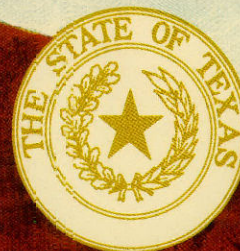


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# 1972 CRIMINAL JUSTICE PLAN FOR TEXAS

PRESTON SMITH, Governor



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Fellow Texan:

The State of Texas has a vital interest in reducing the heavy drain on our society which results from crime. The high incidence of crime touches everyone; it exacts a toll from young and old, rich and poor, rural resident and urban dweller.

Crime is not just a police problem; it is everyone's problem.

This administration has had a strong commitment to controlling the crime blight from the very beginning. My term of office as Governor began soon after passage of the Omnibus Crime Control and Safe Streets Act of 1968. It has been the responsibility of this administration to guide the development of the accelerated crime fight in Texas, seeking to give direction and purpose to the Criminal Justice Council and its staff.

This Council now is three years old. It has worked diligently to reduce crime through statewide planning of action programs, by supplying funding on a matching basis to put these programs into operation, and by giving technical help, through the CJC staff, to state and local agencies of the criminal justice system.

In facing the crime problem, we have been aware of both the problems of the past and the hope of the future. The problems remain enormous, but we are meeting the challenge. The mechanism for an effective crime control program has been developed, and it is working.

During the three years since the Criminal Justice Council was formed, hundreds of projects have been funded. Many of them are slow to show tangible results, but some projects have had an impact in reducing the crime rate in their respective communities.

This year the Criminal Justice Council has been restructured to better meet the challenge and to make more effective utilization of the block-grant funding the state receives from the Law Enforcement Assistance Administration.

It is our intention for the state governments to make the optimum contribution to control crime. We feel that the effort thus far attests to that purpose. But the total effort must not be that of government alone.

The crime fight can succeed only to the extent that the people want it to succeed. While the state can give leadership and support, the final result depends on the concern of the individual citizen and on his dedication to finding a solution to our ills.

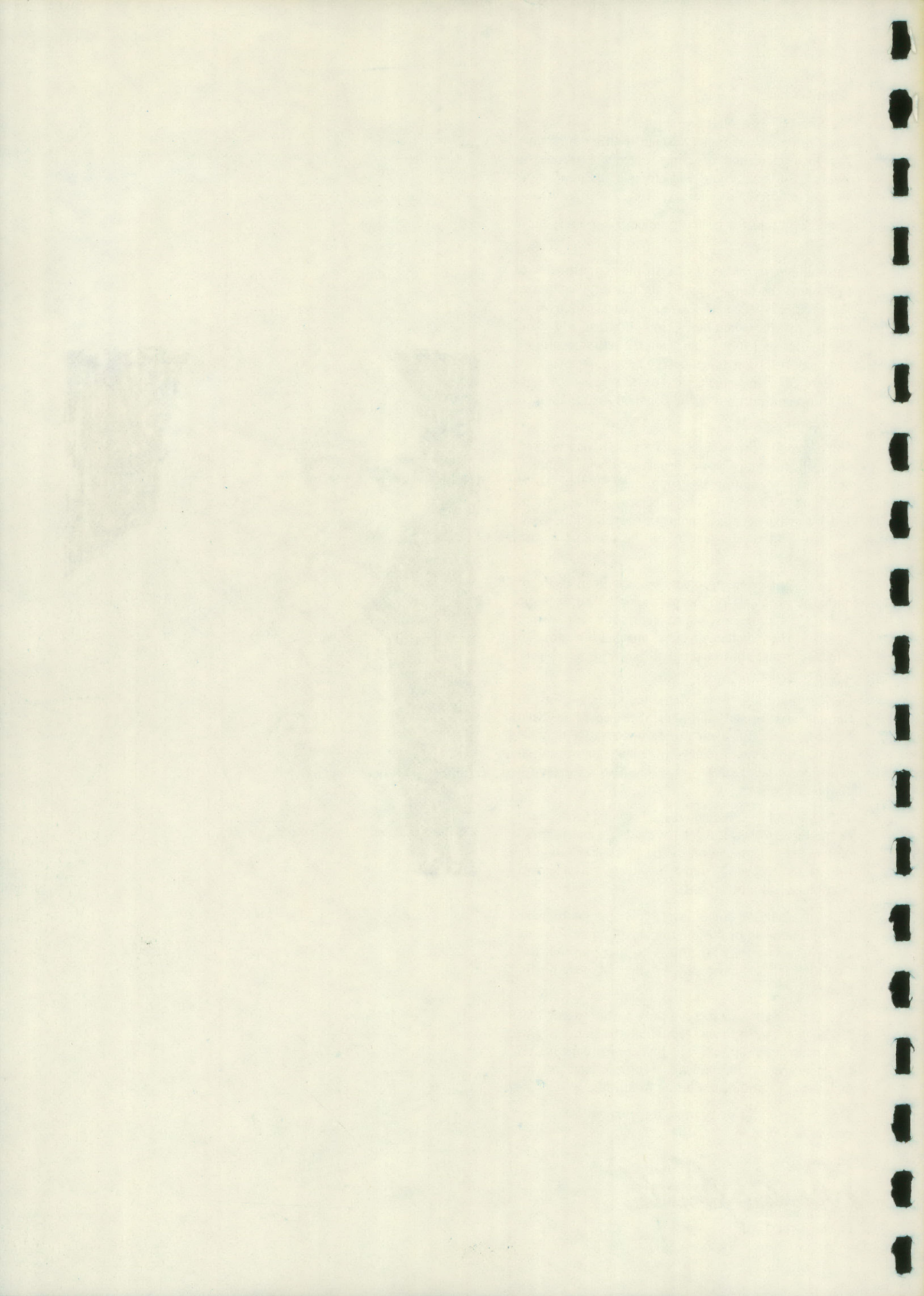
This concern and dedication are what we ask of the people of Texas.

