

LETTER FROM THE EXECUTIVE DIRECTOR

Dear TCJC Supporter,

I couldn't be more excited to tell you about everything TCJC has been involved with this year to improve Texas' criminal justice system. It's not an exaggeration to say we are witnessing history here in Texas, and we've been privileged to be a part of it.

Whether you're a probation or parole officer or director, the family member of a person in prison, an attorney, a state or local judge, a member of law enforcement, an alcohol or drug treatment provider, a formerly incarcerated person, a researcher or policy analyst, an advocate for victims or those incarcerated, a faith-based advocate, or a **Republican or Democratic** policy-maker or staff member, you gave us your trust, your expertise, your knowledge gained from years of personal experience, and your valuable time – all for the purpose of **creating strategies that will make our criminal justice system more responsible, just, safe, and cost-effective.**

The 80th Texas Legislature has just ended, and because of you, **lawmakers and the Governor approved major changes in the prison and community supervision systems that start to reverse decades of costly, irresponsible policies and spiraling prison growth.**

Front-end policy reforms include a more accountable justice system for troubled youth, a more just defense system, and additional tools for those in the field to accomplish their arduous tasks, such as funding for drug and alcohol treatment programs and systems to return people to their communities in a responsible way (including increased funding for halfway houses, additional outpatient drug treatment programs, and flexibility for judges and supervision staff). Also, lawmakers recognized that, in order for the parole board to follow its own guidelines, it required the necessary tools to do so, such as transitional housing.

Perhaps the proudest moment for me this spring came when the Legislature formally honored TCJC for "working toward real solutions to the problems facing the Texas criminal justice system [by] ... partner[ing] with organizations and associations who share their core beliefs, and promot[ing] evidence-based criminal justice solutions that embody the principles of effective management, accountability, public safety, and human and civil rights."

It made me so happy to see TCJC honored for its work, and I am forever grateful for the extraordinary work ethic and commitment of our **TCJC team: Molly Totman, Dominic Gonzales, Rebecca Acuña, Ken Tran, Erick Fajardo, Vanessa Torres, and Leah Pinney!** The Legislature also bestowed its thanks in the form of an official resolution honoring **TCJC's newest team member, Isela Gutiérrez,** a juvenile justice expert now directing our Juvenile Justice Initiative (see page 6). Congratulations, Isela!

The Texas Criminal Justice Coalition has finally come into its own, accepted by leaders and opinion makers in both political parties as a reliable and valued source of information and guidance on criminal justice topics. With your help, I believe we're ready to take our work to new levels, ones that were unimaginable even a few years ago.

It is irrefutable that we've already made a difference together by focusing on a common mission, despite the different roles we play. But the work has just begun. We're going to need your help to build on these successes and create even bigger changes in Texas in the next few years. Perhaps most importantly, we must continue to find solutions that will not just look good on paper but that will actually be implemented to improve people's lives. This can only be accomplished by our continued collaboration with experts and advocates from a wide range of fields – from the first entry point into the criminal justice system (juvenile or adult) through re-entry back into the community.

We will be calling on you in the next few months to explore the impact of enacted laws that will be undergoing implementation, and to get your feedback as we identify additional policies and strategies that must be studied during this interim period and that will be developed into future laws. I know that, **with your help, this organization can make a big contribution toward making Texas a better place and perhaps a national model for collaborative and responsible policy-making that benefits all people.**

Sincerely,



Ana Yáñez-Correa
Executive Director
Texas Criminal Justice Coalition

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THE 80TH TEXAS LEGISLATURE STEPS TOWARD A “SMART ON CRIME” CRIMINAL JUSTICE SYSTEM

By Ana Yáñez-Correa



To see why so many important changes took place in the 80th Texas Legislature, it's important to understand that **Texas' criminal justice system is in a state of crisis**. Our prisons and jails are filled to capacity and have created an overcrowding problem, the probation and parole systems are under-resourced, thousands of people's lives – in and outside of prison – have been destroyed by drug addiction, our prisons have become a dumping ground for those who suffer from mental illness, and those who are coming out of prison lack the tools for re-entry necessary to become productive and law-abiding citizens.

Realizing that the expensive “lock-em-up” approach for both juveniles and adults has not increased public safety or addressed the root causes of crime head on, bipartisan policy-makers – specifically including **Chairman of the House Corrections Committee Jerry Madden and Chairman of the Senate Criminal Justice Committee John Whitmire, along with the members of the House Corrections and Senate Criminal Justice committees** – have reexamined what works and have led the way for a “smart on crime” policy shift.

Research-Based Proposals

People who work in our criminal justice system or who have experienced the system in other ways understand the prison overcrowding crisis and agree to a remarkable degree on the solutions. **TCJC conducted a survey** in May, 2006, of judges, DAs, probation and parole officials, family members of the incarcerated, and other opinion leaders in an effort to better inform the Sunset review of the Texas Department of Criminal Justice. The Sunset process is a top-to-bottom agency review that TDCJ underwent throughout 2006. **We received thousands of responses and distributed the results widely among our supporters and to key state policy-makers.**

Major findings included: Only 9% of respondents felt that the primary purpose of TDCJ should be punishment of a person through confinement, while 91% of respondents felt the primary purpose should be re-integrating offenders into society through rehabilitation or deterrence/recidivism-reduction. Also, 94% of survey respondents felt that probation, parole, and treatment programs should be allocated more criminal justice budget dollars than they were getting. These results generated important discussions among media, legislators, and opinion leaders, many of whom are prone to believe the public only wants more and more punitive laws.

Many suggestions from our surveyed opinion leaders became the basis for legislation during the 80th Texas legislative session – and perhaps more importantly became the basis for a bipartisan consensus that the State needed to reinvest funds in alternatives to incarceration, re-entry programs, and drug and alcohol treatment. **While we're disappointed that legislators and the Governor also chose to approve numerous new bills that increase prison sentences and approved bond money to build three new prisons, a raft of other bills passed and signed by the Governor will likely make prison building unnecessary, according to the State's leading experts.**

This year TCJC was honored to work with allies from every part of the political spectrum to achieve landmark reforms in 2007 that will make Texans more safe and our criminal justice system more fair and efficient. We worked with probation and parole officers and directors, family members of prisoners, attorneys, state and local judges, members of law enforcement, alcohol and drug treatment providers, formerly incarcerated individuals, researchers and policy analysts, advocates for victims or those incarcerated, faith-based advocates, Republican and Democratic policy-makers and their staffs, ideological conservatives who support smaller government, and an array of institutional interests whose needs must be balanced in the process.

Throughout these efforts, House Corrections Chairman Jerry Madden and Senate Criminal Justice Chairman John Whitmire successfully spearheaded a remarkable, bipartisan collaboration in which TCJC was proud to be invited to participate, beginning with the Sunset Commission review of the Texas Department of Criminal Justice last year. **Those two state leaders deserve huge credit and thanks for their leadership and hard work.** Furthermore, when the Texas Youth Commission scandals made juvenile justice legislation an instant top legislative priority, TCJC was similarly humbled by the invitation from state leaders to help craft workable, bipartisan legislation.

Highlights from Texas' 80th Legislature

Many criminal justice bills were just signed into law by Governor Perry, marking a major turning point in how Texas approaches crime and punishment, particularly for low-level, non-violent offenders. Several new laws better focus incarceration resources on more dangerous criminals instead of non-violent offenders. That makes everyone safer and tempers Texas' "tough on crime" approach with wisdom and fiscal common sense. *For comprehensive information on all bills, please go to www.criminaljusticecoalition.org/solution/supportedbills.*

The Appropriations Bill – Criminal Justice

- **HB 1** **Various line items approved and vetoed by the Governor**
(Chisum, R; Guillen, D)

Perhaps the most important changes came in the state budget, where funding was restored for many programs that were cut to zero in 2003, particularly drug treatment and other programs to reduce recidivism. Included in the budget were:

- More than \$150 million in new prison diversion and drug treatment funds, including hundreds of new drug treatment beds.
- New intermediate sanctions facilities and halfway houses to reduce the revocations to prison for probationers and parolees.
- Incentives for probation departments that encourage them to help probationers earn their way off supervision through good behavior.

