days divided by total cases														
Average—(defendants) = total days divided by total defendants =														
<p>*Note: Use all cases and defendants reaching events during the reporting period. A case and defendant may reach several during the reporting period. Do not repeat prior month or months events information. The quarterly, semi-annual and annual reports are totals of the number of cases, defendants and days of each event in the report period. The average for the report period must be computed based on the cumulative totals.</p>														

PRE-TRIAL RELEASE

(Continued)

INDICATORS OF GOAL ACHIEVEMENT

Indicator	Current Level	Projected Annual Range	Periodic Progress Reporting											
			Q1			Q2			Q3			Q4		
			M1	M2	M3	M4	M5	M6	M7	M8	M9	M10	M11	M12
Dispositions														
Fine														
Dismissed														
Probation														
Texas Department of Corrections														
Jail Time														
Number of Defendant Days on Bond														
Savings to County @ \$5.50/day-person														
Salaries Earned While On Bond														
Total Number On Bond As of End of Month														
Number of District Criminal Courts served														
Number of County Criminal Courts served														
Personal Bond Fees Assessed & Collected														

FIGURE 10

COURTS OR PROSECUTION—MISDEMEANOR
INDICATORS OF GOAL ACHIEVEMENT

Grantee Name, Address, and Telephone _____ _____ _____	Grant Number _____ Grant Title _____ _____	Report Required MONTHLY/QUARTERLY Report Period _____ Date _____ Project Director _____
--	--	--

Indicator	Current Level	Projected Annual Range	Periodic Progress Reporting											
			Q1			Q2			Q3			Q4		
			M1	M2	M3	M4	M5	M6	M7	M8	M9	M10	M11	M12
Pending at beginning of month														
New Cases Added														
Appeals Added														
Others Added														
Total Added														
Total Cases														
Dispositions														
Guilty Plea														
Judge Trial														
Jury Trial														
Dismissed														
1. Insufficient Evidence														
2. Defendant Convicted in Another Case														
3. Request of Complaining Witness														
4. Case Refined														
5. Defendant Unapprehended														
6. Defendant Deceased														
7. Defendant Granted Immunity for Testimony														
8. Other														
9. Unknown														
Other Dispositions														
Total Cases Pending at End of Month														
Acquittals														
Convictions														

PROSECUTOR'S OFFICE—FELONY

(Continued)

INDICATORS OF GOAL ACHIEVEMENT

Indicator	Current Level	Projected Annual Range	Periodic Progress Reporting											
			Q1			Q2			Q3			Q4		
			M1	M2	M3	M4	M5	M6	M7	M8	M9	M10	M11	M12
SECTION II														
Total Cases During Month														
Cases Eliminated Through Investigation and Screening														
Percentage Reduction in New Cases Through Screening														
Cases Filed in District Court														
SECTION III														
Cases Presented To Grand Juries														
Cases No Billed by Grand Juries														
Cases Reduced to Misdemeanor by Grand Juries														
Indictments by Grand Juries														
Cases Presented in "Passed Status"														
SECTION IV														
New Cases During Month														
Backlog Cases														
Total														
SECTION V														
Cases Disposed of During Month														
New Cases Filed in Month														
Cases Disposed of Over and Above New Cases Filed														
% More Cases Disposed of Than Filed														

PROSECUTOR'S OFFICE—FELONY

(Continued)

INDICATORS OF GOAL ACHIEVEMENT

Indicator	Current Level	Projected Annual Range	Periodic Progress Reporting											
			Q1			Q2			Q3			Q4		
			M1	M2	M3	M4	M5	M6	M7	M8	M9	M10	M11	M12
SECTION IX														
Average Days from Arrest to Defendant's Waiver of Indictment														
Average Days from Arrest to Defendant's Case to Grand Jury														
Average Days from Arrest to Defendant's Plea of Guilty														
Average Days from Arrest to Defendant's Trial by Jury														