Sincerely,

*Preston Smith*

Preston Smith  
Governor of Texas





During the decade of the 1960's crime in the United States rose 148 percent, while the population increased only 13 percent. In 1970 it was estimated that crime cost Americans more than 50 billion dollars, with organized crime accounting for 19 billions of the total. Such losses can be counted in dollars; but there is no yardstick for measuring the fear, the personal grief, the hopelessness which engulfs large segments of American society as the result of crime.

Small wonder that "law and order" has become a political issue, and the purveyors of rhetoric speak of taking up weapons in the "war on crime." But the term "law and order," if not overworked to the point of becoming meaningless, has come to have an unpleasant ring, perhaps suggestive of hard-nosed enforcement at the expense of individual rights. The "war on crime" has equally unsavory connotations, indicative of approaching the problem with "attack-and-destroy" methods, when the only effective way is through meticulous planning and careful building.

In stating the goals of this *1972 Criminal Justice Plan for Texas*, therefore, let us eschew the hackneyed phrases in favor of a new rhetoric: "social order with justice."

Controlling crime to achieve social order with justice calls for a long-term effort, with no satisfactory way of assessing results immediately. It is a program of building, based on solid planning, during which the incorrigibles of old give way to a new crop of youth who, if the job is done well, will have had greater advantages and will be better prepared for citizenship.

Granted the immediate crime problem demands improved police training and better methods; speeded-up court procedures and more equitable judgements; correctional systems which stress rehabilitation instead of punishment, which equip the convicted offender for building a useful life in society upon his release rather than turn him out embittered and bent on avenging himself against society by committing more crime.

But crime prevention and control demand not just more efficient law enforcement, faster courts, and improved correctional methods; they also demand a long-range adjustment of attitudes and values.

The criminality in our society today must be controlled by the criminal justice system. But at the same time the root causes must be identified and eliminated. Ways to detect the "early warning signals" of juvenile delinquency and potentially criminalistic behavior among small children need to be developed and put into use. In such efforts could well be placed the hope of the future.

Still, while we plan for that tomorrow, we must live with the mistakes of yesterday. While we seek to eliminate the causes of crime, we must have police agencies which can function rapidly and efficiently in the detection and apprehension of criminals; we must utilize court systems which can dispense justice speedily and equitably, impressing offenders with the swiftness and certainty of retribution; and we must develop correctional systems which can turn back the rate of recidivism--systems which change dishonest inmates into decent citizens, not first offenders into hardened criminals.