In addition to **new funding for prison diversion programs**, a bevy of policy reforms passed and were made law that will reduce long waiting lists for treatment programs.

But, we still have far to go. Although we are ecstatic with the additional funding allocated towards treatment and other diversion strategies, we were disheartened by the decision of the Appropriations Committee to approve the construction of three new prisons. At the same time, these prisons may not be built if the Legislative Budget Board doesn't approve them in 2008. (Experts say these won't be needed with new diversion funding, and TCJC has questioned where new prison guards would come from since Texas cannot adequately staff current facilities.)

The major changes in funding and policy that did pass may well result in reductions in incarceration, but that will happen only with continued attention and diligence on the part of all the state and local officials, criminal justice professionals, and advocates who helped us get this far.

While we're hopeful at TCJC that the tide of over-incarceration in Texas can be reversed, we harbor no illusions that this will be an easy or quick task. We recognize and accept it can only happen through a long-term focus on improving public safety and family outcomes, and we know there are thousands of you out there who are as committed as we are to achieving those goals.

The Comprehensive Sunset Recommendations Bill

- **SB 909** **Signed by the Governor!**
(Whitmire, D)

Every dozen years the Texas Legislature comprehensively analyzes all government agencies through a process called a "Sunset" review, and 2006 was the year Texas' prison and community supervision systems came under special scrutiny.

Provisions in the "Sunset" bill for TDCJ will increase the Board of Pardons and Paroles' accountability by encouraging them to explain decisions not to follow their own guidelines when refusing to release parole-eligible prisoners. Dr. Tony Fabelo, Texas' leading criminal justice expert, has said a decline in parole release rates (unsupported on safety grounds) is the main cause of over-incarceration in Texas.

In addition, the Sunset bill gives local judges greater flexibility in assessing community supervision requirements to accommodate individual needs and specific situations instead of using a one-size-fits-all approach.

Bills That Address Prison Overcrowding Through Probation Reform (Community Supervision)

The criminal justice system has many moving parts that work together to maximize public safety, protect individual rights, and manage taxpayers' investment in safety-related spending. **When the probation system is underfunded and breaks down, our prisons fill up needlessly with low-level, non-violent offenders.**

Probation revocations contribute to as many as a third of prison admissions annually. The cause for these high levels of revocation lies in the often misdirected purpose of probation programs across the State: they are generally tailored to monitor compliance with court mandates rather than to promote rehabilitation and reduce recidivism. In fact, probation departments receive little resources, and current funding structures – which depend heavily on probationers' fees as a means of income – create incentives to keep probationers on probation too long. However, many of these problems will be addressed through the passage and enactment of the following key pieces of legislation:

- **SB 166** **Signed by the Governor!**
(West, D)

- **HB 312** **Signed by the Governor!**
(Turner, D)
- **HB 1610** **Signed by the Governor!**
(Madden, R)
- **HB 1678** **Signed by the Governor!**
(Madden, R; Turner, D; Haggerty, R; McReynolds, D; Hochberg, D)
- **HB 3200** **Vetoed by the Governor**
(Madden, R)

Bills that Address Prison Overcrowding Through Parole Reform

Most experts agree that one of the causes of Texas prison overcrowding is the Board of Pardons and Paroles' failure to follow its own guidelines for releasing non-violent offenders. In fact, the BPP is more likely to follow its guidelines when releasing violent recidivist felons than people with low-level drug or DWI convictions. Families are excluded from the parole process and offenders frequently don't know why they've been turned down. This year, several important bills aimed at changing these longstanding dynamics were made law:

- **HB 431** **Signed by the Governor!**
(Madden, R; McClendon, D)
- **HB 2611** **Signed by the Governor!**
(Madden, R)
- **HB 3736** **Filed without signature by the Governor**
(McReynolds, D)
- **HB 541** **Vetoed by the Governor**
(Martinez Fischer, D; Van Arsdale, R; Gonzalez Toureilles, D; Peña, D; Herrero, D)

Bills That Address Prison Overcrowding Through Treatment Alternatives

The lack of treatment resources in Texas is a major source of prison overcrowding. The Board of Pardons and Paroles frequently won't release drug and DWI offenders who haven't received treatment even when waiting lists are many months long. And studies show drug-addicted probationers who receive treatment are more likely to succeed than those who don't. The Legislature and the Governor approved major new treatment resources in 2007, as well as key bills to make treatment a more attractive option for courts than incarceration where appropriate:

- **HB 530** **Signed by the Governor!**
(Madden, R; Rodriguez, D; Peña, D; Hodge, D; Woolley, R)
- **HB 2524** **Signed by the Governor!**
(McClendon, D; Menendez, D; Straus, R)

Bills that Reduce Jail Overcrowding by Increasing Law Enforcement and Judicial Discretion

Texas taxpayers are spending millions of dollars housing certain low-level, non-violent misdemeanants in state jails. As a result, Texas has a state jail overcrowding problem that will not be solved simply by building expensive new jails. Counties need additional resources for programs that will address these low-level offenders. Likewise, law enforcement must be able to use their discretion to determine whether an arrest is necessary for many non-violent, regulatory misdemeanors. This year, the Governor signed a law that would save money and jail space by allowing police to choose to issue a citation and notice to appear in court instead of making an arrest in all cases.

- **HB 2391** **Signed by the Governor!**

Bills that Strengthen Re-Entry Programs and Address Personal Responsibility Issues

With few exceptions, most people who go into prison ultimately get out, and if they aren't given tools to succeed they're likely to commit more crimes. Legislation to smooth the path to re-entry was proposed in the 80th Texas Legislature, including an important voting rights bill that was sadly vetoed by the Governor. It is obvious that we need more work on re-entry policies, which is why the House Corrections Committee will be studying re-entry during the interim.

- **HB 770** **Vetoed by the Governor**
(Dutton, D; Guillen, D)

Bills that Strengthen the Indigent Defense System

This spring saw the continuation of a long-time movement toward a more fair and just indigent defense system in Texas, strengthening and continuing previous reforms. See the article on page ten in this newsletter by Jim Bethke, Director of the Task Force on Indigent Defense, and Wesley Shackelford, Special Counsel to the Task Force on Indigent Defense. They outline legislative reforms championed by TCJC's Fair Defense Project, the Texas Fair Defense Campaign, and our many allies who've worked on this issue for years, including on these bills:

- **SB 168** **Signed by the Governor!**
(Ellis, D)
- **HB 1178** **Signed by the Governor!**
(Escobar, D; McClendon, D)
- **HB 1265** **Signed by the Governor!**
(Peña, D)
- **HB 1267** **Signed by the Governor!**
(Peña, D)

Bills that Improve the Juvenile Justice System

The Texas juvenile justice system suffers from many of the same problems afflicting the adult system but has historically received much less attention from advocates and policy-makers than the adult system. A recent sex scandal and subsequent cover-up revealed by the media spurred major reform of the juvenile justice system for the first time in over a decade:

- **SB 103** **Signed by the Governor!**
(Hinojosa, D)
- **HB 278** **Signed by the Governor!**
(Madden, R; Hochberg, D; Van Arsdale, R; Strama, D)
- **HB 425** **Signed by the Governor!**
(Madden, R)

Bills that Address Victims' Needs

At TCJC we believe that the victim's role in the criminal justice process must be honored while protecting the integrity of the process, and we supported several bills this year that aim to strike that balance:

- **HB 433** **Signed by the Governor!**
(Madden, R)
- **HB 1121** **Signed by the Governor!**
(Anchia, D; Peña, D; Riddle, R)