FIGURE 13

SPECIAL CRIME BUREAU—DISTRICT ATTORNEY'S OFFICE

INDICATORS OF GOAL ACHIEVEMENT

Grantee Name, Address, and Telephone 	Grant Number _____ Grant Title _____ _____	Report Required MONTHLY/QUARTERLY Report Period _____ Date _____ Project Director _____
--	--	--

Indicator	Current Level	Projected Annual Range	Periodic Progress Reporting											
			Q1			Q2			Q3			Q4		
			M1	M2	M3	M4	M5	M6	M7	M8	M9	M10	M11	M12
I. FRAUD AND ORGANIZED CRIME DIVISION														
Felony Indictments obtained during month . . .														
Convictions														
Investigations opened during period														
Total Investigations Pending														
Indictments pending														
Restitution														
DRUG ENFORCEMENT TASK FORCE														
Felony Indictments returned														
Convictions														
II. CONSUMER FRAUD DIVISION														
Misdemeanor charges filed														
Felony charges filed														
Advice Given														
Investigations														
Restitution														



APPENDIX L

Consultant Services Form for Program 78-E1

The following form is to be used by grantee under Program 78-E1 for recording consultant services and expenditures.

FIGURE 14
Consultant Services

In accordance with LEAA and CJD regulations, the following information is required for professional consultants to receive fee payment and/or travel reimbursement.

Name _____ Title _____

Mailing address _____

Place and purpose of trip _____

Date and time left home city _____

Date and time returned to home city _____

Time spent in preparation for consultation* _____ \$ _____

Days spent in consultation* _____

Time spent in editing for publication* _____

Travel Expenses

Personal car mileage

From _____ to _____ = _____ mi. @ 18¢ = \$ _____

Air fare (lowest available fare—attach ticket or receipt) _____

Taxi fares _____

Other _____

Per diem Out of state: _____ days at \$40 per day maximum _____

In state: _____ days at \$30 per day maximum _____

TOTAL CLAIMED \$ _____

I, the consultant, certify that the above is true and correct.

Signature of Consultant

Date

Signature of Project Director

Date

(* This should be a detailed statement showing the dates, time of day, and hours of preparation, research, editing, performance, etc.; attach additional pages if necessary)