The most pressing need for dealing effectively with the burgeoning crime rate is for public understanding and support. Given this public support, the goal of "social order with justice" may in time be brought within reach.

It is to such a goal this *Criminal Justice Plan for Texas* is dedicated.

*Joe Frazier Brown*  
Joe Frazier Brown  
Executive Director



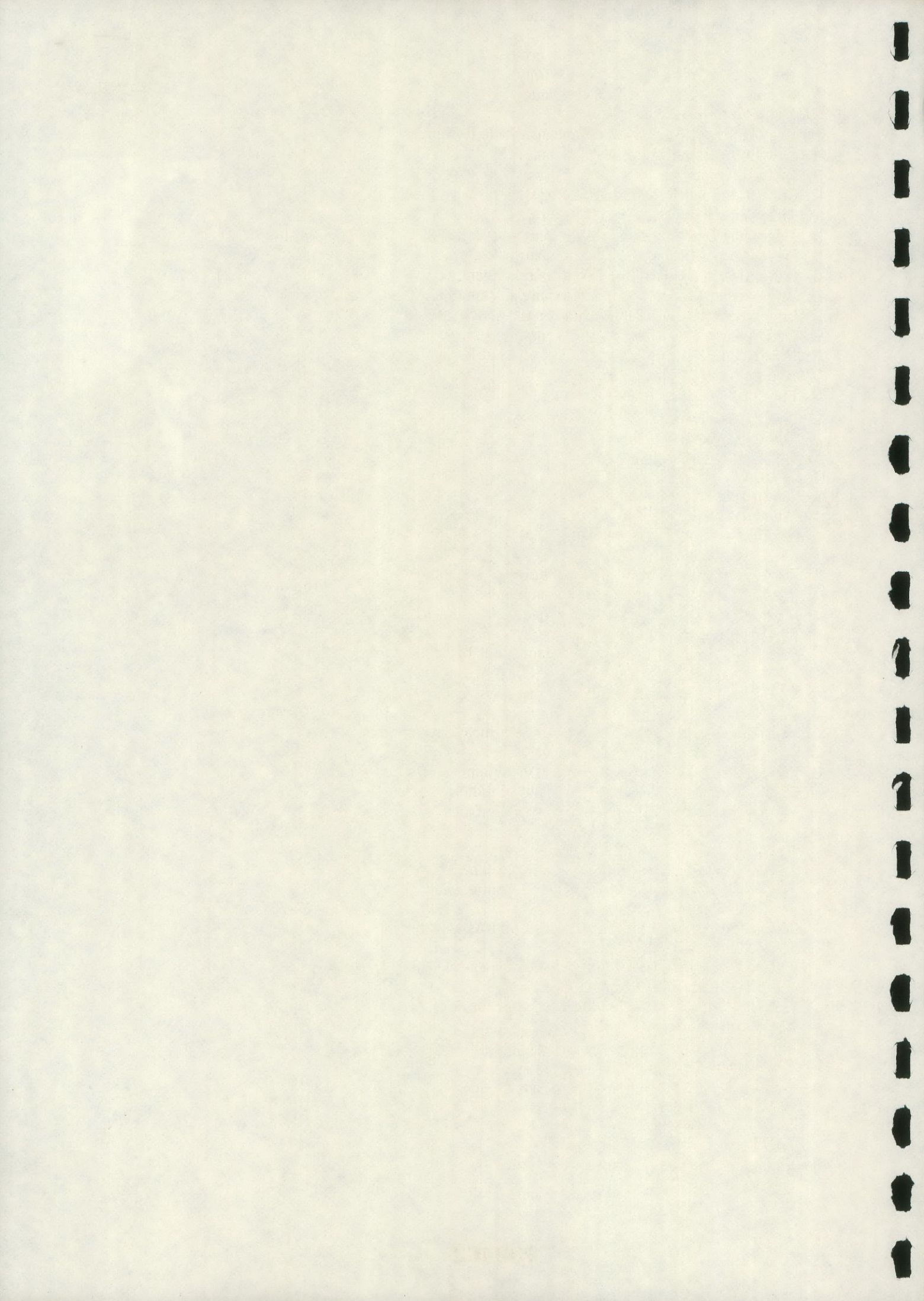


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# I. EXISTING CRIMINAL JUSTICE SYSTEMS AND AVAILABLE RESOURCES





# I. Existing Criminal Justice Systems and Available Resources

## A. LAW ENFORCEMENT AGENCIES

Federal law enforcement agencies in Texas are basically of two types: military and special investigation.

