



John Keel, CPA
State Auditor

An Audit Report on

Selected Rehabilitation Programs at the Department of Criminal Justice

March 2007

Report No. 07-026



An Audit Report on

Selected Rehabilitation Programs at the Department of Criminal Justice

SAO Report No. 07-026
March 2007

Overall Conclusion

Three of five programs auditors evaluated at the Department of Criminal Justice (Department) reduced recidivism (re-arrest and re-incarceration) rates. A fourth program reduced re-arrest rates but had higher re-incarceration rates; while the fifth program did not reduce either re-arrest or re-incarceration rates.

Recidivism rates of offenders completing the Sex Offender Treatment Program, the Sex Offender Education Program, and the Pre-Release Therapeutic Community program were lower than the recidivism rates of offenders who were eligible for these programs but did not participate. For example, offenders who completed the Sex Offender Treatment Program had re-incarceration rates that were 61.6 percent lower than sex offenders who were eligible for but did not participate in this program. Also, 80 percent of offenders who completed this program and were later re-incarcerated were re-incarcerated for technical violations of their parole, not for arrests on new charges.

The Pre-Release Substance Abuse Program did not reduce re-arrest or re-incarceration rates for participants. While the faith-based InnerChange Freedom Initiative program reduced re-arrest rates, it showed higher re-incarceration rates among participants. There are possible reasons for these results, including the serious nature of the offenses of the participants in the Pre-Release Substance Abuse Program and the small number of offenders who complete the InnerChange Freedom Initiative program.

The Department maintains the data necessary to calculate recidivism rates for individual programs, but this data resides in multiple places (such as the Department's mainframe and standalone computers at the program level) and is difficult to obtain. In addition, the data is not always complete and may not be entirely accurate (see Chapter 1-A for more information on recidivism rates).

Programs Evaluated

The following programs were selected for review:

- Sex Offender Treatment Program.
- Sex Offender Education Program.
- Pre-Release Substance Abuse Program.
- Pre-Release Therapeutic Community program.
- InnerChange Freedom Initiative program.

These programs are part of the Department of Criminal Justice's (Department) rehabilitation tier, a group of programs designated by the Department as having a positive impact on recidivism rates.

Recidivism

Recidivism rates were calculated using two different measures: re-arrests and re-incarcerations.

A re-arrest is when an offender is arrested for a new criminal offense within two years of his or her release from prison. A re-incarceration is when an offender is sent back to prison within two years of his or her release as a result of a new conviction or a technical violation of parole rules.

The process used by the Department and the Texas Board of Pardons and Paroles (Parole Board) for assessing and placing offenders in programs is not efficient and may result in some offenders remaining in prison longer than they should, which could contribute to prison overcrowding. The Parole Board, as part of its voting process, recommends which program an offender should complete before release. However, its recommendations were not implemented in 41.3 percent of the cases auditors reviewed. This is because the Department's clinicians assess offenders for placement in a program after the Parole Board makes its recommendation. The Department makes the final decision regarding which program an offender is required to complete before release. Often, the clinicians' and the Parole Board's recommendations differ. As a result, offenders who complete programs early sometimes remain in prison until their Parole Board-approved earliest possible release date; other offenders must remain incarcerated past their earliest possible release date while they complete a program. Both of these situations could contribute to overcrowding at prisons. Between September 2005 and February 2007, there were 2,176 offenders with program completion dates available in the Department's automated system. Of these, 549 (25.2 percent) had not been released on parole as of February 2007.

Key Points

The Department needs to increase the capacity of some rehabilitation programs.

As of January 2007, there were 10,713 offenders with Parole Board-approved release dates (or FI-R votes, which stands for Further Investigation-Rehabilitation votes) who were waiting to complete a program before being released from prison. Of these, 435 offenders (4.1 percent) were not enrolled yet in a rehabilitation program. These offenders will not have enough time (based on the length of the programs they are waiting for) to complete their programs before their tentative release dates set by the Parole Board. These offenders are not currently enrolled in a program because of a lack of available space in some programs.

Two programs documented the treatment provided to offenders, but three other programs lacked sufficient documentation.

The Pre-Release Substance Abuse Program and the Pre-Release Therapeutic Community program generally documented the treatment provided to offenders as required by the Department's policies and procedures. However, the Sex Offender Treatment Program and the Sex Offender Education Program should improve their documentation in offenders' files of the treatment and education provided to these offenders.

In addition, auditors did not find sufficient documentation at the InnerChange Freedom Initiative program and, therefore, were unable to assess that program's performance or evaluate the support for the treatment provided to program participants. The InnerChange Freedom Initiative is a faith-based program that is staffed mostly by volunteers and does not receive state funding.

The Department has implemented the same types of rehabilitation programs shown to reduce recidivism in other states.

The Department provides rehabilitation programs that are comparable to the types of rehabilitation programs shown by research studies to reduce recidivism. While Texas has the programs found by research to be effective, program capacity is not always sufficient to meet the needs of Texas's prison population. In addition, drug courts have seen limited use in Texas. Several studies indicate drug courts in other states have been effective in reducing recidivism. Vocational education programs in prison, treatment-oriented intensive supervision programs, and drug treatment programs in the community have also decreased recidivism.

Summary of Management's Response

Management agrees with the recommendations in this report and is taking steps to implement them.

Summary of Information Technology Review

Auditors relied on data from various automated systems at the Department to calculate recidivism. The majority of the data came from the Department's mainframe computer. Auditors did not perform an information technology review of this computer but relied on work done during prior State Auditor's Office audits that addressed the completeness, accuracy, and reliability of data stored on this computer. These audit reports included *An Audit of the Criminal Justice Information System* (State Auditor's Office Report No. 06-022, February 2006) and *An Audit Report on Performance Measures at Five State Agencies* (State Auditor's Office Report No. 07-005, December 2006). Auditors concluded from these audits that the data stored on the Department's mainframe is generally reliable.

Other data used to calculate recidivism and to select files for testing was obtained from stand-alone personal computers at the program level. The data on these computers is stored in either Microsoft Access or Excel databases. Auditors tested some basic data for completeness and accuracy by selecting samples from these databases for testing and verifying the data during testing. Auditors also matched prison unit count sheets to information in the databases to ensure there were not offenders in the programs who were not represented in the databases. Auditors found these databases were generally accurate, but they were not always complete. Not all of the data in these databases was tested.

Some of the data stored on both the Department's mainframe and stand-alone computers was not as easy to obtain or use as it should be (see Chapter 1-B for further information on the data limitations).

Summary of Objectives, Scope, and Methodology

The objectives of this audit were to:

- Determine whether the Department collects and maintains sufficient data for measuring the effectiveness of programs intended to reduce recidivism.
- Determine the outcomes for participants in selected programs.
- Determine whether there is a documented selection process for program participation and that the selection of participants is consistent with this process.
- Identify rehabilitation programs in other states that have demonstrated a high level of success.

The scope for recidivism calculations was the population of offenders who were released from prison in fiscal year 2004 and who were eligible for or participated in one of the five programs reviewed. Auditors calculated the re-arrest and re-incarceration rates for a two-year period following an offender's release from prison. For program testing work and the Parole Board's FI-R decisions, auditors reviewed data from fiscal year 2006 and the first quarter of fiscal year 2007.

The audit methodology consisted of visiting all locations of the five selected programs, conducting staff and offender interviews, analyzing data, reviewing policies and procedures, and testing offender files at the programs and at four parole offices.

Contents

Detailed Results

Chapter 1	
Three Selected Programs Reduce Recidivism, But Problems with the Data Make It Difficult to Calculate Recidivism Rates.....	1
Chapter 2	
The Department Needs to Work with the Parole Board to Improve the Process of Assessing and Placing Offenders in Programs Prior to Their Release from Prison	5
Chapter 3	
The Sex Offender Treatment Program and the Sex Offender Education Program Need to Improve Documentation of the Treatment and Education Provided to Offenders	11
Chapter 4	
Two Pre-Release Programs Document the Treatment Provided to Offenders as Required by the Department's Policies.....	14
Chapter 5	
The Department Has Implemented the Same Types of Rehabilitation Programs Shown to Reduce Recidivism in Other States, But Additional Capacity Is Needed	19

Appendices

Appendix 1	
Objectives, Scope, and Methodology.....	26
Appendix 2	
Comparison of Recidivism Results	31
Appendix 3	
Demographics of Five Selected Programs and Methodology for Calculating Recidivism Rates	33

Appendix 4
Other Recidivism Studies 42

Appendix 5
Recent State Auditor's Office Work 48

Detailed Results

Chapter 1

Three Selected Programs Reduce Recidivism, But Problems with the Data Make It Difficult to Calculate Recidivism Rates

Offenders who completed the Sex Offender Treatment Program, the Sex Offender Education Program, and the Pre-Release Therapeutic Community program in fiscal year 2004 were less likely to be re-arrested or re-incarcerated in the two years following their release than offenders who were eligible for these programs but did not participate. Offenders who completed the Pre-Release Substance Abuse Program and the InnerChange Freedom Initiative program had less favorable results; however, there are possible reasons for this, including the serious nature of the offenses of the Pre-Release Substance Abuse Program participants and the small number of offenders who complete the InnerChange Freedom Initiative program.

Auditors found it was difficult to obtain the data needed to calculate recidivism rates for individual programs, and the Department of Criminal Justice (Department) could not always guarantee the reliability of this data. This also may have contributed to the varying recidivism rates. The data resides in multiple places, is difficult to obtain, and may not be complete or accurate.

Chapter 1-A

Three Programs Appear to Be Effective at Reducing Recidivism

Three programs appear to reduce recidivism for the offenders who complete them: the Sex Offender Treatment Program, the Sex Offender Education Program, and the Pre-Release Therapeutic Community program. Auditors calculated re-arrest and re-incarceration rates for offenders who participated in these programs and were released from prison in fiscal year 2004. In addition, auditors calculated re-arrest and re-incarceration rates for offenders who were eligible for these programs but did not participate and were released from prison in fiscal year 2004 (these offenders' information was used for comparison purposes).

Auditors found that offenders who completed the Sex Offender Treatment Program, the Sex Offender Education Program, and the Pre-Release Therapeutic Community program were less likely to be re-arrested or re-incarcerated in the two years following their release than offenders who were eligible for these programs but did not participate (see Table 1 on the next page).