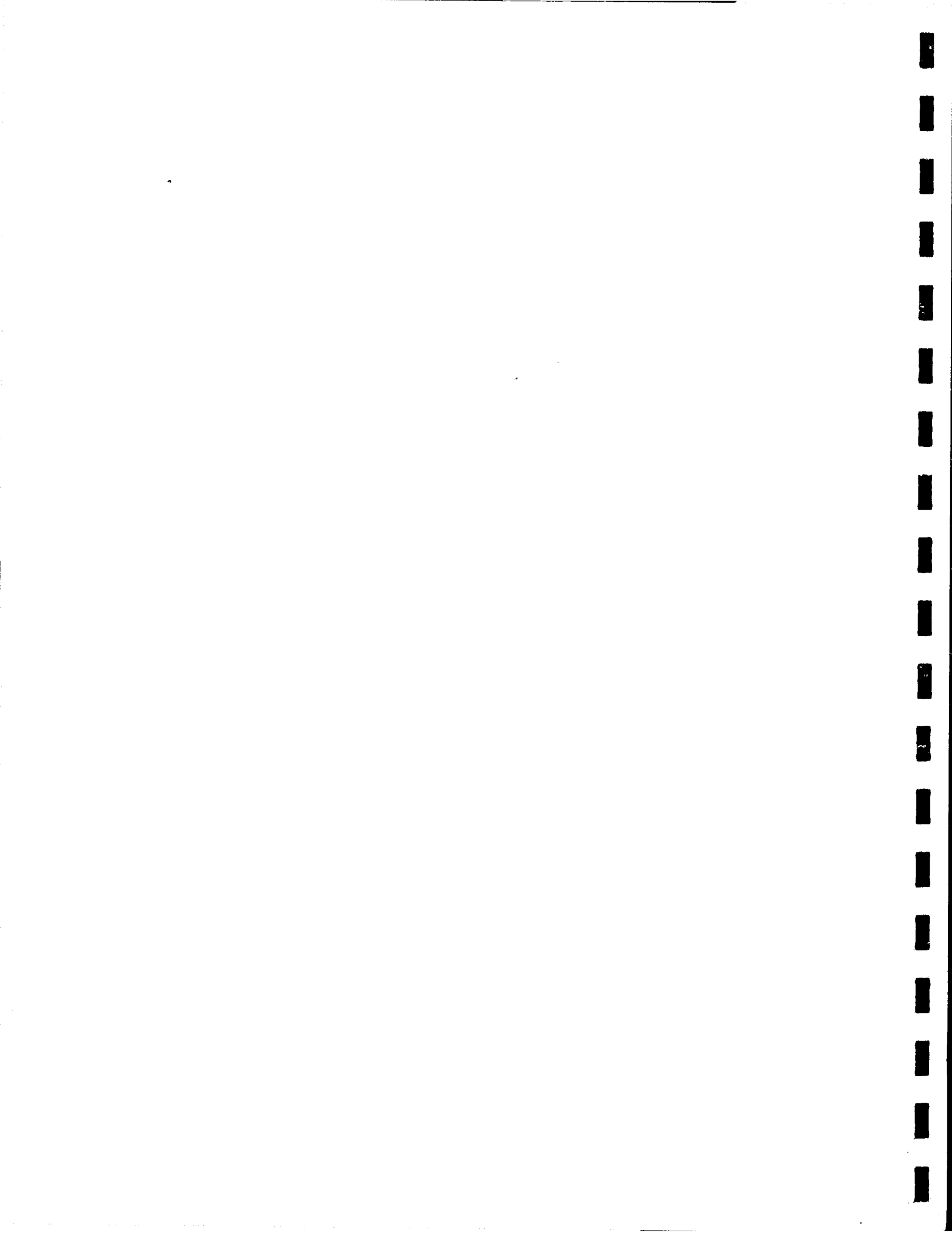
APPENDIX M

Reporting Form for Program 78-E2

The following progress report form is to be completed monthly and submitted quarterly to CJD by grantees under Program 78-E2.

ADULT PROBATION
(Continued)
INDICATORS OF GOAL ACHIEVEMENT

Indicator	Current Level	Projected Annual Range	Periodic Progress Reporting											
			Q1			Q2			Q3			Q4		
			M1	M2	M3	M4	M5	M6	M7	M8	M9	M10	M11	M12
C. Staff Data														
1. No. of staff														
2. No. of staff supervising caseload														
3. No. of administrators														
4. No. of staff CJD funded														
D. Expenditures – Cost per probationer														
E. Special Services														



APPENDIX N

Institution Readmission Matrix

IMPORTANT: Read these instructions and definitions of terms carefully before completing the Institution Readmission Matrix (IRM).

Purpose. As part of monitoring the correctional system, LEAA requires that all recipients of funds for projects relating to county jails or local juvenile facilities provide basic readmission data over a three-year period. These data must be provided for *each* local institution.

To comply with this requirement, CJD has designed the "Institution Readmission Matrix" (IRM). When completed according to the following instructions, IRM allows for measurement of "recidivism" as minimally defined by LEAA. Further, it will provide both local and state criminal justice planners with critically needed information about local institutional programs.

Definitions. To complete the IRM correctly, a clear understanding of several important terms is required.

The following definitions will be used for the IRM:

—Readmission: Any convicted or adjudicated person—sentenced or committed to and housed in a local institution—who has been convicted (or adjudicated), sentenced (or committed) to, and housed in the same institution on at least one prior occasion.

—Institution: Any facility designed and staffed to provide full- or part-time care and housing for its residents.