Bills that Create More Qualified Personnel throughout Stages of the Criminal Justice System

No institution can exceed the expectations or capacity of the people who operate it, so this year TCJC supported legislation that would improve training and recruitment practices to ensure the best possible employees are enlisted to make things work better. Quite a few of these bills succeeded:

- **HB 280** **Signed by the Governor!**
(Madden, R; Peña, D; Guillen, D)
- **HB 434** **Signed by the Governor!**
(Madden, R)
- **HB 914** **Signed by the Governor!**
(Madden, R; McClendon, D; Peña, D; Dutton, D; Van Arsdale, R)
- **HB 2498** **Signed by the Governor!**
(Gonzalez Toureilles, D; Kolkhorst, R; Hodge, D; Escobar, D)
- **HB 2103** **Vetoed by the Governor**
(Kolkhorst, R; Gonzalez Toureilles, D)
- **HB 2990** **Vetoed by the Governor**
(Madden, R)

Bills that Improve Prison Conditions

Conditions inside Texas' prison system are notoriously bad, and TCJC was excited to see several important pieces of new legislation aimed at making prisons more humane and rehabilitation-oriented pass into law:

- **HB 681** **Signed by the Governor!**
(Hochberg, D)
- **HB 1370** **Signed by the Governor!**
(Coleman, D)
- **HB 1944** **Signed by the Governor!**
(Coleman, D)
- **SB 453** **Filed without the Governor's signature**
(Ellis, D)
- **SB 1580** **Filed without the Governor's signature**
(Van de Putte, D)
- **HB 47** **Vetoed by the Governor**
(Hodge, D; Miles, D)

Bills that Address the Needs of Incarcerated Mothers and Pregnant Women

This year Texas finally acted to do something about the growing number of women in the Texas prison system who are pregnant or recently gave birth to a child. Nobody

knows what happens to a child taken away from its mother so young, so it's very important that Texas acted to protect these children while encouraging mothers to be more responsible:

- **HB 199** **Signed by the Governor!**
(Madden, R; Noriega, Rick, D;
Leibowitz, D)

***Resolutions Honoring Individuals
who Pursued Smart on Crime Policies***

The Legislature honored several activists - including TCJC and key partners - for working to improve the criminal justice system.

- **HCR 235** **Signed by the Governor!**
(Madden, R; McReynolds, D; Turner,
D; Riddle, R; Phillips, R)
- **HCR 251** **Signed by the Governor!**
(Madden, R)
- **HCR 252** **Signed by the Governor!**
(Madden, R)

Thanks to the efforts of our allies and visionary leaders, Texas' corrections system has taken important first steps in a more productive direction, and we've been proud to play a role. With your help we can do more. Join us, and together we can and will change the face of the criminal justice system in the Lone Star State.

PROGRAM UPDATES

TCJC has identified the root causes (policies and practices) that are driving so many people into Texas prisons, making our state prison population one of the largest in the nation: from the initial and oftentimes racially-biased contact with law enforcement that leads to arrest, to the lack of defense that leads to unequal sentencing, to stiff sentencing and related policies and practices themselves, and finally to the inability of individuals coming out of prison to successfully re-integrate into society – which in turn creates the revolving door to the prison system. In like manner, juveniles (most of whom are the children of those who have already been through the adult system) go through a similar cycle and are themselves a key contributor to the adult prison population because the current system sets them up to fail. In order to stop the devastating impact that these policies and practices have on families, we work towards minimizing the entry points into the criminal justice system to one day end Texas' over-reliance on incarceration.



Alan Pogue

**Juvenile Justice Initiative:
Creating Avenues to Success
for Troubled Youth and Families**

***TCJC Rolls Out New Initiative Focusing on Increasing the
Chances of Success for Troubled Youth***

By Isela Gutiérrez

TCJC created the Juvenile Justice Initiative in December, 2006, to provide policy-makers with well-researched, thoughtful analysis about best practices in juvenile justice, as well as to collaborate with key stakeholders like juvenile corrections officers, caseworkers, and the Texas Coalition Advocating Justice for Juveniles (TCAJJ).

In February, 2007, investigative reporters for *The Texas Observer* and *The Dallas Morning News* exposed sexual

abuse of youth by administrators in a Texas Youth Commission (TYC) facility in West Texas. This unmasked a subsequent cover-up by TYC and an appalling lack of action by virtually all public officials involved. Continued media reports revealed serious mismanagement of TYC and shocking deficiencies in conditions of confinement for youth incarcerated in TYC facilities – endemic violence, deeply deficient medical care, and ineffective treatment programs.

But lawmakers needed real solutions, and with our allies we found ourselves in the midst of a perfect storm where reforms we could never have conceived of just months before became possible. While TCAJJ brought the direct experience of families and youth to policy-makers, the Juvenile Justice Initiative participated in bringing forward those solutions. TYC's first major overhaul in more than a decade has been signed by the Governor, and nearly everyone predicts more reforms will follow in 2009.

Solutions for safer youth and safer communities

The collaboration between the Juvenile Justice Initiative, TCAJJ, youth corrections officials, juvenile judges, and lawmakers resulted in significant key reforms included in **SB 103**, just signed into law:

- A system for the inspection and supervision of all local juvenile detention facilities, public or private;
- Enhanced community-based supervision programs

- as an alternative to detention;
- Sentencing guidelines to ensure that low-level youth offenders are not incarcerated unnecessarily;
- Rules for the placement of very young offenders in safe facilities, free from abuse by older youth;
- A parents' Bill of Rights;
- A special prosecution system and an Office of Inspector General for the independent investigation and prosecution of crimes occurring in youth detention facilities, an independent ombudsman for youth victims, and public reporting of cases of abuse;
- Improved procedures governing the termination of a child's placement in TYC and improved re-integration back into his or her home community; and
- A governing board for TYC to include a majority of people with experience addressing rehabilitation and reestablishment in society of youth offenders.

There is much more to be done!

Lawmakers directed TYC officials to investigate a range of key reforms needed to make our youth corrections system functional for both youth and the communities from which they came. Those additional solutions in part include:

- Transition towards a regionalized juvenile corrections system with smaller facilities closer to children's families;
- Improved governance structure for youth corrections; and
- Equity in programs, treatment, and facilities between girls and boys detained in TYC facilities;

To ensure that urgently needed reform efforts do not languish as public attention wanes, the Juvenile Justice Initiative will create avenues to success for troubled youth and families by working with juvenile justice stakeholders like TCAJJ, advocating for proven-effective juvenile justice models and alternatives to detention for youth offenders, and monitoring the implementation of SB 103 and other policies.

With continued research and collaboration among stakeholders, Texas' juvenile justice paradigm can change from one that is over-reliant on incarceration to a more rehabilitative approach that will improve the chances of success for troubled youth.

Join and be a part of the solution!

The Juvenile Justice Initiative is a natural and strategic next step in the evolution of TCJC's University Leadership Initiative, which worked to train and involve college students and other young people in our efforts to prevent youth from being sent to prison. The Juvenile Justice Initiative will take that vision a step further by involving not only students, but formerly incarcerated youth, their families, juvenile corrections officials, and other key juvenile justice

stakeholders and researchers to improve conditions of confinement for incarcerated youth and to divert youth from correctional institutions to more effective community-based alternatives to incarceration.

Your help – whether you are a parent, a juvenile corrections or probation officer, a judge, a treatment provider, a county commissioner, a prosecutor, or an interested member of the public – is critical to our success.

To assist us in our efforts, contact Isela Gutiérrez at igutierrez@criminaljusticecoalition.org.