Offenders who completed the Pre-Release Substance Abuse Program were slightly more likely to be re-arrested or re-incarcerated in the two years following their release than offenders who did not participate in the program. The Department has a shortage of substance abuse treatment beds, however, so only the offenders with the worst substance abuse problems are likely to be placed in this program. Consequently, these offenders may be more likely to have severe drug or alcohol addiction problems that cause them to commit offenses that result in a re-arrest or re-incarceration than offenders not selected to participate in a substance abuse treatment program.

Offenders who completed the InnerChange Freedom Initiative program were much less likely to be re-arrested in the two years following their release from prison than offenders who were eligible for this program but did not participate. However, offenders who completed this program were slightly more likely to be re-incarcerated in the two years following their release than eligible offenders who did not participate in this program. Because there are a small number of offenders who completed this faith-based program, a high recidivism rate can result from only a few re-arrests or re-incarcerations. For example, of the 369 offenders who participated in this program in fiscal year 2004, 78 completed the in-prison portion of the program. Of these 78, 57 completed the aftercare program. Program completion is defined as offenders who complete at least six months of aftercare in the community. Because of a lack of records, auditors relied on the program's staff to identify the offenders who completed aftercare (see Chapter 4-C for more information on the InnerChange Freedom Initiative program). Of the 57 offenders completing the aftercare program, 11 were re-arrested and 8 were re-incarcerated.

Table 1

Recidivism Rates for Offenders within Two Years of Release from Prison					
Program	Recidivism Measure	Completers of the Program	Non-Completers of the Program	All Program Participants	Comparison Group
Sex Offender Treatment Program	Re-arrest	16.5%	26.7%	22.4%	17.7%
	Re-incarceration	5.9%	6.0%	6.0%	15.3%
Sex Offender Education Program	Re-arrest	19.4%	26.7%	20.0%	22.4%
	Re-incarceration	12.3%	6.7%	11.8%	15.4%
Pre-Release Therapeutic Community	Re-arrest	18.2%	50.0%	18.9%	42.6%
	Re-incarceration	18.7%	15.0%	18.6%	26.7%
InnerChange Freedom Initiative	Re-arrest	19.3%	39.5%	36.2%	30.6%
	Re-incarceration	14.0%	14.8%	14.7%	12.3%
Pre-Release Substance Abuse Program	Re-arrest	38.1%	51.7%	38.3%	31.4%
	Re-incarceration	19.7%	24.1%	19.8%	15.1%

See Appendix 2 for a comparison of the State Auditor's Office's 2007 results to those of the Criminal Justice Policy Council in 2003 and Appendix 3 for demographics of test and control groups and more information on the methodology used to calculate recidivism rates.

Chapter 1-B

The Data Needed to Calculate Recidivism Is Available, But It Needs Improvement

The data to calculate recidivism rates is available at the Department, but it resides in multiple places, such as on the Department's mainframe computer and stand-alone computers at the program level, and is difficult to obtain. In addition, the data is not always complete and portions of the data may not be entirely accurate.

Much of the electronic data for the Sex Offender Treatment Program, the Sex Offender Education Program, and the InnerChange Freedom Initiative program is maintained by program staff at both the Department's Rehabilitation and Re-entry Division in Huntsville and at various prison units where the programs are housed. The data at these locations is maintained on stand-alone personal computers and does not always match the data maintained in other locations or on the Department's mainframe. There are other problems that make the accuracy and completeness of the program data questionable. These include:

- Some mainframe data fields are not completely populated because of limitations of the Department's mainframe. Available program completion dates are not always accurate because the mainframe does not allow backdated entries. Therefore, the accuracy of the program completion dates is dependent on staff promptly entering the data into the mainframe.
- Some mainframe data is overwritten when an offender's status changes. For example, an offender's program enrollment date is overwritten as soon as a program completion code is entered into the mainframe.
- Some data in the files on the stand-alone computers is not complete because it is entered by hand and there are data-entry backlogs.
- Data in the files on the stand-alone computers is not collected and maintained consistently across programs.

Recommendation

The Department should work with the Legislative Budget Board, the Governor's Office, and other agencies charged with calculating recidivism rates to identify, process, and maintain the data in a manner that is useful, easy to access, and ensures the completeness and reliability of the data.

Management's Response

TDCJ agrees to work with the Governor's Office, the LBB, and other agencies to determine the appropriate manner in which data should be identified, processed and maintained. We will also continue our efforts to ensure the data is useful, easily accessible, complete, and reliable.

The Department Needs to Work with the Parole Board to Improve the Process of Assessing and Placing Offenders in Programs Prior to Their Release from Prison

The process used by the Department and the Texas Board of Pardons and Paroles (Parole Board) for assessing and placing offenders in programs is not efficient and may result in some offenders remaining in prison longer than they should, which could contribute to prison overcrowding.

The Parole Board, as part of its voting process, recommends which program an offender should complete before release. However, its recommendations were not followed in 41.3 percent of the fiscal year 2006 cases auditors reviewed. This is because the Department's clinicians assess offenders for placement in a program after the Parole Board makes its recommendation, and the clinicians' recommendation often differs from the Parole Board's recommendation.

The Department makes the final decision regarding which program an offender is required to complete before release. This process may result in some offenders spending more time in prison than they should. For instance, some offenders who complete programs early must remain in prison until their Parole Board-approved earliest possible release date; other offenders must remain in a program past their earliest possible release date until they complete the program. Both of these situations could increase the prison population because they result in some offenders staying in prison past the time they complete a program or past the point of their projected release date.

Chapter 2-A

The Process Used to Assess and Place Offenders in Programs Needs Improvement

Offenders are placed in programs either by a recommendation from the Parole Board or by an assignment from the Department's Rehabilitation and Re-entry Division. When the Parole Board votes to recommend that an offender be placed in a program, this is referred to as an "FI-R vote," which stands for Further Investigation-Rehabilitation. The Parole Board then votes on a tentative release date that allows the offender enough time to complete the recommended program. In making its recommendation about which program an offender should complete, the Parole Board relies on summaries from the institutional parole officers.

After the Parole Board makes its recommendation, the Department's clinicians assess the offender for program placement, sometimes selecting a different program than the one recommended by the Parole Board. The Department's recommendation is the one that is implemented. As a result, 3,386 offenders out of 8,202, or 41.3 percent, were placed in or are scheduled

to be placed in programs that differ from those recommended by the Parole Board (see Table 2).

Some offenders who complete a shorter program must wait in prison until their release date, while others who complete a longer program must remain in the program until after their release date. Both of these conditions could result in increases to the prison population because they prolong offenders' lengths of stay.

Table 2

Offenders Placed in Programs Fiscal Year 2006 and the First Quarter of Fiscal Year 2007				
Program	Program Length (Months)	Total Number of Offenders in Program	Number of Offenders with Different FI-R Type and Program Type	Percent of Offenders with Different FI-R Type and Program Type
Changes	3	3,564	1,853	52.0%
Driving While Intoxicated	4	13	0	0.0%
InnerChange Freedom Initiative	18	138	17	12.3%
In Prison Therapeutic Community	6	184	183	99.5%
Life Skills	3	154	67	43.5%
Pre-Release Substance Abuse Program	6	2,039	654	32.1%
Pre-Release Therapeutic Community	6	1,557	413	26.6%
Segovia	3	1	0	0.0%
Sex Offender Education Program	4	161	104	64.6%
Sex Offender Treatment Program	18	289	92	31.8%
Serious Violent Offender Re-entry Initiative	6	14	3	21.4%
Voyager	3 to 12	87	0	0.0%
Youthful Offender Program	9 to 12	1	0	0.0%
Totals		8,202	3,386	41.3%

Source: Data provided by the Department and analyzed by auditors.

The Department's available release data for offenders released from programs between September 1, 2005, and November 30, 2006, contained information for 2,176 offenders who completed a program. Of these, 549 (25.2 percent)

had not been released on parole as of February 2007 (see Table 3 on the next page). Of those who were released, an offender spent an average of 56 days in prison after his or her program completion date.

The 549 offenders who were still in prison after completing a program had not been released on parole for the following reasons:

- They had not reached their “release no earlier than” date set by the Parole Board.
- They had passed their “release no earlier than” date, but their release plans had not been approved. For example, they were waiting for a halfway house placement, or they did not have an approved home to which they could be paroled.

According to Parole Board policy, offenders should be released on parole on their “release no earlier than” date or upon their program completion date, whichever is later.

The Department’s State Classification Committee checks to ensure that an offender meets the Department’s criteria for transfer to a program after the Parole Board vote and the Rehabilitation and Re-entry Division’s assessment. This process adds to the time it takes to assess and place an offender in a program.

Table 3

Offenders Waiting to Be Released on Parole after Completing a Program (as of February 2007)			
Program	Total Number of Offenders with Program Completion Dates	Number of Offenders with Program Completion Dates Who Had Not Been Released on Parole	Percent of Offenders with Program Completion Dates Who Had Not Been Released on Parole
No Program Type	147	24	16.3%
Changes	1,160	278	24.0%
Driving While Intoxicated	6	0	0.0%
InnerChange Freedom Initiative	12	11	91.7%
In Prison Therapeutic Community	62	43	69.4%
Life Skills	34	8	23.5%
Pre-Release Substance Abuse Treatment Program	402	95	23.6%
Pre-Release Therapeutic Community	293	62	21.2%
Segovia	0	0	0.0%
Sex Offender Education Program	19	14	73.7%
Sex Offender Treatment Program	8	6	75.0%
Serious Violent Offender Re-entry Initiative	2	1	50.0%
Voyager	31	7	22.6%
Youthful Offender Program	0	0	0.0%
Totals	2,176	549	25.2%

Recommendations

The Department's Rehabilitation and Re-entry Division and the Parole Board should work together to assess offenders who are nearing their release date and recommend a program based on the Department's clinical expertise.

The placement of offenders into a program will be easier and timelier if the screening process performed by the State Classification Committee is performed earlier in the assessment and placement process.

The Department should improve its parole release process to ensure that offenders who complete programs are released on parole in a timely manner.

This would help to ensure that bed space is available for new program participants. In addition, prompt release on parole would minimize the chances of offenders being negatively influenced by members of the general prison population who have not participated in rehabilitation programs.