—Convicted (Adults): To be adjudicated guilty of committing an unlawful or illegal act.

—Adjudicated (Juveniles): To be found delinquent or in need of supervision.

—Sentence: A judicial disposition growing out of a conviction (in the case of juveniles, "disposition" is the preferred term).

—Housed: Residing in an institution as a result of being sentenced or ordered to reside in that institution.

—Releasee: Any person released from the local institution after being sentenced to and housed in that same institution.

Who Must Complete IRM. All recipients of CJD funds for projects relating to county jails or local juvenile detention or correctional facilities must provide to CJD a completed IRM within 30 days of the date of grant award.

Although the IRM is designed for application to a wide variety of correctional institutions, its completion currently is required only for county or regional jails and local juvenile detention or correctional facilities. Excluded are city jails,* lockups, half-way houses, shelter care facilities, etc.

Not all residents of a jail or juvenile detention facility are to be included in the IRM calculations.

Given the preceding definitions, only individuals who have been convicted, sentenced to, and housed in a local facility, who have previously been convicted, sentenced to, and housed in the *same* local institution would be considered readmissions. Specifically excluded are those awaiting trial, transfer to another jurisdiction, etc.

*City jails are included if they are part of a city-county jail or correctional facility.

With reference to juvenile detention facilities, only those children who have been adjudicated as delinquent or in need of supervision and *committed* to the local detention facility, released, and committed again following a subsequent adjudication would be counted. Thus, in some instances, little or no data will be entered for a juvenile detention home. Nevertheless, the form must be completed and returned to CJD as required.

Completing the IRM. On the following page is a copy of the IRM form to be used.

In the upper corner is a box requiring three items of information: (1) type of facility (e.g.: county jail, detention home, etc.); (2) full name and title of the person completing the IRM; and (3) telephone number of the person completing the IRM.

Two types of information are required: (1) items of data and (2) simple computations involving these data.

Specific required data items needed on the attached form are identified with letters—A, B, D, E, G, I, J, L, N. These data consist simply of the number of persons released according to IRM definition during the years 1975 (item A), 1976 (item D), and 1977 (item L), and the number of readmissions during the same year (item B for 1975, G for 1976, and N for 1977); the preceding year (item E for 1976 and L for 1977); and two years preceding (item J for 1977).

Items derived by simple computations using these data are identified with letters C, F, H, K, M, O.

Formulas for deriving these items are as follows:

$$C = \left[\frac{B}{A} \right] 100$$

$$F = \left[\frac{E}{A} \right] 100$$

$$H = \left[\frac{G}{D} \right] 100$$

$$K = \left[\frac{J}{A} \right] 100$$

$$M = \left[\frac{L}{D} \right] 100$$

$$O = \left[\frac{N}{I} \right] 100$$

Sample Computation. To compute the percent of readmissions, both the number of releasees and the number of readmissions must be known.

For example, to compute "C" the percent of readmissions from 1975 in 1975, we must know the value of both "A" and "B." If "A" = 300 and "B" = 100, we can use the formula for C as:

