

Texas Administrative Code

TITLE 37

PUBLIC SAFETY AND CORRECTIONS

PART 6

TEXAS DEPARTMENT OF CRIMINAL JUSTICE

CHAPTER 163

COMMUNITY JUSTICE ASSISTANCE DIVISION STANDARDS

RULE §163.31 Sanctions, Programs, and Services

(a) Core Services. All Community Supervision and Corrections Departments (CSCDs) shall provide the following core services:

(1) Court Services:

- (A) conduct pre/post-sentence investigations as ordered by the court and in accordance with law;**
- (B) report violations to the court;**
- (C) provide testimony as custodian of the record;**
- (D) conduct assessments and complete reports mandated by law;**
- (E) make recommendations to the court regarding conditions of supervision; and**
- (F) maintain case files.**

(2) Basic Supervision:

- (A) enforce conditions of community supervision;**
- (B) perform case intake;**
- (C) conduct assessments, reassessments, and supervision planning, and implement strategies to address identified offender risks and needs with the resources available to jurisdictions;**
- (D) provide contacts to offenders on direct community supervision per Texas Department of Criminal Justice-Community Justice Assistance Division (TDCJ-CJAD) standards;**
- (E) maintain case files;**
- (F) develop and monitor community service restitution programs;**
- (G) as ordered by the court, assess and, when needed, provide access to education, substance abuse and mental impairment services;**
- (H) monitor employment and provide job and/or vocational services to employable offenders; and**
- (I) provide access to assessment and treatment services for sex offenders and violent offenders and maintain appropriate levels of supervision for these offenders.**

(3) Administrative Services. Provide adequate management and support service to the CSCD operation, commensurate with available resources, to include but not limited to:

- (A) administrative support staff;**
- (B) data processing support;**
- (C) data control and evaluation support;**

(D) fiscal services support; and

(E) training coordinators.

(b) Continuum of Sanctions. All CSCD directors shall ensure the development and implementation of a continuum of sanctions that address the risks and needs of offenders as identified in the jurisdiction's community justice plan, subject to available resources and local policy.

(c) Regional Planning. Regional programs and services shall be designed to address regional needs as identified in each jurisdiction's community justice plan and as the more efficient economical response to specific offender issues for each of the participating jurisdictions. CSCD directors participating in regional programs and services shall work with the directors of other CSCDs impacted by those regional efforts in the planning, development, and implementation of regional programs and services to address offender needs.

(d) Community Service Restitution (CSR). CSCD directors shall maintain written agreements with governmental and/or nonprofit agencies and organizations to provide offenders opportunities to comply with court-ordered community service restitution according to the Texas Code of Criminal Procedure article 42.12 §16.

(e) Educational Skill Level. Using a standardized educational screening instrument, the CSCD director shall ensure that all persons placed on community supervision, who are unable to document attainment of a high school diploma or GED shall be screened to determine if the persons possess:

(1) Educational skills equal to or greater than the sixth grade level; or

(2) The intellectual capacity or learning ability to achieve the sixth grade skills level. Programs that assist offenders in attaining the educational skill level of sixth grade and above shall be developed and/or made available to the courts for offender referral. CSCD directors may maintain written agreements with school and volunteer organizations to provide tutoring to teach reading to functionally illiterate offenders.

(f) Methods for Measuring the Success of Community Supervision and Corrections Program.

(1) For purposes of Texas Government Code §509.007(b), the method for measuring program completion is defined as the completion of all required components of the program, and/or an offender's release from the program that is not related to any non-compliant behavior, an inappropriate placement or death.

(2) The method for measuring recidivism is defined as a subsequent arrest for a new separate offense that is punishable by incarceration (i.e., Class B misdemeanors and up). This definition does not include arrests for motions to revoke community supervision and bond forfeitures.

(g) Conflicts of Interest. The CSCD director shall ensure that there is a written policy concerning conflicts of interest. The policy shall address the prohibition of possible conflicts of interest affecting the CSCD, its supervision officers or employees.

(h) Partnerships with Law Enforcement Agencies. CSCDs shall cooperate with and provide assistance to municipal, county and state law enforcement agencies or peace officers in situations relating to offender supervision, absconder apprehension, victim services, and other community-based criminal justice activities.

Source Note: The provisions of this §163.31 adopted to be effective March 1, 1993, 18 TexReg 944; amended to be effective August 16, 1995, 20 TexReg 5799; amended to be effective October 13, 1997, 22 TexReg 9896; amended to be effective June 20, 2002, 27 TexReg 5220; amended to be effective February 12, 2008, 33 TexReg 1120