### 1. Federal Agencies

Within the military each type exists; however, local law enforcement agencies usually will deal with the local military police through base commanders. Units such as Army and Air Force Intelligence, Naval Intelligence, and the Criminal Investigation Division work with local agencies on request. The intelligence units deal primarily with personnel security work. CID handles general investigations on military reservations.

In the special investigation category the Federal Bureau of Investigation is responsible for most general federal statute violations and the interstate violations. There are four offices in Texas--Dallas, El Paso, Houston, and San Antonio--which serve local law enforcement agencies upon request and within jurisdictional limitations. Crime laboratory services, uniform crime reports, national crime information service, and specialized training are a part of this bureau's service to local agencies.

Other specialized units that may assist local agencies are the Bureau of Narcotics and Dangerous Drugs, Dallas; the Office of Immigration and Naturalization Service, San Antonio; the Border Patrol; the Secret Service, which handles counterfeiting, presidential security, and select gun laws; United States-Texas Department of Agriculture, which maintains border fruit and vegetable check stations; postal inspectors, federal marshals, and Internal Revenue Service Intelligence.

Other agencies of government have specialized law enforcement functions but usually are not considered a part of the capability for assisting local agencies.

The organization, manpower deployment, and investigations conducted are flexible within the federal agencies; consequently, their numbers continually change as the needs occur.

#### a. Office of the Governor

### 2. State Agencies

The Governor is charged with the duty of causing the laws to be executed and is granted the power to call forth the militia to suppress insurrections and repel invasions. The Legislature has authorized his assuming command and directing the activities of the Department of Public Safety to cope with public disaster, riot, or insurrection and to meet any dangerous resistance to the enforcement of the laws.

The Governor conducts in person, or in such a manner as prescribed by law, all intercourse and business of the state with any other state and with the United States. He requisitions fugitives from justice and may offer rewards for the apprehension of criminals.

In the area of executive clemency, the Governor may, on recommendation of the Board of Pardons and Paroles, grant reprieves, commutations of punishment, and pardons, and may remit fines and forfeitures. On his own initiative, he may grant one reprieve, not to exceed 30 days in a capital case, and revoke paroles and conditional pardons.

The Governor is designated as the state's chief planning officer. Thus governmental planning programs and action programs are administered, coordinated, and reviewed by the Governor's staff.

*(1). The Criminal Justice Council*

Pursuant to Sections 203(a) and 203(b) of the Omnibus Crime Control and Safe Streets Act of 1968 (as amended), referred to hereafter as the Act, the Governor of the State of Texas established by Executive Order of October, 1968, the Criminal Justice Council as follows:

To develop, in accordance with Part C, a comprehensive statewide plan for the improvement of law enforcement throughout the State;

To define, develop, and correlate programs and projects for the State and the units of general local government in the State or combinations of States or units for improvement in law enforcement; and

To establish priorities for the improvement of law enforcement throughout the State.

In October, 1971, the Governor of Texas issued an executive order to carry out these responsibilities, to reorganize the Criminal Justice Council in order to secure more broad based inputs and establishing a ten-member Criminal Justice Council Executive Committee pursuant to more efficient conduct of Criminal Justice Council matters.

The new Executive Order charged the Council as follows:

To recommend a comprehensive plan for the improvement of criminal justice throughout the State;

To assist the Governor in matters relating to criminal justice throughout the State;

To recommend the definition, development, and correlation of programs and projects for the State and units of general local government in the State for improvement of criminal justice throughout the State;

To recommend priorities for improvement of criminal justice throughout the State; and

To assist the staff of the Criminal Justice Council in providing testimony before committees of the House of Representatives and Senate of the State of Texas to secure passage of legislation for the improvement of the criminal justice system.

The Governor is chairman and chief administrative officer of the Criminal Justice Council. His responsibilities in this program include:

The creation of the state planning agency for criminal justice;

The appointment of state and local members to the Criminal Justice Council;

The appointment of state and local members of the Criminal Justice Council to the ten-member Criminal Justice Council Executive Committee;

The chairmanship of the Council;

The selection of the executive director of the state planning agency;

The final authority of all actions taken by the state planning agency.