$$C = \left[\frac{100}{300} \right] 100$$

thus

$$C = (.33) 100 = 33 \text{ percent}$$

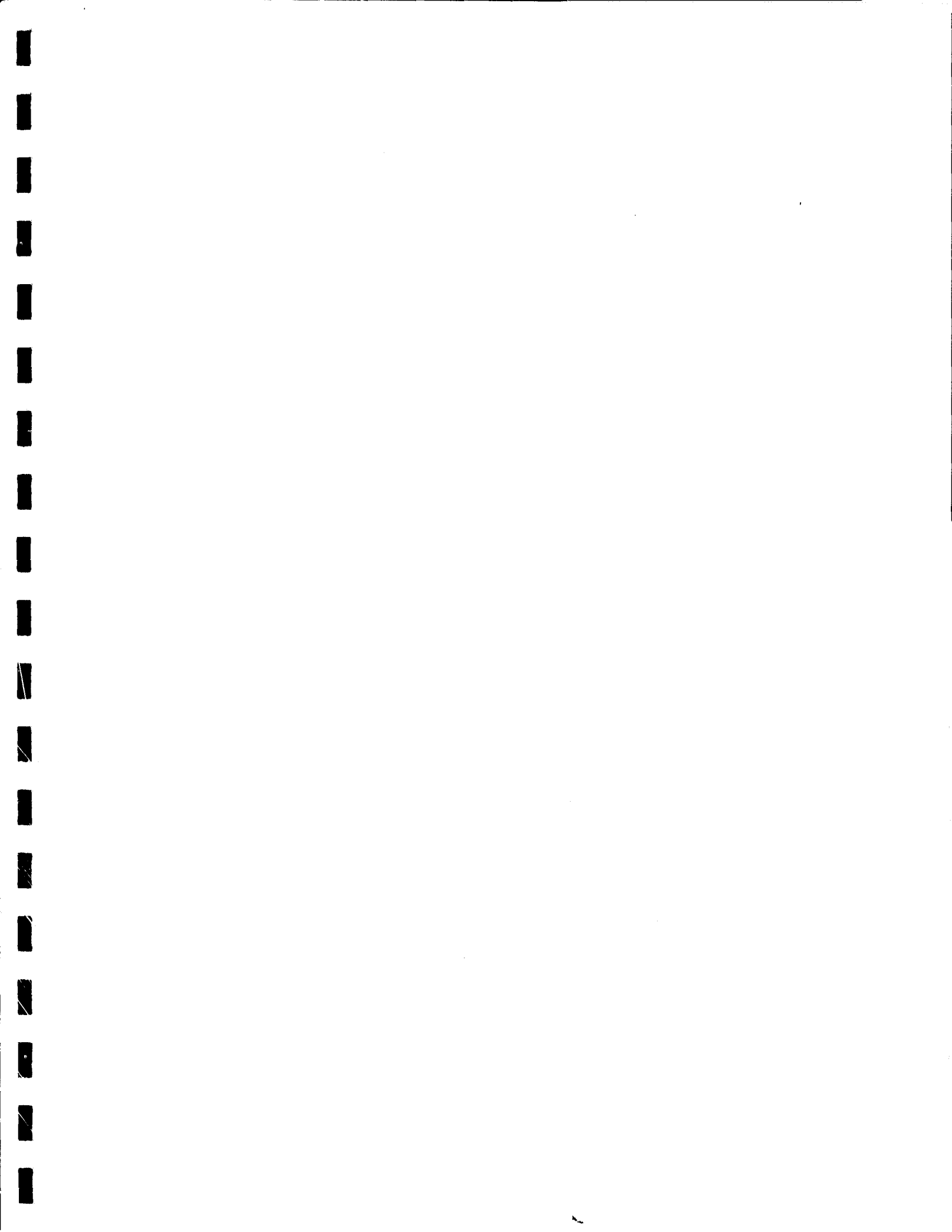


FIGURE 16

Type of Local Facility _____
Completed by _____
Telephone Number _____

INSTITUTION READMISSION MATRIX

1975 1/1/75 - 12/31/75			1976 1/1/76 - 12/31/76				1977 1/1/77 - 12/31/77							
Number Released 1975	Readmissions from 1975 as of 12/31/75		Number Released 1976	Readmissions from 1975 as of 12/31/76		Readmissions from 1976 as of 12/31/76		Number Released 1977	Readmissions from 1975 as of 12/31/77		Readmissions from 1976 as of 12/31/77		Readmissions from 1977 as of 12/31/77	
	No.	%		No.	%	No.	%		No.	%	No.	%	No.	%
A	B	C	D	E	F	G	H	I	J	K	L	M	N	O

The figure 33 percent would then be entered into the box labeled "C" on the Institution Readmission Matrix. This figure means that one-third (100) of all persons (300) sentenced (committed) to and housed in the facility in 1975 had been housed in the same facility at least one prior time in 1975.