Management's Response

TDCJ agrees to work with the Board of Pardons and Paroles to re-evaluate the established processing procedures. To support a parole release vote, which includes a recommendation for a specific program, the Department would complete the final clinical assessment on all eligible offenders prior to submission to the BPP. We would also notify the BPP in the event their recommendation for program placement appears to be inconsistent with TDCJ's final clinical assessment to allow them the opportunity to determine whether their program placement recommendation should be revised.

In addition, we would complete an initial screening by the State Classification Committee prior to submission to the BPP. However, a re-screening will need to occur after the BPP vote to ensure the offender is still eligible for program placement at the time of program enrollment. In the event the offender is determined to be ineligible for program placement after the BPP vote, the BPP will be notified to allow them to consider the need for vote modification.

The actual parole release of the offender will still be dependent on the completion of the program and on the offender having an approved parole release plan. Approval of a parole release plan will sometimes still involve the limited availability of Half-Way House beds that may delay release after completion of the assigned program.

Chapter 2-B

The Department Needs to Increase the Capacity of Some Rehabilitation Programs

As of January 2007, there were 10,713 offenders with Parole Board-approved release dates (FI-R votes) who were waiting to complete a program before being released from prison. Of these, 435 offenders (4.1 percent) were not enrolled yet in a rehabilitation program (see Table 4). These offenders will not have enough time (based on the length of the programs they are waiting for) to complete their programs before their tentative release date set by the Parole Board. These offenders were not enrolled in a program because of a lack of available space in some of these programs.

According to the Parole Board, offenders with Parole Board-approved release dates should be enrolled in a rehabilitation program no later than their specified release date. Programs with the largest number of offenders waiting to be placed include the Pre-Release Substance Abuse Program, the Pre-

Release Therapeutic Community program, the Sex Offender Treatment Program, and the Sex Offender Education Program.

Table 4

Offenders Waiting to Be Enrolled in a Program Who Will Not Be Able to Complete the Program Before Their Target Release Date		
Program	Number of Offenders	Percentage of Offenders
Changes (curriculum available at most prisons)	40	9.2%
Driving While Intoxicated	0	0.0%
InnerChange Freedom Initiative	1	0.2%
In Prison Therapeutic Community	0	0.0%
Life Skills	1	0.2%
Pre-Release Substance Abuse Treatment Program	167	38.5%
Pre-Release Therapeutic Community	68	15.6%
Segovia	0	0.0%
Sex Offender Education Program	44	10.1%
Sex Offender Treatment Program	49	11.3%
Serious Violent Offender Re-entry Initiative	1	0.2%
Voyager	0	0.0%
Youthful Offender Program	0	0.0%
No Program	64	14.7%
Totals	435	100.0%

Source: Unaudited data provided by the Department.

Recommendation

The Department should ensure that offenders with Parole Board-approved release dates are placed in the appropriate programs on a timely basis so the offenders can complete the program before or on their “release no earlier than” dates. To do this, the Department may need to increase the available capacity for some programs.

Management’s Response

TDCJ agrees to continue to explore ways to increase available program capacity to enhance the timely placement of offenders.

The Sex Offender Treatment Program and the Sex Offender Education Program Need to Improve Documentation of the Treatment and Education Provided to Offenders

Although the Sex Offender Treatment Program and the Sex Offender Education Program are providing treatment and education to eligible offenders, these programs do not consistently document the offenders' progress as required by the Department's policies. Auditors tested 115 randomly selected participants' files at the prison units providing one or both of these programs and found that all the offenders were eligible for these programs. However, many of the files did not contain sufficient documentation to support the treatment and education provided. For example, 79 percent of the 85 files tested in the Sex Offender Treatment Program did not contain evidence of the required individual therapy.

In addition, auditors visited 4 parole offices and reviewed 15 files of paroled sex offenders at each location. Auditors found that there was sufficient evidence that sex offenders are receiving adequate supervision and treatment while on parole.

Chapter 3-A

The Department Needs to Ensure That Offenders' Treatment or Educational Progress Is Consistently and Adequately Documented

The Sex Offender Treatment Program and the Sex Offender Education Program do not consistently document the provision of treatment and education to eligible participants. Auditors tested 25 to 30 program files at three prison units providing the Sex Offender Treatment Program and found that:

- 67 (79 percent) of 85 program files did not contain evidence of the required individual therapy.
- 59 (69 percent) of 85 program files did not contain pre- and post-test results.
- 19 (22 percent) of 87 program files did not contain closing summaries, which are treatment summaries provided to the Department's Parole Division.

Additionally, auditors tested 30 offender files from the Sex Offender Education Program and found that 12 (40 percent) of 30 files did not contain pre- and post-test results. Auditors also found that both the Sex Offender Treatment Program and the Sex Offender Education Program's policies and procedures have not been updated since 2002, so they may not reflect the current practices within those programs.

Recommendations

The Department should:

- Revise its policies and procedures for the sex offender programs to reflect current practices.
- Ensure that program staff consistently document offenders' progress as required by the Department's policies and procedures.

Management's Response

TDCJ agrees to review and, as necessary, revise the policies and procedures to ensure they reflect current practice. In addition, documentation requirements will be reviewed to ensure they are appropriate for the program and if required they will be revised. Once revisions, if any, are completed remedial training will be provided to staff and monitoring will be implemented to ensure documentation is maintained in accordance with established standards.

Chapter 3-B

The Two Sex Offender Programs Provide Rehabilitation for Sex Offenders Who Are Released from Prison

The Sex Offender Treatment Program and the Sex Offender Education Program are intended to reduce a sex offender's risk of re-offending by

Sex Offender Treatment Program and Sex Offender Education Program

The Sex Offender Treatment Program has a capacity of 484 offenders and is operated at three prison units: the Goree, Hightower, and Hilltop units. The programs at the Goree and Hightower units serve male sex offenders and have a capacity of 204 and 252 beds, respectively. The program at the Hilltop Unit serves female sex offenders and has a capacity of 28 beds.

The Sex Offender Education Program was implemented in 2002 at the Hightower Unit. This program serves male offenders and has a capacity of 111 beds.

Expenditures for fiscal year 2006 for both programs were \$2,110,187. The Department's budget for the two programs during fiscal year 2007 is \$2,189,636.

There are 62 staff positions budgeted for these programs.

Source: Capacity and staffing data are from the Department and the Department's fiscal year 2008-2009 Legislative Appropriations Request.

providing need-specific rehabilitative interventions. The Sex Offender Treatment Program is an 18-month program that provides both education and therapy. The Sex Offender Education Program is a four-month program that provides education but not therapy.

The Sex Offender Treatment Program provides treatment to moderate- to high-risk sex offenders. The program began as a pilot program in 1989 to serve male sex offenders and participation was voluntary. In 1998, participation in the program became mandatory for selected sex offenders. In December 2000, the program began serving female sex offenders.

Most of the offenders entering the program are moderate- to high-risk sex offenders. As of January 12, 2007, there were 4,461 offenders eligible for the program, according to the Department. Of those, 113 offenders had been screened and assigned to a unit, but they were waiting for a bed to become available.

The program is based on a cognitive-behavioral model and consists of three phases. Phase I is the evaluation and treatment orientation phase and lasts about three months. It includes a

psychological evaluation of each offender, which is used to develop an individualized treatment plan. This phase also includes psycho-educational

**Cognitive Behavioral Model and
Psycho-Educational Classes**

The cognitive-behavioral model of treatment focuses on changing offenders' deviant thought patterns to change their patterns of behavior.

Psycho-educational classes, which are a component of the cognitive-behavioral model, are designed to educate offenders about their deviant thinking patterns and provide information to help offenders change their unhealthy patterns of thinking.

classes to assist offenders in admitting guilt, accepting responsibility for their offenses, and developing appropriate coping skills.

Phase II is the intensive therapy phase, which lasts about 12 months. It provides a structured living and treatment environment. Offenders attend individual and group therapy sessions, which focus on changing the offenders' deviant behavior and thought patterns.

Phase III is the transition and release preparation phase, which focuses on preparing the offenders for re-integration into society.

This phase lasts about three months.

The Sex Offender Education Program provides education but not therapy. The Sex Offender Education Program is designed for low-risk sex offenders. Its structure is similar to Phase I of the Sex Offender Treatment Program. Offenders complete psycho-educational classes, but they do not attend group or individual therapy sessions. To successfully complete the program, offenders are required to actively participate in the classes and demonstrate an understanding of the required educational components. As of January 12, 2007, the program had screened 485 eligible offenders who were waiting for an available bed, according to the Department.

Two Pre-Release Programs Document the Treatment Provided to Offenders as Required by the Department's Policies

The Pre-Release Substance Abuse Program and the Pre-Release Therapeutic Community program generally are providing treatment, education, or work experience as intended. Both programs have documented selection criteria for program participation. Auditors evaluated the files of 30 participants in the Pre-Release Substance Abuse Program and 30 participants in the Pre-Release Therapeutic Community program and found all participants met the programs' selection criteria.

However, auditors found the InnerChange Freedom Initiative program lacked sufficient documentation to assess program performance or the level of treatment provided to program participants. Auditors evaluated the files of 30 participants and verified that each participant signed a release stating he volunteered to participate in the program. The InnerChange Freedom Initiative program is a faith-based program staffed primarily by volunteers; it does not receive state funding.

Chapter 4-A

The Pre-Release Substance Abuse Program Provides Treatment to Chemically Dependent Offenders

Auditors found sufficient documentation that treatment and education or work experience are being provided by the Pre-Release Substance Abuse Program and that participants are required to comply with the requirements for completing the program. Auditors tested files for 30 current program participants and found that all of these offenders met the eligibility criteria for program participation.

The Pre-Release Substance Abuse Program

The Pre-Release Substance Abuse Program was started in 1996 and is at the LeBlanc Unit in Beaumont, Texas. It operates 1,008 beds for male offenders.

Expenditures for fiscal year 2006 were \$1,112,082; the budget for expenditures in fiscal year 2007 is \$1,535,059.

Between September 1, 2005, and November 30, 2006, there were 2,193 offenders enrolled in the program. During the same time period, there were 2,073 graduates of the program.

Sources: The Department's program capacity and graduate data and the Department's Legislative Appropriations Request for the 2008-2009 biennium.

The Pre-Release Substance Abuse Program has a staffing shortage. Unit staffing reports indicate that the program is intended to operate with 65 staff members, but it is currently operating with 32 staff members. Between September 1, 2005, and November 30, 2006, the program had a high of 46 staff members (in September 2005) and a low of 31 staff members (in October 2006).