The criminal justice comprehensive planning and grant administration functions in Texas, therefore, reside under the executive branch of the state government. The administration of this function is carried out by a division of the Office of the Governor (Criminal Justice Council staff) under the direction of an executive director.

The Governor, the Criminal Justice Council staff, the Criminal Justice Council Executive Committee, and the Criminal Justice Council have the responsibility for planning and coordinating criminal justice activities in the implementation of the provisions of the Act in Texas. These functions include the preparation and development of a comprehensive criminal justice plan for the state, and the development and correlation of action projects and programs under that plan.

The specific responsibilities of the Criminal Justice Council Executive Committee are as follows:

Recommend the funding of planning and action grant applications;

Recommend the annual plan of the Texas Criminal Justice Council for approval and submission to the Law Enforcement Assistance Administration;

Provide support and assistance to the Executive Director and staff of the Criminal Justice Council;

Appoint such subcommittees, with the advice and consent of the Governor, as are deemed necessary and appropriate to provide assistance to the Executive Committee, Executive Director and staff of the Criminal Justice Council, the Criminal Justice Council, and Governor.

To assist in providing testimony before the House of Representatives and Senate of Texas for legislation for the improvement of the criminal justice system.

The Criminal Justice Council shall be subject to the jurisdiction of the Governor of the State of Texas.

Members of the Criminal Justice Council shall serve without compensation, but shall be reimbursed from funds made available to the Council for reasonable and necessary expenses incurred in performing their duties.

The members of the Council who serve because of their position in the above-named state agencies shall serve from the date of their appointment or election to office to the expiration of their appointment or election.

The members from state and local criminal justice agencies, units of general local government, public agencies maintaining programs to reduce and control crime, and other interested citizens shall serve for three- (3) year

terms. The initial appointment shall be designated at one-third for one-year terms, one-third for two-year terms, and the remainder for three-year terms.

The Governor shall also fill by appointment for the unexpired term any vacancy on the Criminal Justice Council caused by death, resignation, or inability to serve for any reason. Members shall serve until the successor is appointed and has accepted such appointment. All members of the Council shall serve at the pleasure of the Governor.

*(2). Texas Organized Crime Prevention Council*

The Texas Organized Crime Prevention Council was created by executive order of the Governor of Texas on March 7, 1970. Members of the council are appointed by the Governor and are representative of state, local, and federal operating agencies responsible for prevention, detection, and prosecution of organized crime.

The duties of the Organized Crime Prevention Council include the following:

To foster coordination among operating law enforcement and regulatory agencies active against organized crime in Texas.

To advise the Governor, the Criminal Justice Council, and the Legislature concerning matters pertaining to organized crime prevention and control.

To evaluate and report at regular intervals on the state's efforts against organized crime.

To acquaint the public with the dangers of organized crime and to assist the public in protecting itself from organized crime.

The Organized Crime Prevention Council meets regularly; and, in addition, the council has appointed operating committees of line personnel from law enforcement and regulatory agencies to deal with special problems in organized crime control.

Staff aid is provided by the Criminal Justice Council staff, Office of the Governor.

Expenses are paid from planning funds available under the Act and the applicable state matching monies. The estimated expenditure for the council during 1971 is \$7,500.

Current members of the Organized Crime Prevention Council are:

Colonel Wilson E. Speir, director, Texas Department of Public Safety, co-chairman; Crawford Martin, attorney general, co-chairman; Carol Vance, district attorney, Harris County; Frank Dyson, chief of police, Dallas; Henry Wade, district attorney, Dallas County; Herman Short, chief of police, Houston; Marvin Ted Butler, district attorney, Bexar County.

b. Department of Public Safety

*(1). Historical Development*

The Texas Department of Public Safety (DPS) was created by the 44th Texas Legislature in 1935 to provide better organized and more efficient state participation in law enforcement. The statute states: "There is hereby

created a Department of Public Safety--in which is vested the enforcement of the laws protecting the public safety and providing for the prevention and detection of crime."

DPS has grown from three small divisions in 1935--the Texas Rangers, the Texas Highway Patrol, and the Headquarters Division--to two line divisions and six staff and headquarters divisions with numerous bureaus and sections.

