



Ana Yáñez-Correa Ph.D.
Executive Director
Tel: 512.441.8123 ext. 109
Email: acorrea@criminaljusticecoalition.org
www.criminaljusticecoalition.org

Written Testimony, 2011
Committee Substitute Senate Bill 1055

Dear Members of the Committee,

Thank you for allowing me this opportunity to present testimony in favor of the Committee Substitute for Senate Bill 1055, a criminal justice initiative that will boost fiscal responsibility and accountability. The purpose of C.S.S.B. 1055 is twofold: (1) to amend Community Justice Plan requirements to meaningfully and adequately reflect community needs in the Texas Department of Criminal Justice (TDCJ) budget, and (2) to establish a mechanism to reduce prison commitments and save the state money.

PROBLEM

Under the Government Code, each probation department in Texas is required to prepare and submit a Community Justice Plan to the Criminal Justice Assistance Division (CJAD) during March of odd-numbered years. State aid given to each local community justice council is conditioned upon the submission of these plans. Currently, however, neither CJAD nor TDCJ are required to submit any of the information contained in the plans to the Legislative Budget Board. Furthermore, when submitting its biannual legislative appropriations request, TDCJ is under no directive to consider probation departments' goals and needs under their respective plans. Similarly problematic, the requirement that plans be submitted during odd-numbered years means they are not adequately reflected in the appropriations process. In turn, the state makes appropriations without an accurate picture of local probation needs.

Ultimately, there is little incentive for local probation departments to submit an accurate plan, work towards reducing recidivism rates, or assist in decreasing costly incarceration rates. C.S.S.B. 1055 changes the submission requirement for Community Justice Plans to March 1 of *even-numbered* years, and it permits state and local commitment reduction partnerships. Probation departments that choose to submit commitment reduction plans are eligible to receive payments in the form of percentages of the savings they generate through decreased commitments to incarceration facilities.

FACTS

- In 2007, Section 20 of S.B. 103 amended the Government Code to require the Texas Youth Commission and Texas Juvenile Probation Commission to submit reports to the Legislature in even-numbered years so as to ensure proper monitoring and appropriations that accurately reflect the agencies' needs.
- Under C.S.S.B. 1055, participating counties would receive an up-front lump sum to establish the programs necessary to meet their reduction goals. Funds would then be apportioned to participating counties based on their continued performance and ability to achieve their desired goals.
- Participation in a commitment reduction plan under C.S.S.B. 1055 is completely voluntary, and counties may choose to partner with other counties to set and achieve their desired targets. Probation departments will not be penalized for not participating, nor will money be taken from any county to fulfill an obligation created by this program.
- Arizona adopted a similar initiative and recorded a 12.8% drop in recidivism during the first year of the program in 2009.¹

SOLUTION: SUPPORT C.S.S.B. 1055 BY SENATOR CARONA

C.S.S.B. 1055 better ensures that the state's budget-making authority, and TDCJ itself, will have a clear, timely idea of the needs of probation departments and officers in the field. This policy will increase opportunities for departments to implement successful probationer strategies that will reduce recidivism and keep probationers from ending up in prison or jail, at great taxpayer expense.

¹ <http://www.texaspolicy.com/pdf/2010-09-30-LBB-hearing-TDCJ-testimony-ml.pdf>