Campaign to End Racial Profiling: Fair, Effective Police Practices that Improve the Safety of Our Communities

TCJC Bridges Information Gaps Between Community and Police on Racial Profiling

By Molly Totman



Our Campaign to End Racial Profiling works to ensure that our state law enforcement agencies are providing value-driven police services throughout Texas. **Effective community policing practices allow both officers and civilians to assist each other in encouraging communication and improving the protection of the public.**

The Texas Criminal Justice Coalition is the only entity in the state compiling and analyzing racial profiling data from every Texas law enforcement agency. We annually report and analyze so-called “consent search practices” of Texas law enforcement, including breakdowns by racial categories.

TCJC enjoys the distinction of analyzing data from more law enforcement agencies every year than any government agency or academic institution in the United States. TCJC has become the source for law enforcement, state policy-makers, and the media on racial profiling data analysis and related issues, and we are most proud of the fact that even those who disagree with our policy aims accept and use our data analyses.

Use of data to improve practices

In March, 2007, we released our annual racial profiling analysis titled *Smarter Policing Practices: Creating a Safer, More Unified Texas*. The study includes five policy recommendations of best practices that we have developed throughout the past four years while we have served as Texas' data repository. **We based these recommendations on feedback from both community members and law enforcement, supported by key data findings from our quantitative research.** To download a copy of this

and other reports our Campaign has released, please visit www.criminaljusticecoalition.org/end_racial_profiling/publications.

Benefits of collaborative work

- In May, 2006, Ana Yáñez-Correa and I became instructors for the Capital Area Council of Governments (CAPCOG) and can now teach certified TCLEOSE classes, which allow us to train police officers as part of accredited programs. We are really proud that CAPCOG asked us to instruct classes for police officers and sheriffs in areas of “Stereotyping in Law Enforcement” (a 4-hour course) and “Multiculturalism” (an 8-hour course), which are required to be taken by law enforcement officers in accordance with Texas’ racial profiling law. In addition to presenting required materials from an already existing curriculum, we introduce information that covers racial profiling issues we work on, including data collection/analysis and consent search issues. **The trainings have been well received and have been very useful to TCJC in our understanding of what goes on in the field by law enforcement themselves.**
- Based on feedback we received from officers at these trainings, as well as from many hundreds of calls to TCJC from police agencies seeking technical assistance with the State’s racial profiling law, we produced and widely disseminated a standardized chart that departments can use to streamline their annual data collection and reporting practices. As a result, more than 100 departments have implemented TCJC’s standardized form, and in 2006 we had many calls from law enforcement thanking us for supplying a simple, easy to use format that clarifies the law’s reporting requirements. This has been a very gratifying part of our work.

Furthering our efforts

In 2007, the Texas Senate voted to create a statewide central repository for these data, a move TCJC strongly supports, but the bill finally fell to the clock on an unfinished House calendar. I couldn’t be prouder of the success we’ve had as Texas’ *de facto* repository, but a state data collection center would make the information more accurate and credible to stakeholders, creating even more opportunities for the community and police supervisors to use it to analyze and improve their practices.

Our efforts to assist agencies in understanding their data, streamlining their reporting practices, and improving the way they protect the public through the implementation of needed policy changes will continue, as will our provision of technical assistance to agencies regarding the requirements of the law. But only with the collaboration and input of community

members, law enforcement, and key stakeholders can we bring about needed change in Texas. Join us in our efforts to ensure the efficacy of police practices that increase public safety while simultaneously increasing the confidence of community members in law enforcement.

To help us ensure effective police practices, contact Molly Totman at mtotman@criminaljusticecoalition.org.

Fair Defense Project: Addressing the Lack of Defense that Leads to Unequal Sentencing

***Key Stakeholders Find a
Financial Benefit to the State
in Ensuring the Constitutional
Right to Counsel***

By Dominic Gonzales



Access to a lawyer when you are accused of a crime has always been viewed as a basic right in America, but increasingly, judges, prosecutors, jail administrators, and others are recognizing it is also cost-effective for those accused of a crime to have an attorney throughout the criminal process. For many low-level defendants, the costs of unnecessary incarceration (~ \$42 per day) far outweigh the costs of paying a lawyer. Counties as big as Dallas and as small as Kaufman and Val Verde are shifting to public defender systems that process defendants more quickly without clogging up the county jails, which will also save taxpayers millions of dollars.

Solutions to jail overcrowding and defendants rights

Thanks to the partnership between TCJC and the Texas Fair Defense Project, **many judges and county officials are coming to recognize how the high proportion of Texas defendants who face criminal charges without legal representation contributes to the State’s over-incarceration crisis more than was previously understood:**

- In many counties, defendants never speak to a lawyer, waiting around in jail until they deal directly with prosecuting attorneys – then often losing their jobs in the process because of missed days at work, and ultimately becoming unable to take care of their families. **These practices lead to a massive influx of individuals who, had they understood their rights, might have been diverted from jail to a range of alternatives without decreasing public safety.**
- **HB 1178** (Escobar, D-Kingsville; McClendon, D-San Antonio) – which passed with large bipartisan

majorities in both chambers this spring and was just signed into law by the Governor – will help end the practice of prosecutors seeking “waivers” of defendants’ right to counsel before they’ve talked to a judge, a practice that needlessly fills up the county jails because people don’t know what options they might have.

We’ve accomplished so much, but there’s much more work to be done!

TCJC’s Fair Defense Project processes individual defendant complaints, uses earned and grassroots media to distribute reform messages, provides technical assistance to the Texas Task Force on Indigent Defense with respect to county grants and policies, and educates and mobilizes defense attorneys to combat unconstitutional practices in counties with the worst problems.

Last year, TCJC partnered with the Texas Fair Defense Project to undertake groundbreaking work to improve indigent defense systems in specific counties. In an unprecedented manner, we used tools normally reserved for “lawyer solicitation” (mailing representation solicitations to individuals on arrestee rosters) and adapted it to undertake a sophisticated public education campaign.

- Using this approach, **we educated thousands of misdemeanor defendants about their rights**, and several of them became plaintiffs in a lawsuit against Williamson County – a Texas county that has become notorious for denying defendants their constitutional right to a court-appointed attorney.
- Successful resolution of the lawsuit in favor of these plaintiffs will have serious ripple effects, improving practices in dozens of other Texas counties that utilize similar practices.

By working closely with the state agencies and lawmakers who oversee and regulate indigent defense – as well as by targeting counties where the worst actors routinely violate defendants’ rights – TCJC is laying the groundwork for a long-term strategy to improve the quality of indigent defense in Texas, both by changing laws and policies as well as hearts and minds, and we invite judges, county officials, prosecutors, local officials, and anyone else concerned about these issues to join in this important task.

To help us in our efforts to provide everyone access to fair defense and improve our local court systems, contact Dominic Gonzales at dgonzales@criminaljusticecoalition.org.

Solutions for Sentencing & Incarceration: Providing Proven and Cost-Effective Answers to Texas’ Over-Incarceration Crisis

TCJC Plays Role in Historical Bipartisan Shift to Promote “Smart on Crime” Policies through Collaboration

By Ana Yáñez-Correa



The Texas Legislature passed a resolution in May honoring TCJC and the Center for Effective Justice (CEJ) at TPPF – a key unlikely ally – for bringing “crucial credibility ... to the legislative process [that] will favorably enhance the way this state approaches matters of public safety and criminal justice policy.”

But on that day, the Legislature was recognizing not only TCJC and the CEJ but **the success of a truly collaborative and bipartisan movement that did not exist in Texas a decade ago** – one which, while still growing, has already succeeded in bringing together stakeholders and opinion leaders from across the political spectrum and throughout the criminal justice system to negotiate workable solutions.