*(2). Responsibilities*

DPS is charged with the responsibility of enforcing laws relating to the operations of motor vehicles; criminal law enforcement in cooperation with local authorities; educating citizens in public safety and law observance; police training; collection and maintenance of police records; scientific crime detection; and maintenance of a statewide police communications system.

DPS also is required by statute to perform certain important functions for or involving other law enforcement agencies. Five of these cooperative and supportive functions are crime prevention and public education, criminal records, communications, police officer training, and crime laboratory examinations. The specific statutory authority and requirements for the performance of these functions are contained in subsection 8.

*(3). Authority of DPS Officers (citations reference Vernon's Annotated Civil Statutes)*

*Article 4413(7):* "The Director, under the direction of the Commission, shall issue commissions as law enforcement officers to all members of the Texas Rangers, to all members of the Texas Highway Patrol, and to such other officers of the Department as may be employed by the said Department."

*Article 4413(11) (4):* "The officers shall be clothed with all the powers of peace officers, and shall aid in the execution of laws."

*(4). General Statement of DPS Administration*

*(a). Administrative Control.* The control of DPS is vested in a public safety commission of three members, each of whom serves a six-year term with one member's term expiring each two years. Commission members are appointed by the Governor with the advice and consent of the Senate. The commission names the director and the assistant director.

The director, with the approval of the commission, is authorized to organize and maintain within the department such division of services as is deemed necessary for the efficient conduct of the work of the department. The director has the overall responsibility of administration of programs and activities. The immediate staff of the director is made up of the assistant director, the chief of criminal law enforcement, the chief of traffic law enforcement, the chief fiscal officer, general counsel, public information officer, headquarters communications supervisor, and the chiefs of the six major headquarters divisions. The director, Colonel Wilson E. Speir, is a member of the Criminal Justice Council and the Criminal Justice Council Executive Committee.

*(b). General Doctrines and Policies.* DPS, by policy statement, recognizes that the basic responsibility for the enforcement of the criminal laws rests

with the local officers in their respective jurisdictions. It is the policy of DPS to cooperate with and assist local officers in these matters, but to leave the basic responsibility to them unless specifically assigned to do otherwise.

It is the policy of DPS to assume primary responsibility for police traffic services on the rural highways and to cooperate with and assist local officers when they do such work. The responsibility for the discharge of this function includes the regulation of commercial traffic.

DPS will cooperate with all governmental agencies in compliance with state law and departmental policies and regulations.

It is the policy of DPS to assign available manpower in any field service to the areas of the state in proportion to need.

*(c). Separation of Basic Activities.* The basic functions of the department can be divided into two broad categories—the police function and the nonpolice or regulatory function. The police function involves the detection, apprehension, and arrest, with or without warrant, of violators of traffic and criminal laws; making of investigations related thereto; filing of necessary charges in court; handling of prisoners so arrested, to bring them to the appropriate court; and testifying in court. The regulatory function involves the administration of programs for regulating the exercise of the privilege of operating a motor vehicle on the highways. Some examples of the regulatory function include activities such as testing of driver qualifications upon application for license; exercising post-licensing control of drivers through interview, reexamination, and suspension.

The organization chart at the end of this section and the foregoing explanation of the method of administration summarize the general organization and administration of DPS.

#### *(5). Programs of DPS*

Functionally, programs of DPS fall into three general classes: street and highway traffic management, crime suppression and control, and disaster and emergency control.

The programs of DPS can be discussed best in relation to the kinds of functions that are performed in the programs. Four functional departmental programs and the divisions that are carrying out these programs are shown as follows:

Traffic law enforcement function – Highway Patrol Service, License and Weight Service, Motor Vehicle Inspection Service (limited).

Criminal law enforcement function – Narcotics Service, Intelligence Service, Texas Ranger Service.

Administrative and regulatory functions – Drivers License Service, Driver and Vehicle Records Division, License Issuance and Driver Records Bureau, Driver Improvement and Control Bureau, Safety Responsibility Bureau, Motor Vehicle Inspection Records Bureau, Statistical Services Bureau of the Personnel and Staff Services Division (accident records function only), Motor Vehicle Inspection Service (primary responsibility), regulation of commercial driver training schools.

