

TEXAS CRIMINAL JUSTICE COALITION
PRIORITY RECOMMENDATION FOR THE SUNSET ADVISORY COMMISSION

REENTRY REPORTING

INTENT – Ensure that people working directly on reentry issues collaborate with community-based service providers and the Texas Department of Criminal Justice (TDCJ) divisions, specifically by imposing additional monitoring and reporting requirements on the Reentry Task Force and Division; clarify the reporting and deliverable requirements imposed on the Reentry Task Force.

TDCJ's Reentry and Integration Division and the state's Reentry Task Force must increase efforts to develop and maintain a close partnership with TDCJ program administrators, reentry practitioners, and community-based service providers, in order to shepherd individuals from incarceration to community life, and to develop stronger recommendations for systematic reintegration improvements. Further, current laws must be amended to clarify the reporting requirements of both the Reentry and Integration Division and the Reentry Task Force, expanding reporting beyond recidivism and family unification to include legal, regulatory, programmatic, resource, implementation, eligibility criteria, and identification barriers that inhibit successful reentry. Among other things, these entities must report identifiable barriers related to education, basic needs and services, employment, housing, substance abuse, and mental health. Reporting should also include information related to placements, assessments, outcomes, available assistance (including assistance provided by the state's Reentry Coordinators), communication and information exchange, and community-based services and resources. Reports should be submitted to the Regional and District Parole Offices, the Texas Board of Criminal Justice, the Governor, the Lieutenant Governor, the Speaker of the House of Representatives, and the standing committees in the Senate and House of Representatives primarily responsible for criminal justice issues. These reports should be made available to the public via the Reentry and Integration Division website and upon request.

BACKGROUND

A lack of coordination and cooperation between reentry practitioners at TDCJ and other reentry service providers remains a significant barrier to successful reintegration. In 2009, to address the needs of individuals reintegrating into community life, the Legislature passed a law requiring TDCJ to develop a reentry plan for individuals leaving the system (H.B. 1711). Under Government Code section 501.092, contingent upon necessary appropriations, TDCJ is required to create this comprehensive reentry and reintegration plan for each inmate. Maintaining a continuum of care from incarceration to community life, the reentry plan described under Texas Code requires proactive professionals dedicated to helping inmates make the transition from prison to community life. Amongst the requirements, TDCJ must provide individualized case management and a full continuum of care that encompasses programs to address individual needs, including vocational training, educational programs, life skills training, etc.¹ TDCJ must also contract and coordinate with providers in the community that provide local programs and transitional services.² Additionally, TDCJ must hire professionals who are specially trained to counsel and support individuals dealing with issues related to reentry.

The recent Sunset Advisory Commission Staff Report incorporates recommendations to develop a more robust written reentry plan, requiring various methods of accountability and submission of a biennial report. Sunset Staff also recommends that TDCJ collect outcome information on its reentry plan.³ Requiring **proper reporting and monitoring** enables the State to more adequately and efficiently track the needs and outcomes of parolees. Moreover, it allows stakeholders to identify where disjunctions in services occur and where improvements or resources are needed.

In addition to mandating the reentry plan, the 2009 Legislature created a Reentry Task Force, codified in section 501.098 of the Texas Government Code, to help facilitate collaboration between practitioners and service providers in and out of TDCJ, as well as to monitor and report on reentry issues. This explicitly states that the Task Force may coordinate with providers of existing local reentry programs and make recommendations regarding the provision of services to currently or previously incarcerated individuals.⁴ In response, TDCJ created the Reentry and Integration Division. As the Sunset Staff Report points out, although state law requires TDCJ to convene a Reentry Task Force, there are no clear specifications as to what, if anything, this Task Force must produce or how it can advise agencies. It essentially serves as a forum to discuss issues internally, but provides no criteria with respect to meaningful reporting or deliverables.⁵

Deficiencies in the reentry plan and its implementation are part and parcel of an inadequately resourced Reentry and Integration Division, ineffective and opaque Reentry Task Force objectives, and a lack of communication amongst reentry practitioners. No meaningful system is in place to ensure that individuals receive post-release and post-discharge support from the community into which they are released. There is no continuously updated list of local transitional service providers, as described under Government Code section 501.092(b)(5), with whom TDCJ contracts to implement the reentry and reintegration plan. There is no policy in place explicitly stating how TDCJ must communicate with other departments and service providers to exchange current information related to an individual's needs, program participation, mental health or educational issues, special skills or training, or other relevant information pertaining to an inmate's history and condition. There is no meaningful monitoring of parole activities.

Creating clear objectives for the Reentry Task Force, in conjunction with well-established standards for how the Reentry and Integration Division should execute its duties under the reentry and integration plan, will ensure that reentry efforts are met with success. This is consistent with Sunset Staff recommendation 2.6, which provides that the Task Force should identify its goals, the responsibilities of each participant, the Task Force's deliverables, and the timeline for completing deliverables.⁶ Rather than require the Task Force to identify these items, the Legislature should define and clarify the Task Force's responsibilities, as originally set forth in H.B. 1711 in the 81st Legislative Session. Sunset staff also leaves open who should receive the deliverables. Reporting should be consistent with Government Code section 501.100, related to the reentry recidivism report, requiring submission to the Lieutenant Governor, the Speaker of the House of Representatives, and the standing committees of each house of the Legislature with primary jurisdiction over criminal justice and corrections,⁷ as well as the Governor.

NOTE: Implementation of this recommendation would result in no fiscal impact.

REFERENCE

¹ TEX. GOV. CODE §§ 501.092(b)(2)-(4),501.092(d)(2).

² TEX. GOV. CODE § 501.092(b)(5).

³ Sunset Advisory Commission, *Staff Report: Texas Department of Criminal Justice, Correctional Managed Health Care Committee, Windham School District, Board of Pardons and Paroles*, May 2012, p. 39 (Recommendation 2.1).

⁴ TEX. GOV. CODE § 501.098(b).

⁵ Sunset Advisory Commission, *Staff Report: Texas Department of Criminal Justice, Correctional Managed Health Care Committee, Windham School District, Board of Pardons and Paroles*, May 2012, pp. 37-38.

⁶ Sunset Advisory Commission, *Staff Report: Texas Department of Criminal Justice, Correctional Managed Health Care Committee, Windham School District, Board of Pardons and Paroles*, May 2012, p. 42.

⁷ TEX. GOV. CODE § 501.100.