TCJC’s Solutions for Sentencing & Incarceration Campaign has witnessed an overwhelmingly large and varied array of groups, institutions, and individuals who have come forward to help achieve our goals. We have already seen a sea change in the political climate in Texas with regards to criminal justice issues based on solid research and nonpartisan advocacy. In 2007, TCJC worked with probation and parole officers and directors, family members of prisoners, attorneys, state and local judges, members of law enforcement, alcohol and drug treatment providers, formerly incarcerated individuals, researchers and policy analysts, advocates for victims or those incarcerated, faith-based advocates, Republican and Democratic policy-makers and their staffs, ideological conservatives who support smaller government, and an array of institutional interests – all of whom came together to tell the Legislature: ‘We need to do things differently.’

Solutions for smart sentencing

In October, 2006, the Texas Sunset Advisory Commission determined that Texas’ prison system was at a “crossroads” and recommended new policies to reduce incarceration and increase public safety. The Sunset Commission concluded that “building prisons without investing in treatment programs is not the most cost-effective or sustainable solution to prison population growth.” At TCJC, we couldn’t agree more. **With the help of our dozens of collaborators and partners, we saw approval of significant bipartisan solutions by both**

chambers and the Governor, including the following:

- New funding for community supervision, drug and alcohol treatment programs, intermediate sanctions, and halfway houses so that people can exit prison and re-enter their home communities [HB 1];
- Expansion of the State's already successful drug court programs [HB 530];
- Access to "medically intensive supervision" for a range of critically ill or mentally ill offenders who cannot get the medical care they need to stay alive from within the prison system [HB 431];
- Systems allowing certain incarcerated pregnant women to stay with their newborn infants during the critical early months after birth [HB 199];
- More options for judges administering people on community supervision to encourage success and address technical violations [HB 1678 and SB 166];
- Measures to reduce state jail overcrowding [HB 2391]; and
- Parole Board accountability measures that will ensure the Board abides by its own guidelines [SB 909].

More to do and a path to do it

Policy-makers at the highest levels agree that Texas needs to move in a new direction and that these first steps don't finish the job.

- Although leaders in both chambers agreed that diversion funding and other reforms would largely eliminate the need for new prisons, it also approved bond funding for three new units.
- Texas already operates one of the largest prison systems in the world: With roughly 450,000 adults on probation, 173,000 in prison, and 130,000 parolees under supervision, 1 of every 20 adult Texans is currently in prison, on probation, or on parole. But in spite of our high incarceration rates, crime has not declined in Texas as much as in other states: our state crime rate is 24% higher than the national average. **We don't need to build these new units and can work together to show that alternatives will work far better.**

TCJC will continue to work with collaborators and partners to implement reforms, monitor prison and jail populations, ensure public safety and reduced recidivism, keep families together, and help offenders get a fresh start re-integrating into the community when they get out of prison. Without employment assistance and other re-entry support, many prisoners in TDCJ will re-offend, which costs taxpayers more in the long run.

We're gratified that Texas has taken the first steps down the path toward lessening reliance on prisons and excited that

Texas can some day become a national model for "smart on crime" solutions that will increase public safety, save taxpayers money, and strengthen families.

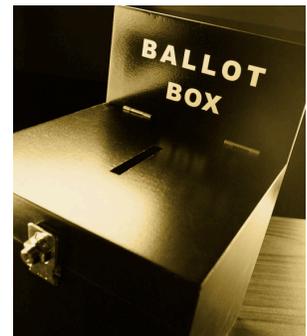
There's still a lot to be done. We will be calling on you in the next few months to explore the impact of enacted laws that will be undergoing implementation, and to get your feedback as we identify additional policies and strategies that must be studied during this interim period and that will be developed into future laws.

To be part of this historic collaborative effort, contact Ana Yáñez-Correa at acorrea@criminaljusticecoalition.org.

Community & Civic Participation Campaign: Promoting, Educating, and Mobilizing an Enlightened & Responsible Citizenry

TCJC Expands Focus of Civic Participation Efforts to Full Re-integration Efforts to Better Increase Personal Responsibility

By Ana Yáñez-Correa



People leave prison hoping to prove they can take responsibility for themselves and their families, but major obstacles to successful re-integration into society include housing limitations, lack of employment opportunities, and inadequate education. At TCJC, we believe these barriers must be reduced and that, instead, **formerly incarcerated people should have access to the tools necessary to enable them to become responsible, productive, law-abiding citizens, which includes being part of the civic process.**

In Texas, formerly incarcerated individuals have the right to vote once they have completed their sentence and are off parole or probation ("off paper"). Due to a lack of accurate information, many ex-offenders in Texas don't know they're eligible to vote and never register, even once "off paper."

Civic participation initiatives must be bipartisan

Voting rights debates often fall prey to the partisan goals of party election consultants – and real people end up out in the cold.

TCJC works equally well with leaders of both parties to advocate for simple fixes that will enable better participation by formerly incarcerated people of all political perspectives.

- **HB 770** (Dutton, D-Houston) would have required the Texas Department of Criminal Justice to provide basic information about voting rights to formerly incarcerated people as it pertains to their eligibility. Although this bipartisan legislation overwhelmingly passed both chambers of the legislature this session, Governor Perry vetoed it. (Two years ago, this legislation didn't move far in either chamber.)
- The veto was especially unfortunate because, by mandating that TDCJ issue voter information, HB 770 would have allowed the State to avoid the issue of having partisan groups distribute literature to exiting ex-felons that may influence their votes. Furthermore, had HB 770 become law, a consistent information and delivery system would have been implemented at all re-entry points.

Very few organizations focus on educating formerly incarcerated people about voting rights, so TCJC's role will be critical in the coming biennium in light of the veto.

Civic participation and re-entry initiatives

Voting is the simplest and most direct thing individuals can do to ensure election of leaders who will push for needed improvements in housing, education, and employment. To encourage formerly incarcerated people to represent themselves in the political process – while also reducing barriers that prevent people from getting jobs, housing, and feeding their families – TCJC is taking the following steps:

- Creating and disseminating information (including a manual and other materials) to assist voter registrars in complying with state legislation passed in 1997 that allows individuals with felony convictions to vote as soon as they are “off paper.” We also conducted a survey to determine whether county officials were complying with the legislation (most of them are!).
- Working with entities that assist those who are coming out of the system to analyze the impact that barriers to re-entry have on the economy and local communities.
- Assisting the House Corrections Committee with an interim study dealing with re-entry issues, with a specific focus on barriers to housing, employment, and education.

Join and be a part of the solution!

If you work with formerly incarcerated people – maybe you minister to prisoners or parolees, supervise people on parole, or have a family member who was incarcerated – you can help us develop solutions that will assist with the re-integration of formerly incarcerated people so that they can obtain jobs, housing, and educational tools. People need a chance to reform themselves, and they need a helping hand. TCJC will have information and materials for you to help people register to vote, clarify their rights so they can be invested in the very same communities to which they're returning, or volunteer to help others.

To assist us with this transition, contact Ana Yáñez-Correa at acorrea@criminaljusticecoalition.org.



THE BEST OF TEXAS

The Texas Task Force on Indigent Defense: A Prime Example of Collaboration among Advocates and Agencies for Positive Outcomes

The Texas Criminal Justice Coalition seeks out a wide array of partners and allies to fulfill its mission. As our efforts gain more traction across the state, it has become possible for our campaigns to forge productive relationships with like-minded criminal justice practitioners, court officials, and critical state agencies. The work of TCJC's Fair Defense Project with the Texas Task Force on Indigent Defense stands out as an example. The entire staff at the Task Force has become an incredibly valuable resource for the Fair Defense Project. Jim Bethke, Executive Director for the Task Force, is a man of conviction and integrity and has led his agency admirably.

We are honored to feature Jim's analysis of the Task Force's efforts and successes during this past legislative session. We couldn't have picked a better person as a debut for this new “The Best of Texas” segment of TCJC's newsletter. Thanks Jim!