Staff support and supplemental functions – Inspection and Planning



Division, Personnel and Staff Services Division, Identification and Criminal Records Division (supplement and support other police also), Safety Education Service, Accounting and Budget Control Section, Motor Carrier Lease Section, public information officer, Communications Center, general counsel, Communication Service, Data Processing Division, defense, and disaster relief.

(6). *Personnel*

Total appropriated positions for DPS in recent years have gradually increased from 2,723 in 1967 to approximately 4,000 in 1972.

**TABLE I**  
**Department Allocation of DPS Personnel by**  
**Major Categories in Recent Years**

	1969	1970	1971	1972*	1973*
Criminal Law Enforcement	117	162	194	250	250
Traffic Law Enforcement	1,487	1,517	1,555	1,703	1,828
Law Enforcement Admin.**		14	14	14	14
Total Law Enforcement	1,604	1,693	1,763	1,967	2,092
Drivers License Patrolmen	365	365	365	365	365
Other Personnel	1,620	1,658	1,660	1,729	1,748
Total Department	3,589	3,716	3,788	4,061	4,205

\* Requested

\*\*Included in prior two categories before 1970.

(7). *Scope of Department Problems*

The major resources of DPS are devoted to protecting the public in areas other than criminal law enforcement. Therefore, to assess the relative magnitude of DPS responsibilities, and the contribution which the department can be expected to make in the areas of criminal law enforcement, it is useful to note the trends within the major areas of department responsibility.

The estimated total of 469,062 index crimes committed in Texas in 1970 represents an increase of 36,811 crimes over 1969, or a rate increase of 8.5 percent compared to the 15.9 percent increase in 1968. Indications are that this trend will continue. Traffic in narcotics and dangerous drugs is showing an enormous increase in Texas, particularly in the public schools and colleges. The threat of civil disturbances has become increasingly grave and requires that proper equipment be kept in readiness, together with continuous training and intelligence activity.

The responsibilities of the department in the field of highway traffic management are increasing rapidly.

(8). *Cooperative Responsibilities (Statutory)*

Article 4413, *Texas Revised Civil Statutes*, requires the Department of Public Safety to perform certain important functions for or involving other law enforcement agencies. The statutes covering five of these functions are listed below.

(a). *Crime Prevention and Public Education.* "Article 4413(4) *Duties and Powers of the Commission.* The Commission shall formulate plans

and policies for . . . the prevention of crime . . . and for the education of the citizens of the State in the promotion of public safety and law observance.”

“Article 4413(17) *The Bureau of Education*. (4) A comprehensive plan shall be established and carried out for the education of the citizens of this State in matters of public safety and crime prevention and detection.”

(b). *Law Enforcement and Criminal Justice Reports and Records*. “Article 4413(14) *The Bureau of Identification and Records*. (1) . . . This Bureau shall procure and file for record, photographs, pictures, descriptions, fingerprints, measurements, and such other information as may be pertinent, of all persons who have been or may hereafter be convicted of a felony within the state, and also of all well-known and habitual criminals wherever the same may be procured. The Bureau shall collect information concerning the number and nature of offenses known to have been committed in that state, of the legal steps taken in connection therewith, and such other information as may be useful in the study of crime and administration of justice. It shall be the duty of the Bureau to cooperate with the Bureaus in other states, and with the Department of Justice in Washington, D.C. It shall be the duty of the Chief of the Bureau to offer assistance, and, when practicable, instruction to sheriffs, chiefs of police, and other peace officers in establishing efficient local bureaus of identification in their districts.”

(c). *Law Enforcement and Criminal Justice Communications*. “Article 4413(15) *The Bureau of Communications*. (2) This Bureau may, when funds are provided, install and operate a police radio broadcasting system for the broadcasting of information concerning the activities of violators of the law, and for the directing of the activities and functions of the law enforcement agencies of the State, the counties and the municipalities. It shall cooperate with county and municipal police authorities and the police radio stations, in this State and other States. (3) The Bureau shall establish and operate a State Roads Blockade System, in coordination with State, county and municipal law enforcement agencies. (4) This Bureau shall provide for the rapid exchange of information, concerning the commission of crimes and detection of violators of the law, between the law enforcement agencies of the State, its counties and municipalities and other states and the national government.”