The same steps would be followed for all remaining computations.

Technical Assistance Available. Technical assistance in completing the IRM is available through CJD's system program management section, adult corrections specialist, (512) 475-3001, or juvenile corrections specialist, (512) 475-3001.

APPENDIX O

Definition of Terms

A&M—Texas A&M University, College Station.

BPP—Board of Pardons and Paroles.

CJD—Office of the Governor, Criminal Justice Division.

CASE—Compensation and Assessment of Selected Ex-Offenders.

COMP—Comprehensive Offender Manpower Program.

CINS—Child in need of supervision.

CJPF—Texas criminal justice planning fund.

Crime Control Act—*Crime Control Act of 1973*.

Crime-Specific Planning—Directing efforts toward the reduction of a specific crime. This planning method is used by CJD in preparing this document. It envisions a specific and measurable goal followed by strategies and standards detailing how the goal may be reached. Programs and projects must relate directly to achieving standards and goals.

DAPD—Drug Abuse Prevention Division, Texas Department of Community Affairs.

DPS—Texas Department of Public Safety.

Drug Abuse Offenses—Those crimes directly related to the possession or sale of drugs.

FBI—Federal Bureau of Investigation.

JJDP—Juvenile justice and delinquency prevention (usually refers to funds) available under the *Juvenile Justice and Delinquency Prevention Act of 1974*.

LEAA—U.S. Department of Justice, Law Enforcement Assistance Administration.

LEEP—Law Enforcement Education program authorized by Sec. 406 of the *Crime Control Act*.

Local Plan—A comprehensive multiyear criminal justice plan prepared by a regional council or metropolitan planning unit in conformity with guidelines issued by CJD and intended to insure local input to the state planning process.

Local Project—A grant made to a unit of general local government or a combination of such units (including regional councils) in conformity with Section 303(a)(2) of the *Crime Control Act*.

MHMR—Texas Department of Mental Health and Mental Retardation.

NCIC—National Crime Information Center.

OBTS—Offender-based transaction system.

OCPC—Texas Organized Crime Prevention Council.

Organized-Crime Offenses—Gambling, loansharking, labor racketeering, prostitution, pornography, and related offenses.

Part C—Funds available under this section of the Crime Control Act. Such funds may be used for action projects directed at improving the criminal justice system.

Part E—Funds available under this section of the *Crime Control Act*. Such funds may be used only for specific types of action projects directed at improvement of corrections.

President's Commission—The President's Commission on Law Enforcement and Administration of Justice, 1969.

Regional Council—A voluntary association of units of general local governments created, under provisions of Art. 1011m, VACS, to cooperate to improve health, safety, and general welfare of the citizens.

SAC—The Statistical Analysis Center, housed at Texas Department of Public Safety.

SHSU—Sam Houston State University, Huntsville.

SMU—Southern Methodist University, Dallas.

SMSA—Standard Metropolitan Statistical Area.

STAR—Systems and Training Analysis of Requirements.

State Project—A grant made to an eligible applicant (usually a state agency) other than a unit of general local government or combination of such units.

TCA—Texas Commission on Alcoholism.

TDC—Texas Department of Corrections.

TDCA—Texas Department of Community Affairs.

TJC—Texas Judicial Council.

TPA—Texas Police Association.

TCIC—Texas Crime Information Center.

TASC—Treatment Alternatives to Street Crime.

TRC—Texas Rehabilitation Commission.

TYC—Texas Youth Council.