Collaboration Promotes Better Indigent Defense Policy

By Jim Bethke
Director, Task Force on Indigent Defense
and
Wesley Shackelford
Special Counsel, Task Force on Indigent Defense

The Task Force on Indigent Defense (Task Force), led by the Honorable Sharon Keller, Presiding Judge, Court of Criminal Appeals, embraces an open and collaborative process for the purpose of developing policy recommendations for the Legislature. Acting under authority of its enabling statute, the Task Force through its Policies and Standards Committee holds a series of open meetings each summer of even-numbered years before session to discuss and consider proposals for the upcoming legislative session. Any and all ideas that relate to indigent defense are fair game.

The Process of Collaboration

During these summer sessions, individuals representing judges, counties, public interest groups, advocates, defense attorneys, legislators, prosecutors, and the Governor's office are invited and encouraged to participate in a series of lively discussions. Ideas that are larger in scope or that need more development are often referred to sub-workgroups of members interested in the topic before being brought back to the full workgroup. Task Force staff coordinate the activity of the workgroup and moderate meetings while allowing other members to take the lead on individual proposals. Last summer, the full workgroup of the Policies and Standards committee met three times, with numerous sub-workgroup meetings and teleconferences.

Then at a formal meeting of the Policy and Standards Committee in late summer, proposals where consensus or near-consensus was reached were presented and discussed. The committee itself disapproved some items and requested additional work on others. The full committee then met one last time to consider the final list of proposals and make recommendations to the full Task Force, which discussed and voted on the recommended proposals. Recommended items were converted into a resolution and presented to the Texas Judicial Council for approval. Ultimately, the recommendations were included in the Task Force's Annual Report to the Governor and Legislature.

The Results of Collaboration

Of the six proposals that were adopted by the Task Force and presented to the 80th Legislature, three have been signed by the Governor (*see next column*). Also, in part because of this process and a thorough documenting of the need for better funding in Texas, the 80th Legislature successfully increased indigent defense funding by 50 percent – the largest state increase since the inception of the Fair Defense Act in 2001. Texas currently ranks 43rd out of the 50 states – last out of the ten most populous states – in what we spend on indigent defense per capita (\$6.43/per capita). This will provide needed relief to local governments and help Texas continue its efforts to develop a more effective indigent defense delivery system.

Below is summary of the recommendations that were signed into law this session:

- **HB 1265** by Peña / Sponsor Sen. Seliger: HB 1265 allows the Task Force to meet four times per year rather than having to meet each quarter, and strikes "ad hoc" from the definition of assigned counsel programs. An "ad hoc" appointment system allows for a judge to appoint attorneys randomly instead of from a rotational list of attorneys, which is required by the Fair Defense Act.
- **HB 1267** by Peña / Sponsor Sen. Seliger: HB 1267 allows appointed counsel to appeal a judge's failure to act on a request for payment within 60 days. This will encourage judges to act timely on attorney fee vouchers submitted. The bill also streamlines the payment system for paying attorneys for representing Texas Department of Criminal Justice inmates who are charged with new crimes and who may not be represented by the State Counsel for Offenders. Counties will pay appointed counsel for services provided according the local fee schedule, and the comptroller shall reimburse counties for the cost of inmate indigent defense within 60 days after receiving a request for reimbursement. It also ensures that indigent inmate defense is governed by the Fair Defense Act. And last, it creates a new \$2 fee on criminal convictions to be used for indigent defense services. The fee is expected to generate about \$7.6 million in new revenue annually.
- **SB 168** by Ellis / Sponsor Rep. Flores: SB 168 eliminates the scheduled 2007 sunset of the State Bar legal services fee, half of which is allocated to indigent defense and half to civil legal services to the poor. The fee generates almost \$2 million per year for indigent defense, which must be used for demonstration and pilot programs, and to date has been used to fund six new public defender offices in Texas.

For more information on the Task Force, please visit us online at www.courts.state.tx.us/tfid.

ACKNOWLEDGEMENTS

Many organizations, policy advocates, legislators, and government officials contributed to the enormous success of our movement to improve the Texas criminal justice system this year. **The Texas Criminal Justice Coalition would be remiss if we did not provide special recognition to the following individuals and organizations:**

Best Legislators



- **Chairman Jerry Madden (R-Plano)**, Chair of the House Corrections Committee and Co-Chair of the Joint Select Committee on the Operation & Management of the Texas Youth Commission. Chairman Madden, with great statesmanship and able negotiating skills, developed and passed strong probation and parole reform, improvements to the conditions of incarcerated mothers with infants, release policies for the very sick, and policies to overhaul the broken juvenile incarceration system. By far, he is the best Chairman in the House of Representatives.

- Representatives **Jim Dunnam** (D-Waco), **Pat Haggerty** (R-El Paso), **Scott Hochberg** (D-Houston), **Delwin Jones** (R-Lubbock), **Jim McReynolds** (D-Lufkin), and **Rene Oliveira** (D-Brownsville) must be recognized for their advocacy of “smart on crime” reforms as members of the House Committee on Corrections.

- **Chairman John Whitmire (D-Houston)**, Chair of the Senate Criminal Justice Committee and member of the Sunset Advisory Commission that reviewed the Texas Department of Criminal Justice this year. Chairman Whitmire lead a sea change in funding priorities for the Texas criminal justice system, ensuring passage of funding to increase access to drug and alcohol treatment, build halfway houses, strengthen probation and parole, and successfully re-integrate offenders back into their communities. With the Chairman’s leadership, Texas is no longer just “tough” but also “smart” on crime.



- Senators **John Carona** (R-Dallas), **Bob Deuell** (R-Greenville), **Glenn Hegar** (R-Katy), and **Kel Seliger** (R-Amarillo) must be recognized for their advocacy of “smart on crime” reforms as members of the Senate Committee on Criminal Justice.



- **Senator Rodney Ellis (D-Houston)**, Chair of the Senate Committee on Government Organization. Senator Ellis sponsored key legislation to expand treatment options for low-level drug offenders, strengthen our State’s probation system, and reduce the incarceration of innocent people. Texas’ recent identification of dozens of wrongfully incarcerated individuals inspired Senator Ellis’ successful legislation to strengthen our justice system and compensate individuals fairly for years or decades lost to incarceration for something they did not do.

- **Senator Juan “Chuy” Hinojosa (D-Houston)**, member of the Senate Committee on Criminal Justice and the Joint Select Committee on Operation & Management of the Texas Youth Commission. Senator Hinojosa provided critical Senate leadership as the two houses crafted dozens of different youth corrections proposals into a coherent approach to reform that will address the current crisis and lead to significant additional changes in the future as lawmakers, youth experts, and system officials examine what we are doing top to bottom. The passage of SB 103 (Hinojosa, Madden) is a major landmark in a reconsideration of our youth justice system that will lead to even better things.



- Many other lawmakers contributed critical ideas and policies to the Youth Commission reforms, including Representatives **Valinda Bolton** (HB 3521, HB 3309), **Joaquin Castro** (HB 2553), **Jim Dunnam**, **Scott Hochberg**, **Jerry Madden** (HB 914, HB 427, HB 2807, HB 1678), **Jim McReynolds**, **Borris Miles** (HB 3701), **Larry Phillips** (HB 2043), and **Sylvester Turner** (HB 3206), and **Senator Royce West** (SB 1295).



➤ **Senator Royce West (D-Dallas)** and **Representative Senfronia Thompson (D-Houston)** have proven their continued and steady commitment to a fair and equitable criminal justice system with passage of racial profiling legislation, and then promotion of improvements to that law that would turn local reports into a systematic review of our statewide progress. Ultimately supported by both advocates and law enforcement, the improved racial profiling law finally fell to the clock on an unfinished House calendar. We thank Senator West and Representative Thompson for their energy, commitment, and diligence in pursuit of justice.

➤ **Representative Juan Escobar (D-Kingsville)** has put to good use his many years of experience as a law enforcement professional by authoring and sponsoring legislation that aims to increase fairness and accuracy in the court system, as well as increase public safety for all Texas. His role in the Criminal Jurisprudence Committee is to be commended.