The Pre-Release Substance Abuse Program is an intensive, six-month program for offenders with serious substance abuse or chemical dependency problems, as well as anti-social characteristics.

To participate in the program, offenders must have a minimum of seven months left in prison before release. In addition, to be eligible for this program, a substance abuse screening instrument must show that the participants are chemically dependent.

The program is divided into three phases, all of which use standard work books, group meetings, and therapy. The first phase, Orientation, lasts about

30 days. During this phase, participants are introduced to the program's structure, rules, language, and thinking patterns.

The second phase, Cognitive Intervention, lasts about 90 days. During this phase, participants identify their basic needs and the negative processes they previously used to fulfill these needs. They also learn about the addiction/offender cycle and how to stop it, and how to identify various thinking errors.

The third phase, Relapse Prevention, lasts about 60 days. During this phase, participants address relapse, stress, and anger issues and prepare to return to work upon their release from prison.

Chapter 4-B

The Pre-Release Therapeutic Community Program Provides Rehabilitation to Multiple Needs Offenders

Auditors found sufficient documentation that treatment and education or work experience are provided by the Pre-Release Therapeutic Community program and that participants are required to comply with the requirements for completing the program. Auditors tested files for 30 current program participants and found that all of these offenders met the eligibility criteria for program participation.

The Pre-Release Therapeutic Community Program

Started in 1997, the Pre-Release Therapeutic Community program is at the Hamilton Unit in Bryan, Texas, and has 600 treatment beds and 566 pre-treatment beds for male offenders.

Expenditures during fiscal year 2006 were \$574,445; the budget for expenditures for fiscal year 2007 is \$996,341.

Between September 1, 2005, and November 30, 2006, there were 1,452 offenders enrolled in the program. During the same time period, 1,421 offenders graduated from the program.

Sources: The Department's program capacity and graduate data and the Department's Legislative Appropriations Request for the 2008-2009 biennium.

The Pre-Release Therapeutic Community program has a staffing shortage. Allotted to have 32 staff members, the program currently has 26 treatment and program staff members, according to the Department. During April 2006, the program operated with 19 staff members.

The Pre-Release Therapeutic Community program is an intensive, six-month treatment program for offenders. The therapeutic community is "a positive, self-contained environment where offenders who have similar treatment needs live and work together toward a common goal of addiction

recovery, positive behavior, and life change through peer, group, and hierarchical structure," according to program literature. The program provides pre-release treatment to offenders who are within seven months of release. Individual treatment plans are developed and monitored to ensure appropriate programming and support services, and a continuum of care plan for release is developed through coordination with the Department's Parole Division.

Program participants are housed in a dormitory setting to promote group counseling and social interaction. They hold each other accountable for any rule infractions. Some participants accept various responsibilities within their housing unit, including acting as class facilitators.

The program has three phases. The first phase, Orientation, takes about 30 days. During this phase participants receive an overview of the program, including program goals and principles. Participants also learn the tools, rules, and structure used by the program.

The second phase of the program takes about 90 days and focuses on identifying an offender's basic needs, recognizing and breaking the addiction/offender cycle, acknowledging an offender's thinking errors, and taking corrective action.

The third phase of the program takes about 60 days and focuses on relapse prevention. Participants learn about relapse and stress issues, learn how to deal with anger, and make plans to return to work upon being released from prison.

Participants spend the day in a structured treatment schedule. A typical day lasts from 6 a.m. to 8 p.m. and includes group therapy sessions; phase-specific classes; support groups, such as Alcoholics Anonymous and Narcotics Anonymous; and self-help programs. Chemically dependent participants use a workbook to complete their lesson plans. Participants who are determined not to be chemically dependent use the same workbook, but with altered lesson plans to address criminal behavior and the offender cycle.

Chapter 4-C

The InnerChange Freedom Initiative Program Lacks Sufficient Documentation to Assess the Program's Performance

The InnerChange Freedom Initiative program is a faith-based program staffed primarily by volunteers. It does not receive state funding. Offenders voluntarily participate in the program. Auditors did not find sufficient documentation to be able to assess this program's performance or evaluate support for the level of treatment provided to program participants.

The InnerChange Freedom Initiative Program

The InnerChange Freedom Initiative program started in 1997 and is at the Vance Unit in Richmond, Texas. As of December 2006, there were 220 offenders enrolled in the program.

The program is funded by Prison Fellowship Ministries, a non-profit organization. It does not receive state funding.

The program's director stated that the program has a budget of \$800,000: \$600,000 to operate the program and \$200,000 for the aftercare component. There are seven paid employees at the Vance Unit; the remaining staff members are volunteers.

Source: Unaudited information provided by program staff.

Because documentation in offenders' files was limited, the only criteria for enrollment that auditors could test was whether the files contained a signed consent form acknowledging that the offenders volunteered for the program. Auditors selected a random sample of 30 offenders enrolled in the program and reviewed their files; all 30 files tested contained a signed consent form.

Files did not include sufficient documentation regarding offenders' daily activities to determine whether offenders were receiving treatment as prescribed by the program. Because files maintained by the program's staff at the Vance Unit and at the aftercare centers contained minimal

documentation, auditors also were unable to test whether offenders shown to

have completed this program actually met the program's completion requirements, including aftercare participation.

To participate in the InnerChange Freedom Initiative program, offenders must:

- Volunteer for the program.
- Be within 18 to 24 months from release.
- Sign consent forms for release of information and media release.
- Have the appropriate minimum security clearance.
- Satisfactorily complete the introduction and orientation phases.
- Have the potential to read at the sixth-grade level.
- Have the mental ability to function in the program.
- Plan to be paroled in the Houston or Dallas-Fort Worth area or surrounding counties.

Offenders' files included a signed participation form, notes from the offenders' volunteer counselors, and various quizzes and tests related to the program's curriculum. Auditors observed participants completing one of the program's tests, which covered the offender's knowledge of the books of the Bible.

According to program literature, the InnerChange Freedom Initiative program is "a Christ-centered, Biblically rooted, faith-based program" that "seeks to equip members with the understanding through the Word of God that sin is the root of their problem."

While the InnerChange Freedom Initiative program is a Christian program (and all volunteers are Christian), members of other denominations can enroll in it. Christians make up the majority of participants, but currently the program also has participants of the Islamic, Jewish, Buddhist, and other faiths.

The program consists of four main phases. Offenders start the program with a group of their peers, called a "class," and continue to move through the program with that group. A new class begins every three months. The program does not have a tailored curriculum. The program's curriculum includes a series of tests offenders must complete. But if the offenders fail the tests, they can still advance through the program.

Because a class advances through the program and completes the program together, auditors were unable to determine whether individual offenders

received treatment as prescribed by the program, had properly mastered the curriculum, and met the program completion requirements. Also, because offenders are not required to pass tests on program information, it is not possible to state whether offenders properly understand and are mastering the program's curriculum.

The first phase of the InnerChange Freedom Initiative program lasts 12 months and attempts to help the offender facilitate a life transformation by eliminating the thinking processes that resulted in his incarceration and rebuilding the offender's value system. During this phase, assigned peer groups meet weekly to assist offenders in understanding accountability and affirmation. Based on each individual's needs, offenders are enrolled in various educational programs. Mentoring relationships are established with men from the community where the offender will be paroled. Each offender is expected to meet with his mentor for at least two hours per week.

Phase two lasts six months. Program participants complete public service in the community by working off-site for most of the day. Participants continue to attend peer group meetings but are coached in leadership roles. They also are encouraged to complete General Educational Development (GED) classes and spend classroom time developing skills needed for re-entry into society. Offenders continue to meet with their mentors on an individual basis. They also create a written life plan.

Phase three is supervised work release and lasts from the time the offender completes the program until he is released from prison. Consequently, the length of this phase time varies from offender to offender. One offender currently residing at the Vance Unit completed the program over two years ago, but he still remains in the unit pending parole.

Phase four is aftercare, which usually lasts six to nine months after the offender is released into the community on parole. The purpose of this final phase is to successfully re-integrate the offender into the community. If the offender fulfills the aftercare requirements—which include remaining in good standing with his parole requirements, making restitution payments, participating in productive work, and becoming a member of a church—the offender will graduate from the program. Mentoring relationships continue throughout the aftercare phase.

The Department Has Implemented the Same Types of Rehabilitation Programs Shown to Reduce Recidivism in Other States, But Additional Capacity Is Needed

A literature review of recidivism research from other states indicates that multiple rehabilitation programs have been shown to reduce the recidivism rates among program participants. Auditors identified these programs and compared them to the programs provided by the Department. In each case, the Department provides a comparable rehabilitation program to those shown by research studies to reduce recidivism. While Texas has these types of programs, capacity is not always sufficient to meet the needs of Texas's prison population. Rehabilitation programs with limited capacity include in-prison substance abuse treatment, substance abuse treatment while on community supervision, and drug courts.

Chapter 5-A

Research Has Identified Effective Rehabilitation Programs

Research conducted in recent years indicates that certain rehabilitation programs have been successful in reducing recidivism rates among program participants. While the number of rigorous, high-quality evaluations is limited, those that do exist often reveal positive results for certain types of rehabilitation programs.

Studies report successful outcomes for substance abuse treatment in the community. Similarly, studies have shown that certain types of treatment for sex offenders are effective in reducing recidivism rates among program participants. Among the program types found to be effective are:

- In-prison therapeutic community treatment for drug-involved offenders.
- In-prison therapeutic community treatment for drug-involved offenders with follow-up community treatment.
- Cognitive behavioral therapy for the general offender population.
- Prison-based cognitive behavioral treatment for sex offenders.
- Non-prison-based sex offender treatment.
- Vocational education programs.
- Correctional industry programs.
- In-prison therapeutic drug rehabilitation with work release programs.
- Halfway houses.

- Pre-release programs.
- Drug courts.
- Programs for offenders dually diagnosed with substance abuse and mental health disorders.
- Intensive supervision with a focus on treatment.
- Drug treatment in local jails.
- Basic adult education programs in prison.
- Employment training and job assistance in the community.

Conversely, research also has revealed the ineffectiveness of other types of rehabilitation programs. For example, adult boot camps and the Scared Straight Program have been shown to be ineffective in reducing the recidivism rates among program participants.