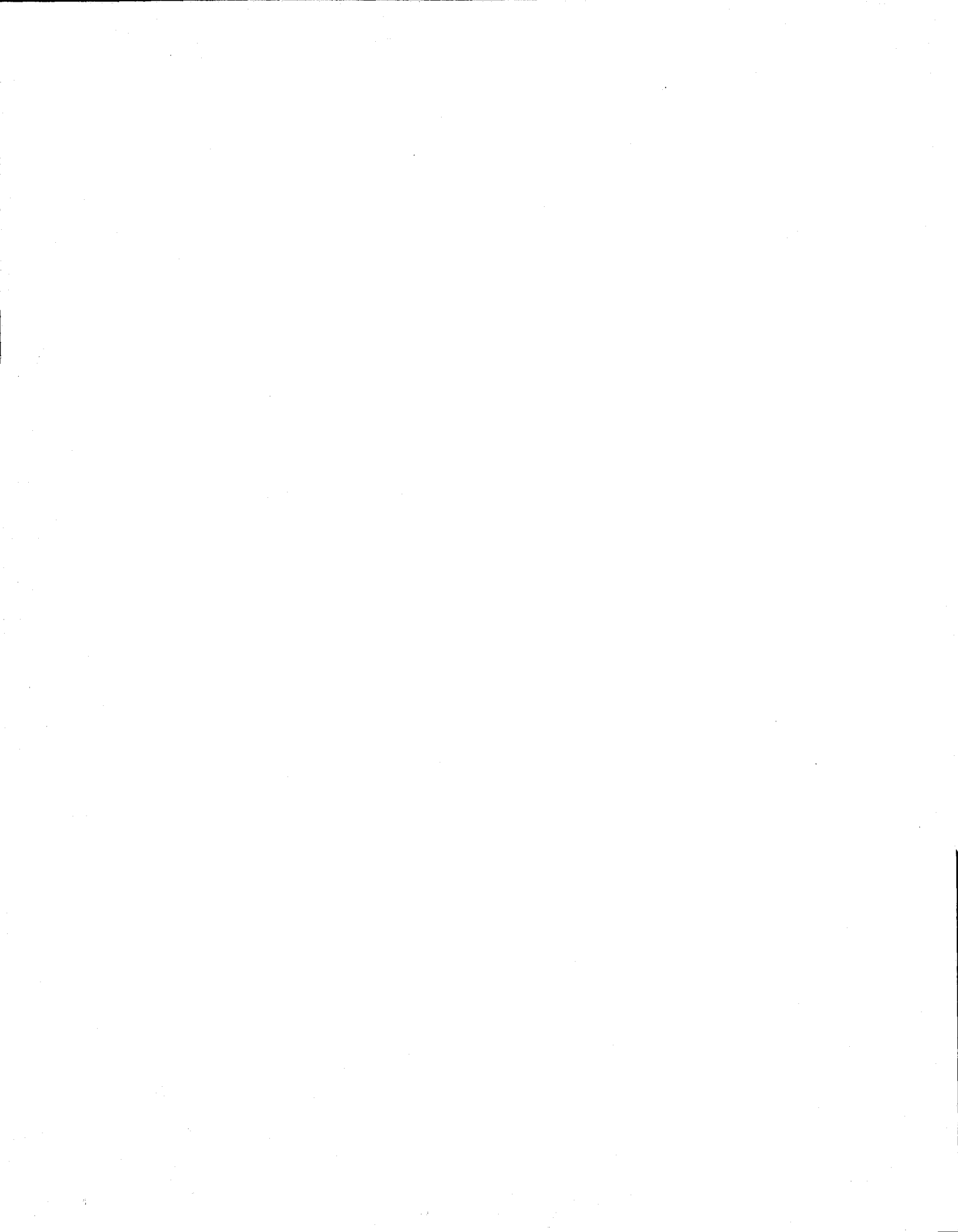
TCLEOSE—Texas Commission on Law Enforcement Officer Standards and Education.

SWAT team—Special Weapons and Tactics Team.

UCR—*Uniform Crime Report* of the Federal Bureau of Investigation.

UT—University of Texas.

VACS—*Vernon's Annotated Civil Statutes, Texas*.



END