Legislators: Honorable Mention

Many other lawmakers played key roles in the passage of reforms, including the following lawmakers of both parties:

- **Representatives Alma Allen (D-Houston), Kirk England (R-Grand Prairie), Jim McReynolds (D-Lufkin), Debbie Riddle (R-Houston), Sylvester Turner (D-Houston), and Corbin Van Arsdale (R-Houston)** for their advocacy of “smart on crime” spending as members of the House Committee on Appropriations Subcommittee on Criminal Justice
- **Representative Roberto Alonzo (D-Dallas)** for being a tireless advocate in support of all Texas communities
- **Representative Rafael Anchia (D-Dallas)** for being a committed warrior in the battle to improve Texas communities
- **Representative Harold Dutton, Jr. (D-Houston)** for his leadership on sentencing reforms to address over-incarceration of the lowest level, non-violent offenders and steadfast promotion of pathways to responsible re-integration for people leaving prison and re-entering our communities
- **Representative Jessica Farrar (D-Houston)** for being an outspoken advocate and the voice of conscience in the House Committee on State Affairs
- **Representative Fred Hill (R-Richardson)** for unfailingly supporting all Texas students
- **Representative Rick Noriega (D-Houston)** for being a steadfast champion of all Texas students

Best Staffers

TCJC would like to acknowledge the following staffers for their dedication and commitment to “smart on crime” reforms during the demanding legislative session:

- **Alison Brock**, former Chief of Staff for Representative Sylvester Turner
- **Brandon Dudley**, Chief of Staff for Senator Rodney Ellis
- **Raenetta Nance**, Committee Clerk; **Michelle Downie** and **Clarisse Profflet**, House Committee on Corrections
- **Marsha McLane**, Chief of Staff; **Cathy Drake** and **Sandy Pickell**, Joint Select Committee on the Operation & Management of the Texas Youth Commission
- **Mark Hey, Karin Tucker, and Taryn Dusek**, Staff for Representative Jerry Madden
- **Larance Coleman**, Policy Director for Senator John Whitmire
- **Athena Ponce**, Legislative Policy Analyst for Senator Juan Hinojosa
- **Gerardo Castillo**, former Chief of Staff for Representative Eddie Rodriguez



Big thanks to Sunset Advisory Commission members for their outstanding efforts on the TDCJ Sunset Review:

- **Senator Kim Brimer**, Fort Worth
- **Senator Robert Deuell, M.D.**, Greenville
- **Senator Craig Estes**, Wichita Falls
- **Senator Eliot Shapleigh**, El Paso
- **Senator John Whitmire**, Houston
- **Representative Byron Cook**, Corsicana
- **Representative Dan Flynn**, Canton
- **Representative Lois Kolkhorst**, Brenham
- **Representative Ruth Jones McClendon**, San Antonio
- **Representative Vicki Truitt**, Keller
- **Ike Sugg**, San Angelo
- **Howard Wolf**, Austin

Best Research

- **Kelly Dworaczyk**
House Research Organization
- **Dr. Tony Fabelo**
JFA Institute
- **Jennifer Jones and Karen Latta**
Staff members of the Texas Sunset Advisory Commission
- **Marc Levin**
Center for Effective Justice
at the Texas Public Policy Foundation

Dedicated Judges

- **Judge Robert Anchondo**
- **Judge Mary Anne Bramblett**
- **Judge Caprice Cospers**
- **Judge John Creuzot**
- **Judge Drue Farmer**
- **Judge Larry Gist**
- **Judge Brock Thomas**
- **Judge Carroll Wilborn, Jr.**

Committed Community Supervision

- **Paul Becker**, Director – Harris County CSCD
- **Steve Dishman**, Residential Facility Director – Uvalde County Community Corrections Facility
- **Terry Easterling**, Director – Potter/Randall Counties CSCD
- **Tommy Ellis**, Fiscal Officer – Montgomery County CSCD
- **Stephen Enders**, Director – West Texas CSCD
- **Patrick Finnegan**, Director – Bell/Lampasas Counties CSCD
- **Bruce Gipson**, Director – Bailey County CSCD
- **Steve Henderson**, Director – Lubbock County CSCD
- **Sheila Hugo**, Supervision Officer – Walker County CSCD
- **Leighton Iles**, Director – Fort Bend County CSCD
- **Todd Jermstad**, Bell County CSCD
- **Roxane Marek**, Supervision Officer – Wharton County CSCD
- **John McGuire**, Supervision Officer – Brazos County CSCD
- **Dr. Geraldine Nagy**, Director – Travis County CSCD
- **Arnold Patrick**, Assistant Director – Concho Valley CSCD
- **Tom Plumlee**, Director – Tarrant County CSCD
- **Caroline Rickaway**, Director – Brazoria County CSCD
- **Pam Russell**, Director – 2nd 25th Judicial District (Intermediate Sanctions Facility)
- **Linda Smith**, Director – 2nd 25th Judicial District CSCD
- **Jim Stott**, Deputy Director – Jefferson County CSCD
- **Javed Syed**, Director – Nueces County CSCD
- **Rodney Thompson**, Director – Angelina County CSCD
- **Sally Vasquez**, Lobbyist, Texas Probation Association
- **John Wilmoth**, Director – Concho Valley CSCD
- **Michael Wolfe**, Director – Taylor County CSCD

Best Media Coverage

Print

- **Jake Bernstein**, The Texas Observer
- **Nate Blakeslee**, The Texas Observer
- **Peggy Fikac**, Houston Chronicle
- **Liz Pierson Hernandez**, The McAllen Monitor
- **Polly Hughes**, Houston Chronicle
- **John Moritz**, Fort Worth Star-Telegram
- **Doug Swanson**, The Dallas Morning News
- **Mike Ward**, Austin American-Statesman

The Texas Observer

HOUSTON  **CHRONICLE**

THE MONITOR

Star-Telegram FORT WORTH

The Dallas Morning News

Austin American-Statesman

Television

- **Univision 62 - Austin**



Blog

- **Scott Henson**, Grits for Breakfast

GRITS FOR BREAKFAST

Honorable Mention

- **Dan Beto**, National Association of Probation Executives
- **Joan Buschor**, member, Judicial Advisory Council
- **Nancy Eubank**, retired Secretary to the Judicial Advisory Council
- **Bruce Harlan**, Regional Training Coordinator, Capital Area Council of Governments
- **Dr. Lawrence Jablecki**, former Director of Brazoria County CSCD, current professor at Rice University
- **Captain James Jones**, Houston Police Department
- **Dr. Kevin Knight, Ph.D.**, Institute of Behavioral Research at Texas Christian University
- **Richard Lewis**
- **Dr. Chilo Madrid**, Vice President, Association of Substance Abuse Programs
- **Father James McDonough, O.P.**
- **Dennis McKnight**, Deputy Chief Jail Administrator – Bexar County Adult Detention Center
- **Rob Morrison**, Public Policy Director, National Association of State Alcohol and Drug Abuse Directors

Honorable Mention Cont'd.

- **Dimitria Pope**, Acting Chief of Staff, Texas Youth Commission
- **Officer Felix Rendon**, San Antonio Police Officers Association
- **Lewis Rosenthal**, former Director of Bastrop County Restitution Center
- **Dr. Richard Watkins**, retired warden, Huntsville
- **Chief Rick A. Watson**, Dallas Police Department
- **Dr. Laura Winterfeld**, Senior Research Associate, Urban Institute
- **Jamie Yoon**, Justice Center at the Council of State Governments
- **Chief Larry Zacharias** (Richardson Police Department), Texas Police Chiefs Association

Best Advocacy and Policy Research Organizations and Agencies

Advocacy and policy research organizations across the political spectrum bolstered the passage of “smart on crime” policies by providing research showing that reforms could improve safety and reduce costs to taxpayers. TCJC is lucky to have the following organizations on the outside working for improvements to the criminal justice system:

- The Texas Public Policy Foundation's **Center for Effective Justice** provided key research into the fiscal implications of new criminal justice policies and the positive impact on taxpayers and public safety. From over-regulation resulting in closed markets and closed opportunities for people who want to work to detailed studies of the public safety impact of new incarceration policies, the Center for Effective Justice provides strong advocacy from conservative principles on all aspects of criminal justice policy.