In October 2006, the Washington State Institute for Public Policy published *Evidence-Based Public Policy Options to Reduce Future Prison Construction, Criminal Justice Costs and Crime Rates*. That report describes the results of a comprehensive statistical review of program evaluations that were determined to be of sufficiently rigorous research. The researchers evaluated studies of 254 programs for adult offenders. Table 5 summarizes the results of this review.

Table 5

Programs' Impact on Offender Recidivism Rates	
Type of Program	Percent Change in Recidivism Rates ^a
Vocational education in prison	-9.0%
Intensive supervision: treatment-oriented programs	-16.7%
General education in prison (basic education or post-secondary)	-7.0%
Cognitive-behavioral therapy in prison or community	-6.3%
Drug treatment in community	-9.3%
Correctional industries in prison	-5.9%
Drug treatment in prison	-5.7%
Adult drug courts	-8.0%
Employment and job training in the community	-4.3%
Electronic monitoring to offset jail time	0.0%
Sex offender treatment in prison with aftercare	-7.0%
Intensive supervision: surveillance-oriented programs	0.0%
Washington state's Dangerously Mentally Ill Offender program	-20.0%

Programs' Impact on Offender Recidivism Rates	
Type of Program	Percent Change in Recidivism Rates ^a
Drug treatment in jail	-4.5%
Adult boot camps	0.0%
Domestic violence education/cognitive-behavioral treatment	0.0%
Jail diversion for mentally ill offenders	0.0%
Life skills education programs for adults	0.0%
^a This is the average change in recidivism rate compared to recidivism rates of offenders receiving no treatment or treatment as usual achieved by a typical program in each category. A negative value indicates a statistically significant reduction in crime; 0 percent means the typical program does not achieve a statistically significant change in recidivism rates.	

Source: Steve Aos, Marna Miller, and Elizabeth Drake. *Evidence-Based Public Policy Options to Reduce Future Prison Construction, Criminal Justice Costs, and Crime Rates*. Olympia: Washington State Institute for Public Policy, 2006.

Chapter 5-B

Texas Has Implemented the Rehabilitation Programs Found to Be Effective by Research Studies

During the State Auditor's Office's review of recidivism studies, auditors identified the types of programs research indicates are successful at reducing recidivism. In each case, auditors identified a comparable program currently operating in Texas. For example, drug treatment in the community is provided in Texas through programs such as the Treatment Alternatives to Incarceration program, Substance Abuse Felony Punishment facilities, aftercare for the In-Prison Therapeutic Community program, and the Substance Abuse Counseling Program. Drug treatment in prison is provided through the In-Prison Therapeutic Community program, the Pre-release Therapeutic Community program, and Pre-release Substance Abuse Program. Vocational education in prison is provided by the Windham School District, the War Against Recidivism program, and the Pre-release Therapeutic Community program.

Table 6 on the next page lists programs found to be effective by the Washington State Institute for Public Policy and compares those programs to current programs in Texas.

Table 6

Texas Programs That Are Comparable to Successful Programs in Other States	
Successful Programs in Other States	Comparable Texas Programs
Vocational education in prison	<ul style="list-style-type: none"> ▪ The Windham School District offers vocational education in prison. ▪ War Against Recidivism (WAR) program. ▪ Pre-release Therapeutic Community (PRTC) program.
Intensive supervision: treatment-oriented programs	<ul style="list-style-type: none"> ▪ Substance Abuse Felony Punishment (SAFP) program. ▪ Substance Abuse Counseling Program/Intermediate Sanction Facility (SACP/ISF). ▪ Diversion program funding is provided to community supervision correction departments for reduced caseloads, progressive sanctions, residential treatment and sanction beds, and aftercare caseloads. ▪ Sex Offender Specialized Caseloads.
General Education in Prison (basic education or post-secondary)	<ul style="list-style-type: none"> ▪ The Windham School District provides general education in prison.
Cognitive-behavioral Therapy in prison or community	<ul style="list-style-type: none"> ▪ Sex Offender Treatment Program (SOTP). ▪ Pre-release Therapeutic Community (PRTC) program. ▪ Cognitive Intervention program at the Windham School District. ▪ Turning Point Program in District Resource Centers (DRC). ▪ Thinking for a Change program.
Drug Treatment in community	<ul style="list-style-type: none"> ▪ Treatment Alternatives to Incarceration (TAIP) program. ▪ Substance Abuse Felony Punishment (SAFP) program. ▪ Aftercare for In-Prison Therapeutic Community (IPTC) program. ▪ Substance Abuse Counseling Program (SACP).
Correctional Industries in Prison	<ul style="list-style-type: none"> ▪ Texas Correctional Industries.
Drug Treatment in Prison	<ul style="list-style-type: none"> ▪ In-Prison Therapeutic Community program. ▪ Pre-release Substance Abuse Program (PRSAP). ▪ Pre-release Therapeutic Community (PRTC) program.
Adult Drug Courts	<ul style="list-style-type: none"> ▪ Texas currently has 49 adult drug courts operating or planned in 39 counties. Some state funding is provided through the Community Justice Assistance Division.
Employment and job training in the community	<ul style="list-style-type: none"> ▪ Project RIO (Reintegration of Offenders).
Sex offender treatment in Prison with aftercare	<ul style="list-style-type: none"> ▪ Sex Offender Treatment Program (SOTP).
Washington's Dangerously Mentally Ill Offender program	<ul style="list-style-type: none"> ▪ This program is in the early stages in Texas and has not yet demonstrated cost savings. The Department's Texas Correctional Office on Offenders with Medical or Mental Impairments (TCOOMMI) program has elements of Washington's Dangerously Mentally Ill Offender program; but the two programs do not fully align with each other.

Research Shows that a Combination of Treatment and Intensive Supervision Is Effective

Research shows that combining more intensive supervision with drug treatment is an effective strategy in reducing recidivism. As Table 5 in Chapter 5-A shows, “intensive supervision: treatment-oriented programs” have been shown to reduce recidivism by 16.7 percent.

An example of this type of approach is the “Breaking the Cycle” program implemented at locations in Maryland, Alabama, Florida, and Washington. Through several actions, including early intervention, graduated sanctions and incentives, judicial oversight, and collaboration among criminal justice and drug treatment agencies, these programs encourage offenders on supervision to abstain from drugs and participate in drug treatment. The outcomes, while not positive on all measures at all implementation sites, have been encouraging. Researchers studying the program implemented in Maryland concluded that the program was an effective strategy for reducing drug arrests among probationers and parolees with drug-related conditions as part of their supervision requirements. Additionally, a 2003 study of programs in Alabama, Florida, and Washington showed that program participants in two of three sites were less likely than a comparison group to be arrested within a year of entering the program. The authors of the study speculate that an increase in enforcement during the years of the study may account for the negative findings at the third site.

The approach of providing intensive supervision with drug treatment is used in Texas by both the Department’s Community Justice Assistance Division and its Parole Division. For probation supervision, the 79th Legislature appropriated approximately \$28 million per year in new diversion program funds. The funds are allocated to community supervision and corrections departments that use a progressive sanctions model. The progressive sanctions model must include reduced and specialized caseloads, increased judicial involvement in the administration of sanctions and incentives, graduated sanctions, and various treatment options. The Parole Division’s Substance Abuse Counseling Program also combines treatment with graduated sanctions.

Capacity Is Limited for Some Rehabilitation Programs in Texas

While Texas has the programs found by research to be effective, program capacity is not always sufficient. Programs with limited capacity include in-prison substance abuse treatment, substance abuse treatment while on community supervision, and drug courts.

The Sunset Advisory Commission noted in its October 2006 *Sunset Advisory Commission Staff Report* that 59 percent of prisoners are chemically dependent, but only 5 percent of potential program participants are admitted to

substance abuse programs each year. Similarly, the Sunset Advisory Commission reported that 50 percent of probationers on direct supervision were on probation for drug or alcohol offenses, but only 9 percent received residential substance abuse treatment, and only 16 percent received out-patient treatment.

The Department requested an expansion of the Substance Abuse Felony Punishment (SAFP) program in its Legislative Appropriations Request for the 2008-2009 biennium. In that request, the Department reported that there are 3,250 SAFP treatment beds located in seven facilities across the state. It also reported that, as of May 2006, there were 1,075 offenders on this program's waiting list. The Department is also seeking an expansion of the In-Prison Therapeutic Community program, treatment for offenders convicted of driving while intoxicated, and out-patient substance abuse treatment for probationers.

Drug courts are another example of an effective program that has seen limited use in Texas. Several studies indicate drug courts in other states have been effective in reducing recidivism. A 2003 study of New York state adult drug courts concluded that the six largest and oldest drug courts—in the Bronx, Brooklyn, Queens, Suffolk, Syracuse, and Rochester—averaged a 29 percent reduction in recidivism over a three-year, post-arrest period.

A 2005 study by the U.S. Government Accountability Office reported that 10 of 13 drug court programs resulted in statistically significant reductions in overall re-arrest rates among drug court program participants.¹ Participants in these 10 drug court programs had re-arrest rates ranging from nearly 10 percent to 30 percent lower than those of a comparison, non-participant group. There were mixed results in one of the three remaining programs; the other two programs did not show statistically significant reductions in overall re-arrest rates.

The Criminal Justice Policy Council (Council) released its evaluation of the implementation of drug courts in Dallas, Jefferson, and Travis counties in 2003.² The Council found similar results to those of evaluations of drug courts in other states: offenders completing the drug court programs in these three counties had a 28.5 percent re-arrest rate three years after entry, compared to a 65.1 percent re-arrest rate for those not completing the program and a 56.8 percent re-arrest rate for those not participating in the program.

¹ See *Adult Drug Courts: Evidence Indicates Recidivism Reductions and Mixed Results for Other Outcomes*, GAO Report #GAO-05-219, February 2005.

² See *Initial Process and Outcome Evaluation of Drug Courts in Texas*, Criminal Justice Policy Council, January 2003.

Texas does not use drug courts to the extent that many other states do. According to a November 2006 American University report³, 47 of Texas's 254 counties (18.5 percent) had a drug court operation in place or planned, whereas drug court operations were in place in 1,217 of the nation's 3,140 counties (38.76 percent). These figures include juvenile, family, and adult drug courts. According to the Texas Governor's Office, 49 adult drug courts currently are operating or planned in 39 Texas counties.

Currently, only counties with a population of more than 550,000 are required to establish a drug court program. House Bill 530, filed during the 80th legislative session, would expand the use of drug courts in Texas.

³ See *Bureau of Justice Assistance, Drug Court Clearinghouse Project at American University: Summary of Drug Court Activity by State and County*, American University, November 22, 2006.

Appendices

Appendix 1

Objectives, Scope, and Methodology

Objectives

The audit objectives were to:

- Determine whether the Department of Criminal Justice (Department) collects and maintains sufficient data for measuring the effectiveness of programs intended to reduce recidivism.
- Determine the outcomes for participants in selected Department rehabilitation programs.
- For the selected programs, determine whether there is a documented selection process for program participation and that the selection of participants is consistent with that process.
- Identify rehabilitation programs in other states that have demonstrated a high level of success.

Scope

The scope of this audit included the following programs:

- Sex Offender Treatment Program.
- Sex Offender Education Program.
- Pre-Release Substance Abuse Program.
- Pre-Release Therapeutic Community program.
- InnerChange Freedom Initiative program.

The scope of recidivism calculations included offenders who:

- Entered or were eligible but chose not to enter one of the five selected programs from September 1, 2002, to August 31, 2004;
- Were expected to complete one of the selected programs during fiscal year 2004; and
- Were released or paroled during fiscal year 2004.

Re-arrest calculations included data from the Department of Public Safety containing all arrests for the selected population from September 1, 2003, to August 31, 2006.

Re-incarceration calculations included data from the Department containing all incarcerations from September 1, 2003, to August 31, 2006.

Calculations of Parole Board votes included offenders who received a “Further Investigation – Rehabilitation” (FI-R) vote between September 1, 2005, and November 30, 2006.

Program testing included all offenders participating in one of the selected programs or released from one of these programs between September 1, 2005, and November 30, 2006.

Methodology

The audit methodology consisted of conducting interviews; collecting and reviewing information; and performing tests, procedures, and analyses against predetermined criteria for the selected programs.

Information collected and reviewed included the following:

- Interviews with management and staff of the Department and with current participants of the selected programs.
- Documentary evidence such as:
 - ♦ Policies and procedures for programs.
 - ♦ Prior reports from the Criminal Justice Policy Council, including *Evaluation of the Performance of the Texas Department of Criminal Justice Rehabilitation Tier Programs*, 2001, and *The Second Biennial Report on the Performance of the Texas Department of Criminal Justice Rehabilitation Tier Programs*, February 2003.
- Procedures and tests conducted included the following:
 - ♦ Determined whether offenders receiving FI-R votes were placed in programs with sufficient time allowed for them to complete the program before their mandatory release dates.
 - ♦ Identified which offenders were enrolled in a program other than the program specified by their FI-R vote type.
 - ♦ Determined whether any offenders with FI-R votes were released on parole before completing a program.

- ♦ Determined whether any offenders were still waiting for placement in a program even though their specified release dates had passed.
- ♦ Analyzed database information from the Sex Offender Treatment Program and the Sex Offender Education Program to determine the types of offenders participating in these programs.
- ♦ Analyzed paroled sex offender database information to determine the number of paroled sex offenders who participated in the Sex Offender Treatment Program or the Sex Offender Education Program.
- ♦ Analyzed class cancellations to determine what percentage of group sessions and psychological education classes were canceled in the Sex Offender Treatment Program.
- ♦ Analyzed personnel information for each of the selected programs to calculate the staff turnover rate for each program.
- ♦ Tested a random sample of information for current program participants from each of the five selected programs to:
 - Determine whether the offenders met the selection criteria for program enrollment.
 - Determine whether there was sufficient documentation that the offenders are receiving treatment as designated by the program.
- ♦ Tested information for a random sample of offenders who completed each of the five selected programs to determine whether they met the completion requirements before being released from the program.
- ♦ Tested a random sample of information for offenders who completed the Sex Offender Treatment Program and who were required to receive aftercare to determine whether those offenders received the aftercare as required.
- ♦ Analyzed data provided by the Department and the Department of Public Safety to determine the rates of recidivism, as well as demographics for:
 - Offenders who participated in and completed one of the five programs.
 - Offenders who participated in but did not complete one of the five programs.
 - Offenders who participated in one of the five programs (regardless of whether they completed a program).

- Offenders who were eligible for but did not participate in one of the five selected programs.
- ♦ Visited the following prison units to observe and document program operations and to determine whether treatment was being provided in accordance with the daily activity schedules:
 - Thomas Goree Unit – Huntsville, Texas.
 - J. W. Hamilton Unit – Bryan, Texas.
 - L. V. Hightower Unit – Dayton, Texas.
 - Hilltop Unit – Gatesville, Texas.
 - Roger Leblanc Unit – Beaumont, Texas.
 - Carol S. Vance Unit - Richmond, Texas.

Criteria used included the following:

- The Department's *Substance Abuse Treatment Operations Manual*, revised September 2006.
- The Department's *Programs and Services Division Sex Offender Evaluation, Education and Treatment Program Policies and Procedures*, revised April 2002.
- *InnerChange Freedom Initiative Policies and Procedures Manual*.
- The Department's Parole Division policies and procedures for sex offender supervision and treatment.

Project Information

Audit fieldwork was conducted from December 2006 through February 2007. This audit was conducted in accordance with generally accepted government auditing standards.

The following members of the State Auditor's staff performed the audit:

- Sandra Q. Donoho, MPA, CIA, CISA, CFE (Project Manager)
- Sherry Sewell, CGAP (Assistant Project Manager)
- Kirby Cossey
- Olin Davis, MBA
- Arby Gonzales

- Lucien Hughes
- Amadou N'gaide, MBA
- Ashley Rutherford
- Sajil Scaria
- Michael Stiernberg
- Lisa Thompson
- Jennifer Wiederhold, CGAP
- J. Scott Killingsworth, CIA, CGFM (Quality Control Reviewer)
- Lisa R. Collier, CPA (Audit Manager)

Comparison of Recidivism Results

Tables 7 and 8 show the recidivism rates calculated in 2007 by the State Auditor's Office and calculated in 2003 by the Criminal Justice Policy Council (Council).

Table 7

Re-arrest Rates for Program Participants and Control Groups 2007 State Auditor's Office Results and 2003 Criminal Justice Policy Council Results										
Group	Pre-Release Substance Abuse Program		Pre-Release Therapeutic Community		Sex Offender Education Program		Sex Offender Treatment Program		InnerChange Freedom Initiative	
	SAO Results (2007)	Council Results (2003)	SAO Results (2007)	Council Results (2003)	SAO Results (2007)	Council Results (2003)	SAO Results (2007)	Council Results (2003)	SAO Results (2007)	Council Results (2003)
Completers	38.1%	35.0%	18.2%	37.1%	19.4%	n/a ^a	16.5%	13.1%	19.3%	17.3%
Non-Completers	51.7%	36.8%	50.0%	45.4%	26.7%	n/a ^a	26.7%	20.2%	39.5%	50.0%
All Program Participants	38.3%	35.2%	18.9%	40.3%	20.0%	n/a ^a	22.4%	18.5%	36.2%	36.2%
Control Group	31.4%	40.8%	42.6%	38.4%	22.4%	n/a ^a	17.7%	21.2%	30.6%	34.9%

^a The Sex Offender Education Program was not evaluated by the Criminal Justice Policy Council in 2003.

Sources: 2007 State Auditor's Office's results were calculated using unaudited data provided by the Department of Criminal Justice. The 2003 Criminal Justice Policy Council's Results were obtained from *The Second Biennial Report on the Performance of the Texas Department of Criminal Justice Rehabilitation Tier Programs*, February 2003.

Table 8

**Re-incarceration Rates for Program Participants and Control Groups
2007 State Auditor's Office Results and 2003 Criminal Justice Policy Council Results**

Group	Pre-Release Substance Abuse Program		Pre-Release Therapeutic Community		Sex Offender Education Program		Sex Offender Treatment Program		InnerChange Freedom Initiative	
	SAO Results (2007)	Council Results (2003)	SAO Results (2007)	Council Results (2003)	SAO Results (2007)	Council Results (2003)	SAO Results (2007)	Council Results (2003)	SAO Results (2007)	Council Results (2003)
Completers	19.7%	21.0%	18.7%	19.9%	12.3%	n/a ^b	5.9%	16.7%	14.0%	8.0%
Technical Violations	13.7%	n/a ^a	18.9%	n/a ^a	52.6%	n/a ^a	80.0%	n/a ^a	25.1%	n/a ^a
Non-Completers	24.1%	19.5%	15.0%	28.9%	6.7%	n/a ^b	6.0%	19.0%	14.8%	36.3%
Technical Violations	0.0%	n/a ^a	0.0%	n/a ^a	100.0%	n/a ^a	28.6%	n/a ^a	18.6%	n/a ^a
All Program Participants	19.8%	21.0%	18.6%	23.4%	11.8%	n/a ^b	6.0%	18.5%	14.7%	24.3%
Technical Violations	13.5%	n/a ^a	18.6%	n/a ^a	78.6%	n/a ^a	50.0%	n/a ^a	19.6%	n/a ^a
Control Group	15.1%	29.0%	26.7%	21.9%	15.4%	n/a ^b	15.3%	27.7%	12.3%	22.3%
Technical Violations	23.0%	n/a ^a	31.5%	n/a ^a	48.7%	n/a ^a	58.7%	n/a ^a	30.9%	n/a ^a

^a The Criminal Justice Policy Council did not break out technical violations that caused violated to be re-incarcerated.

^b The Sex Offender Education Program was not evaluated by the Criminal Justice Policy Council in 2003.

Sources: 2007 State Auditor's Office's results were calculated using unaudited data provided by the Department of Criminal Justice. The 2003 Criminal Justice Policy Council's Results were obtained from *The Second Biennial Report on the Performance of the Texas Department of Criminal Justice Rehabilitation Tier Programs*, February 2003.

Demographics of Five Selected Programs and Methodology for Calculating Recidivism Rates

Tables 9 through 13 show the demographics of the test and control groups the State Auditor's Office used to calculate program recidivism results using data provided by the Department of Criminal Justice (Department).