- The **Texas Coalition Advocating Justice For Juveniles** offered key policy research before the legislative session, as well as testimony and research on key issues affecting juveniles after the scandals at TYC made headline news. TCAJJ connects policy-makers with juveniles and their families, and helped bring witnesses to the Capitol so that lawmakers could hear firsthand what families in Texas had experienced when their children ended up in youth facilities.



TEXAS COALITION ADVOCATING JUSTICE FOR JUVENILES (TCAJJ)

- The **Texas Probation Association** worked tirelessly to develop and promote standards and goals for professional practitioners in the field of probation and based recommendations for reform on the best practices used by these professionals. Their commitment and wide range of expertise greatly assisted our efforts to promote policies that increase the likelihood of those under supervision to succeed and become assets to society.



- The **Community Justice Assistance Division of the Texas Department of Criminal Justice** offered expert advice and on-the-ground experience with respect to reforms designed to protect the public, help rehabilitate offenders, and serve the victims of those offenders. CJAD develops sound public policy that leads to effective, community-based programs and services, including polices based on experience with new diversion funding provided by the 79th Legislature to strengthen community supervision by reducing caseloads, utilizing progressive sanctions models, and providing more community supervision options for residential treatment and aftercare.

- The **Texas Task Force on Indigent Defense** offered insights about the delivery of indigent defense services by state, local judicial, county, and municipal officials. The Task Force promotes justice and fairness to all indigent persons accused of criminal conduct, including juvenile respondents.

- The **Restorative Justice Ministry Network of Texas** promoted treatment programs that produce more positive results than incarceration and pushed for the development of community treatment programs, as well as treatment programming within the correctional systems. Restorative Justice Ministry brings key religious values into the public policy debate and connects church leaders to the managers of the criminal justice system – ministers speak with judges and prosecutors, prison ministers dialogue with prison wardens – in order to move government policy away from retributive justice and toward restorative justice.



- The **Association of Substance Abuse Programs** brought to the discussion of drug policy and drug law incarceration the voice of treatment providers who regularly treat and help drug addicts become productive members of society.

- The **National Association of State Alcohol and Drug Abuse Directors** translated research and knowledge about effective alcohol and drug abuse prevention and treatment into better public policy in Texas, and assisted in the collaboration between advocates, lawmakers, and treatment professionals, especially with respect to best practices and sensible funding solutions.



- The **Austin/Travis County Reentry Roundtable** provided consistent, educated, and grounded advocacy about barriers to re-entry for ex-offenders and the most effective policy solutions to reduce high recidivism rates for offenders under community supervision. The Reentry Roundtable brought together professionals and local and state elected officials in a dialogue about local, county, and state reforms that will combine to build a more effective criminal justice system.

- The **Texas Catholic Conference** compassionately advocated for the betterment of people in prison, programs that divert addicts to treatment instead of incarceration, policies that break the cycle of incarceration, and policies that give hope to the formerly incarcerated and their families.



- The **Texas Christian Life Commission** worked to provide information and leadership on a variety of criminal justice issues and were an unwavering partner advocating for humane criminal justice policies.

- The **Texas Association of Addiction Professionals** provided professional expertise on effective treatment options for drug and alcohol addiction-related crimes.

- The **American Civil Liberties Union of Texas** provided strong advocacy on a range of criminal justice issues, leading the fight against the onslaught of ineffective and costly criminal sentencing enhancements, providing policy guidance in the development of juvenile justice reforms, and advocating for a constitutional level of health care for the incarcerated, among other reforms.



- The **Texas State Conference of National Association for the Advancement of Colored People Branches** worked to reduce over-incarceration of and discrimination against minorities and promoted civil rights. The NAACP is America's oldest and most prominent advocacy group for African-Americans and their allies.



- The **Texas Fair Defense Project** partnered with TCJC to ensure that no Texans give up their right to an attorney, and that every Texan who requests an attorney receives competent representation when they are accused of a crime.

- The **League of United Latin American Citizens** informed their membership about necessary reforms to the criminal justice system, including among its top priorities the reduction of discrimination against Latinos and immigrants. LULAC is the leading Latino advocacy group in Texas.



Unfailing Allies



➤ **Jim Bethke**
Director
Task Force on
Indigent Defense



➤ **Gary Bledsoe**
President
Texas State
Conference of
NAACP Branches



➤ **Edwin Davis**
Restorative
Justice Ministry
Network of Texas



➤ **Will Harrell**
*Former Executive
Director*
ACLU of Texas



➤ **Cynthia K. Humphrey**
Executive Director
Association of
Substance Abuse
Programs



➤ **Todd Jermstad**
Texas Probation
Association and
Bell County CSCD



➤ **Marc Levin**
Director
Center for Effective
Justice at the
Texas Public Policy
Foundation



➤ **Kathy Mitchell**



➤ **Suzii Paytner**
Director
Texas Christian
Life Commission



➤ **Mary Ramos**
Texas LULAC



➤ **Herbert Steptoe**
Winner's Circle
Peer Support
Network

MEDIA SHOWCASE



TCJC's Fair Defense Project Director and Media Specialist, Dominic Gonzales, has produced numerous educational pieces for our various campaigns. To view the videos below, visit our website at www.criminaljusticecoalition.org or go to www.youtube.com/fairdefense.

If you are interested in producing similar pieces for your organization, but lack the staff or equipment, TCJC can help. For information on video production for your organization, contact Dominic at dgonzales@criminaljusticecoalition.org.

➤ Texas' Prison Capacity Crisis –

By 2009, Texas will exceed its current prison capacity by 10,000 beds. Proposals to build new prisons will cost the State over \$700 million dollars. This short video piece provides an introduction to the issue.



➤ Response to Dewhurst –

In late January, David Dewhurst, Lt. Governor of Texas, made erroneous statements to the press about Texas' population growth and the possible need for new prison construction. Key leaders in both the Senate and House have made the facts clear: Texas has increased its prison population by over 600% since the late 70's; meanwhile, the Texas population has only grown by 66% in the same amount of time. This video piece sets the record straight.



➤ Support Funding For Treatment, Not New Prisons –

For every single non-violent drug offender we incarcerate in Texas, we could send five to treatment at the same cost. This 30-second video piece illustrates that treatment is a far more cost-effective alternative to new prison construction.



➤ Correctional Officers Against Prison Construction –

This brief, compelling video piece features a key correctional officer explaining a widespread sentiment among other officers towards unnecessary and costly prison construction. "How can you build new prisons when you can't run the ones you already have?" asks Sergeant Samuel Davis.



➤ Barriers to Re-entry Contribute to Prison Overcrowding –

B. Hernandez was sentenced to a 5-year sentence for drug offenses. After 26 months of prison time, Mr. Hernandez was released to a future filled with uncertainty. In this short piece, Mr. Hernandez reveals some startling facts about how barriers to housing for paroled felons actually contribute to the prison capacity crisis.



MEET THE TEAM

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Thanks to our amazing TCJC staff and consultants who bring such energy and enthusiasm to their work every day. Great job, everyone! And welcome to our new additions, Isela Gutiérrez and Leah Pinney!

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Welcome Isela Gutiérrez and Leah Pinney to the Team!



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THE WORK HAS JUST BEGUN - AND WE NEED YOUR HELP!

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