Table 9

Sex Offender Treatment Program Demographics of Test and Control Groups ^a		
Demographic Characteristic	Test Group (N=201)	Control Group (N=302)
Gender		
Male	97.5%	98.7%
Female	2.5%	1.3%
Race		
Hispanic	20.9%	21.0%
Black	33.3%	33.3%
White	45.3%	45.3%
Other ^b	0.5%	0.3%
Age Entered Prison		
35 and Under	46.3%	34.3%
Over 35	53.7%	65.7%
Offense Type		
Violent	82.6%	100.0%
Drug	7.0%	0.0%
Property	8.0%	0.0%
Other	2.5%	0.0%
Release Code		
Parole	18.9%	5.7%
Mandatory Supervision	25.4%	31.0%
Discharge	51.8%	44.7%
Other	4.0%	18.7%
^a Because of rounding, the columns may not total 100 percent. ^b Race codes I (Indian), O (Other), A (Asian) and U (Unknown) are counted under "Other."		

Table 10

Sex Offender Education Program Demographics of Test and Control Groups ^a		
Demographic Characteristic	Test Group (N=170)	Control Group (N=1,630)
Gender		
Male	100.0%	100.0%
Female	0.0%	0.0%
Race		
Hispanic	22.9%	22.8%
Black	30.0%	29.9%
White	47.1%	47.2%
Other ^b	0.0%	0.0%
Age Entered Prison		
35 and Under	27.7%	36.6%
Over 35	72.4%	63.4%
Offense Type		
Violent	82.4%	100.0%
Drug	8.8%	0.0%
Property	5.3%	0.0%
Other	3.5%	0.0%
Release Code		
Parole	39.4%	4.3%
Mandatory Supervision	17.1%	26.8%
Discharge	38.8%	48.4%
Other	4.7%	20.5%
^a Because of rounding, the columns may not total 100 percent. ^b Race codes I (Indian), O (Other), A (Asian) and U (Unknown) are counted under "Other."		

Table 11

InnerChange Freedom Initiative Demographics of Test and Control Groups ^a		
Demographic Characteristic	Test Group (N=369)	Control Group (N=554)
Gender		
Male	100.0%	100.0%
Female	0.0%	0.0%
Race		
Hispanic	15.7%	15.7%
Black	42.8%	42.9%
White	41.5%	41.4%
Other ^b	0.0%	0.0%
Age Entered Prison		
35 and Under	67.2%	55.2%
Over 35	32.5%	44.9%
Offense Type		
Violent	33.6%	26.0%
Drug	36.0%	38.7%
Property	18.4%	22.8%
Other	6.8%	12.5%
Release Code		
Parole	36.3%	33.3%
Mandatory Supervision	31.4%	40.9%
Discharge	25.5%	10.9%
Other	6.8%	15.0%
Geographic Locations		
Houston Area	44.4%	51.2%
Dallas Area	22.8%	48.8%
Other Area	32.8%	0.0%
^a Because of rounding, the columns may not total 100 percent. ^b Race codes I (Indian), O (Other), A (Asian) and U (Unknown) are counted under "Other."		

Table 12

Pre-Release Therapeutic Community Demographics of Test and Control Groups ^a		
Demographic Characteristic	Test Group (N=898)	Control Group (N=1,347)
Gender		
Male	100.0%	100.0%
Female	0.0%	0.0%
Race		
Hispanic	9.0%	9.0%
Black	47.4%	47.5%
White	43.1%	43.1%
Other ^b	0.5%	0.5%
Age Entered Prison		
35 and Under	41.0%	45.8%
Over 35	59.0%	54.2%
Offense Type		
Violent	21.3%	23.2%
Drug	47.8%	46.9%
Property	17.3%	21.8%
Other	13.7%	8.1%
Release Code		
Parole	95.6%	100.0%
Mandatory Supervision	1.5%	0.0%
Discharge	0.1%	0.0%
Other	2.9%	0.0%
^a Because of rounding, the columns may not total 100 percent. ^b Race codes I (Indian), O (Other), A (Asian) and U (Unknown) are counted under "Other."		

Table 13

Pre-Release Substance Abuse Program Demographics of Test and Control Groups ^a		
Demographic Characteristic	Test Group (N=1,729)	Control Group (N=2,594)
Gender		
Male	100.0%	100.0%
Female	0.0%	0.0%
Race		
Hispanic	10.5%	10.5%
Black	43.8%	43.8%
White	45.5%	45.5%
Other ^b	0.2%	0.2%
Age Entered Prison		
35 and Under	42.1%	47.5%
Over 35	57.9%	52.5%
Offense Type		
Violent	17.8%	24.4%
Drug	49.8%	21.7%
Property	17.6%	46.6%
Other	6.8%	7.3%
Release Code		
Parole	96.1%	100.0%
Mandatory Supervision	1.5%	0.0%
Discharge	0.2%	0.0%
Other	2.3%	0.0%
Chemical Dependency		
Inpatient	21.1%	63.3%
Outpatient	74.1%	36.7%
Other	4.9%	0.0%
^a Because of rounding, the columns may not total 100 percent. ^b Race codes I (Indian), O (Other), A (Asian) and U (Unknown) are counted under "Other."		

Recidivism Calculation Methodology

The following methodology was developed with assistance from the Department and was agreed upon before auditors calculated the recidivism rates.

Data Collection

Auditors obtained demographic information from the Department for:

- All offenders who participated in at least one of the five selected programs from September 1, 2002, to August 31, 2004, were expected to complete the program during fiscal year 2004, and were released from prison during fiscal year 2004. This included both offenders who completed and did not complete the programs.
- All offenders who were eligible for at least one of the five selected programs from September 1, 2002, to August 31, 2004, (and would have been expected to complete the program during fiscal year 2004 if they participated) but did not participate in the program and were released during fiscal year 2004.

In cases in which an offender had more than one release date in a fiscal year, auditors used only the record from the first release.

The requested information contained the following details about each offender:

- First name.
- Last name.
- Middle initial.
- State Identification (SID) number.
- The offender's Department of Criminal Justice identification number.
- Program type
- Date of birth.
- Race.
- Gender.
- Release date.
- Release type.
- Offense type.
- Custody level.
- Program completion date.
- County of residence (for InnerChange Freedom Initiative program participants only).

- Substance abuse assessment score (for Pre-Release Therapeutic Community program and Pre-Release Substance Abuse Program participants only).

Auditors also obtained data from the Department on all admissions to prison or state jails, not including Substance Abuse Felony Punishment facilities or Intermediate Sanction Facilities, from September 1, 2003, to August 31, 2006. This data was used to calculate re-incarceration rates. All cases in which an offender was received on the same date as his or her release were excluded because these were transfers to another division.

Auditors compiled a list of the offenders in the population by program, including both the test group and the control group, using the offender's SID number, last name, first name, race, gender, and date of birth as identifiers. Criminal history records for each offender, provided by the Department of Public Safety, were used to calculate re-arrest rates.

Data Integrity Testing

Auditors performed selected testing of the data obtained from standalone computer databases at the Department program level to ensure the completeness and reliability of the data. These tests included matching a sample of data to hard-copy files at the program level and/or to data on the Department's mainframe. Auditors relied on prior audit testing of the Department's mainframe, which found that the mainframe data was generally reliable.

Data Analysis

The collected data was sorted into the following test and control groups:

- All offenders released from prison in 2004 who participated in and completed a selected program.
- All offenders released from prison in 2004 who participated in but did not complete a selected program.
- All offenders released from prison in 2004 who qualified for a selected program but did not participate in one. This was the control group.

Recidivism Calculation

For each selected program, auditors used the population of offenders released during fiscal year 2004 to calculate the recidivism rate for each group as follows:

- Calculated the re-arrest and re-incarceration rates for offenders who completed a selected program by calculating the percent of these offenders

who were released in 2004 and were re-arrested or re-incarcerated during the two years following their release date.

- Calculated re-arrest and re-incarceration rates for offenders who started but did not complete a selected program by calculating the percent of these offenders who were released in 2004 and were re-arrested or re-incarcerated during the two years following their release date.
- Calculated the re-arrest and re-incarceration rates for offenders who participated in a selected program (including completers and non-completers) by calculating the percent of these offenders who were released in 2004 and were re-arrested or re-incarcerated during the two years following their release date.
- Calculated re-arrest and re-incarceration rates for offenders who were eligible for a selected program but never participated in the program by calculating the percent of these offenders who were released in 2004 and were re-arrested or re-incarcerated during the two years following their release date.
- Calculated the rate of offenders who were re-incarcerated for technical violations by calculating the percent of offenders who were released in 2004 and re-incarcerated during the two years following their release date but were not re-arrested.
- Calculated the re-arrest and re-incarceration rates by comparing the test and control groups of offenders from each program to Department admissions data and the Department of Public Safety criminal history records. This included:
 - ♦ Determining the number of months between an offender's release date and any re-admission to the Department's prisons.
 - ♦ Determining the number of months between an offender's release date and any subsequent arrest.

These calculations included only those re-admissions and arrests that occurred within 24 months of the offender's release from prison.

For each selected program, auditors created a table to compare the re-arrest and re-incarceration rates, calculated the variances among different groups, and drew conclusions on the following groups:

- Offenders who successfully completed a selected program. (For the InnerChange Freedom Initiative program, auditors considered six months of participation in the aftercare component to be successful program completion.)

- Offenders who started but did not complete a selected program.
- Offenders who participated in a selected program, regardless of whether they completed the program.
- Offenders who were eligible for a selected program but did not participate. (This group was used as a control group for comparison purposes.)
- Offenders from the above groups (completers, non-completers, and eligible but did not participate) who were re-incarcerated but not re-arrested. (This situation was considered a technical violation for purposes of this audit.)

Other Recidivism Studies

Recent program evaluations address recidivism for various offender programs. Summaries of three reports are included in this appendix. The three reports cover the Windham School District, which is the Department of Criminal Justice's (Department) educational component for offender education; Project Rio, which is a job placement program for offenders that is offered through the Texas Workforce Commission; and the Substance Abuse Felony Punishment Facilities and In Prison Therapeutic Community programs.

Windham School District Evaluation Report, Legislative Budget Board, January 2007.

Evaluations of training services provided by the Windham School District were mandated by House Bill 2837 (79th Legislature, Regular Session). The Legislative Budget Board was required to report the evaluation results to the Legislature. House Bill 2837 specifically required the Department and the Windham School District to address the type of training services provided, the type of employment obtained upon release, whether employment was related to training received, the difference between earnings on the date employment is obtained and on the first anniversary of that date, and employment retention factors.

According to the Department, during the 2006-2007 biennium, \$11.2 million was budgeted for vocational training programs and approximately 3,500 offenders participated in vocational training each day. As of December 6, 2006, 15,264 offenders were pending enrollment in vocational programs.

Between April 1, 2004, and March 31, 2005, 64,364 offenders were released from the Department's facilities. Of those released, 31,429 (49 percent) were excluded from the study for various reasons. The Windham School District tracked the remaining 32,935 offenders for employment upon release, occupation, and earnings. About 14 percent of offenders, or 4,747 offenders in the study, were in the vocational group. Examples of the study's conclusions included the following:

- **Employment status after release.** Of the offenders in the study, 4,747 were classified in the vocational group and 28,188 were in the non-vocational group. About 68 percent of the vocational group (compared with 58 percent of the non-vocational group) were employed within one year of release.
- **Training related to future occupation.** Of the 3,208 vocationally trained offenders who were employed within one year of release, 2103 (66 percent) were employed in an occupation related to their vocational training.

- First anniversary of employment. The Windham School District tracked offenders through one year of employment, from the date of initial employment through the first anniversary of that date. Of the vocational group, 53 percent were still employed on their first anniversary (compared with 46 percent of the non-vocational group).
- Earnings. The Windham School District compared the first- and fourth-quarter earnings of the employed vocational and non-vocational groups and calculated the average salary difference. Approximately 41 percent of the employed vocational group received an earnings increase during the year (compared with 34 percent for the non-vocational group).
- Retention factors. These were divided into the following categories:
 - ♦ Percent of offenders who retained employment for three consecutive quarters by age group for the vocational group and the non-vocational group. This category was further divided into the following groups:
 - Offenders younger than 25 years of age: 55.9 percent for the vocational group (compared with 44.4 percent for the non-vocational group).
 - Offenders between 25 and 34 years of age: 59.1 percent for the vocational group (compared with 49 percent for the non-vocational group).
 - Offenders 35 years of age and older: 54.6 percent for the vocational group (compared with 40 percent for the non-vocational group).
 - ♦ Percent of offenders who retained employment for three consecutive quarters by educational level for the vocational group and the non-vocational group. This category was further divided into the following groups:
 - No GED/high school diploma: 49.5 percent for the vocational group (compared with 43.4 percent for the non-vocational group).
 - GED/high school diploma: 57 percent for the vocational group (compared with 48.4 percent for the non-vocational group).
 - ♦ Percent of employed vocational group with industry certification who retained employment for three consecutive quarters: 61.7 percent retained employment and 38.3 percent did not.

Project Reintegration of Offenders, Long-Term Results for 2000-2001 Exit Cohorts.

The following is a summary of a program evaluation of Project Rio performed by the Texas Workforce Commission. This summary was written by the Texas Workforce Commission and is reprinted with its permission:

Project Reintegration of Offenders (Project RIO) is designed to reduce recidivism rates by assisting ex-offenders [to] find employment. The program is jointly administered by the Department [of Criminal Justice], the Texas Workforce Commission, the Youth Commission, and the Windham School District. The program equips ex-offenders and adjudicated youth with the necessary skills, attitudes, and abilities to re-enter the labor market, and guides them toward post-release job opportunities.

To evaluate the effectiveness of Project RIO, the Texas Workforce Commission obtained data from the Department [of Criminal Justice] to produce a longitudinal study covering 60,000 individuals released between July 1, 2000, and June 30, 2001. The entered employment rate was based on the Texas Workforce Commission's unemployment insurance wages for the fourth quarters of 2001, 2003, and 2005. Recidivism data was obtained from the Department [of Criminal Justice]. Records were divided into four cohorts based on the extent of participation in Project RIO:

- Texas Workforce Commission Post-Release RIO. (Offenders received Project RIO services only after their release.)
- Pre-Post RIO. (Offenders received Project RIO services both before and after their release.)
- Pre-Release RIO. (Offenders received Project RIO services only before their release.)
- Non-RIO. (Offenders did not receive Project RIO services.)

The study's findings demonstrate that Project RIO participation by offenders results in higher rates of employment and dramatically lower rates of recidivism, with the best outcomes occurring when individuals participate in Project RIO both during incarceration and after release.

Employment. The entered employment rate for the Pre-Post RIO cohort is approximately twice that of the Non-RIO cohort for one, three, and five years post-release. The Texas Workforce Commission Post-Release RIO cohort produced superior results to the Pre-Release RIO cohort, but even the Pre-Release RIO cohort entered employment rates one-fourth higher than the Non-RIO cohort rates. [See Table 14.]

Table 14

Employment Rates for Project RIO			
Categorical Label	Percent Employed		
	2001	2003	2005
TWC Post-Release Rio	49.5%	34.7%	34.0%
Pre-Post RIO	63.1%	46.0%	40.3%
Pre-Release RIO	44.8%	33.7%	30.8%
Non-RIO	32.3%	22.4%	24.0%
Totals	42.8%	30.5%	29.9%

Recidivism. Ex-offenders in the Pre-Post RIO cohort, compared against the Non-RIO cohort, are one-fifth as likely to recidivate in their first year after release and less than one-fourth as likely in their first three years. The Pre-Release RIO cohort produced superior results to the Texas Workforce Commission Post-Release RIO cohort, but both groups have a recidivism rate that is less than half of the Non-RIO cohort throughout the first three post-release years. [See Table 15.]

Table 15

Recidivism Rates for Project RIO			
Categorical Label	Recidivism Rate		
	2001	2003	2005
TWC Post-Release Rio	7.6%	11.7%	Not yet available
Pre-Post RIO	2.1%	6.0%	Not yet available
Pre-Release RIO	4.6%	9.4%	Not yet available
Non-RIO	10.3%	25.4%	Not yet available
Totals	7.6%	16.1%	Not yet available

Of all the populations served by the Texas workforce system, ex-offenders have the greatest barriers to employment:

- Most ex-offenders have low levels of educational attainment and work experience.
- Dozens of occupations have statutory prohibitions against the employment of ex-offenders.
- There is a strong social stigma attached to ex-offenders.

The longitudinal data clearly demonstrates that the most effective response to the unique obstacles facing ex-offenders involves the intensive and specialized range of services provided through Project RIO.

Outcome Evaluation of Offenders Released from the SAFP and IPTC Programs in FY 2004, January 2007, The Community Justice Assistance Division, Department of Criminal Justice.

According to this study, the state budget shortfall in 2003 resulted in the following:

- The length of In Prison Therapeutic Community (IPTC) and Substance Abuse Felony Punishment (SAFP) in-patient facility programs was reduced from nine months to six months. (Special-needs offender programs remained at nine months.)
- Some SAFP facilities were converted to state jail/transfer facilities.
- Post-release residential treatment capacity in Transitional Treatment Centers was reduced.
- Other substance abuse treatment services were reduced.
- Waiting lists for both IPTC and SAFP programs and delays in release to Transitional Treatment Centers may have contributed to prison capacity issues by:
 - ♦ Delaying releases of offenders required to complete the IPTC program due to a waiting list.
 - ♦ Reducing sanction options for probationers due to an SAFP waiting list.
 - ♦ Delaying releases of IPTC and SAFP participants due to lack of Transitional Treatment Center capacity.
- Outcomes for the IPTC and SAFP programs were slightly worse than the previous study of fiscal year 2000 IPTC and SAFP releases, although the differences were not statistically significant.
- The IPTC program continues to demonstrate a significant reduction in recidivism rates for participants.
- The SAFP program does not demonstrate a reduction in recidivism due to the high percentage of technical revocations when compared to the IPTC program.
- Offenders who complete treatment in IPTC and SAFP programs have significantly lower recidivism rates than offenders who do not complete treatment.
- The use of SAFP re-entry drug courts in Dallas appears to significantly reduce the revocation rate of offenders who participate in that program.

- The waiting list for the IPTC program can delay the release of some offenders who are required to complete the program before they can be released from prison. The numbers of male and female offenders on the IPTC waiting list as of December 2006 were:
 - ♦ Males: 109
 - ♦ Females: 65
- In December 2006, 389 offenders in the SAFP and IPTC programs were waiting to be placed in a Transitional Treatment Center due to capacity limitations. Because there is a waiting list to be placed in a Transitional Treatment Center, beds in the in-prison portion of the program are being occupied by offenders who have completed the in-prison portion, causing the waiting list for admission into the Transitional Treatment Centers program to increase.

Recent State Auditor's Office Work

Recent SAO Work		
Number	Product Name	Release Date
06-022	An Audit of the Criminal Justice Information System	February 2006
07-005	An Audit Report on Performance Measures at Five State Agencies	December 2006

Copies of this report have been distributed to the following:

Legislative Audit Committee

The Honorable David Dewhurst, Lieutenant Governor, Joint Chair
The Honorable Tom Craddick, Speaker of the House, Joint Chair
The Honorable Steve Ogden, Senate Finance Committee
The Honorable Thomas “Tommy” Williams, Member, Texas Senate
The Honorable Warren Chisum, House Appropriations Committee
The Honorable Jim Keffer, House Ways and Means Committee

Office of the Governor

The Honorable Rick Perry, Governor

Department of Criminal Justice

Members of the Board of Criminal Justice

Ms. Christina Melton Crain, Chairman
Mr. Pierce Miller, Vice-chair
Ms. Patricia A. Day, Secretary
Mr. Adrian A. Arriaga
Mr. Oliver J. Bell
Mr. Gregory S. Coleman
Pastor Charles Lewis Jackson
Mr. Tom Mechler
Mr. Leopoldo Vasquez III
Mr. Brad Livingston, Executive Director



This document is not copyrighted. Readers may make additional copies of this report as needed. In addition, most State Auditor's Office reports may be downloaded from our Web site: www.sao.state.tx.us.

In compliance with the Americans with Disabilities Act, this document may also be requested in alternative formats. To do so, contact our report request line at (512) 936-9880 (Voice), (512) 936-9400 (FAX), 1-800-RELAY-TX (TDD), or visit the Robert E. Johnson Building, 1501 North Congress Avenue, Suite 4.224, Austin, Texas 78701.

The State Auditor's Office is an equal opportunity employer and does not discriminate on the basis of race, color, religion, sex, national origin, age, or disability in employment or in the provision of services, programs, or activities.

To report waste, fraud, or abuse in state government call the SAO Hotline: 1-800-TX-AUDIT.