(d). *Police Officer Training*. “Article 4413(17) *The Bureau of Education*. (3) This Bureau shall establish and operate schools for the training of county and municipal police officers who have been selected to attend such schools by the authority of the law enforcement agencies by which they are employed.”

(e). *Crime Laboratory Examinations*. “Article 4413(14) *The Bureau of Identification and Records*. (2) The Bureau shall make ballistic tests of bullets and firearms, and chemical analyses of bloodstains, cloth, materials and other substances, for the officers of the State charged with law enforcement.”

c. The Adjutant General

The Adjutant General of Texas was established by the Legislature in 1905. (Article 5787, *Vernon's Annotated Civil Statutes*). The current Adjutant General replaced the old office of the Adjutant General which was first created in 1836 by the Republic of Texas and existed intermittently from then until 1905. The chief functions of the department are to direct and administer the military activities of the state in time of peace, as directed by the Governor.

In the field of law enforcement, the mission of the department is "On order of the Governor, to provide state military forces to assist civil authorities in preserving peace, order, and public safety." The Adjutant General is a major contributor to state riot and disorder control plans and has developed plans for emergencies that might arise in various parts of the state. Military support for civil authority throughout the state is supplied by the Adjutant General.

The Adjutant General is appointed by the Governor with the concurrence of the Senate. Civilian personnel and troops under his command are organized into the Texas National Guard, composed of the Army National Guard and the Air Guard and the Texas State Guard. The Texas National Guard is a part of the nationwide National Guard System, and the State Guard is strictly a state force to be used when the National Guard has been called into federal service or when the Governor deems it necessary otherwise to use the State Guard.

The current authorized peacetime strengths of the various components of the Adjutant General's Department and their actual strength as of September 10, 1970, are shown below:

	Authorized	Actual (9/10/70)
Texas Air Guard	2,881	3,061
Army National Guard	17,382	17,574
Texas State Guard	6,470	3,547

d. Commission on Law Enforcement Officer Standards and Education

This commission was created by act of the 59th Legislature in 1965 to strengthen and improve law enforcement officer training in Texas, and to conduct and encourage research in this field. The agency's policies and standards are set by a commission composed of 12 members; these policies and standards are then implemented by the executive director and seven instructional service consultants.

The 61st Legislature in 1969 strengthened the act by giving the commission the authority to establish minimum educational training, physical, mental, and moral standards for admission to employment as a peace officer in a permanent or temporary status. This provision became effective September 1, 1970. Penal sanctions may be invoked against persons taking employment or employing officers who do not meet the minimum standards.

The commission is authorized to certify law enforcement training and education programs as having attained the minimum required standards to be established by the commission; certify instructors as having qualified as law enforcement officer instructors under conditions set by the commission; direct research in the field of law enforcement and accept grants for such

purposes; recommend curricula for advanced courses and seminars in law enforcement training in junior colleges and in institutions of higher education at the request of the Coordinating Board, Texas College and University System; and contract with persons or other agencies, public or private, for such services, facilities, studies, and reports as it requires to cooperate with city, county, state, and federal law enforcement agencies in training programs.

Five consultants work primarily in the area of police training, serving as guest instructors, and consultants on curricula and program development. This service is provided to regional councils, police training academies, cities, and counties, at no cost to the unit of local government. By geographic assignment, these consultants become familiar with the problems and needs pertinent to the individual areas of the state.

Two consultants are assigned principal duties with junior and senior colleges in the state, providing consultant services to colleges and universities at no cost to the institution. These educational consultants have the primary duties of assisting in implementing degree programs in law enforcement, and in strengthening the existing degree programs in Texas. In addition, these consultants also work with local school districts and the Texas Education Agency in establishing police education courses in high schools.

The executive director of the commission is a member of the Criminal Justice Council.

e. Texas Alcoholic Beverage Commission

The Texas Alcoholic Beverage Commission (formerly the Texas Liquor Control Board) was created upon the repeal of prohibition to regulate the alcoholic beverage industry. It has three main functions:

The licensing and regulation of manufacturers, wholesalers, and retailers of alcoholic beverages;

The collection of alcoholic beverage taxes, licenses, and fees; and

The enforcement of the laws relating to the operations of alcoholic beverage businesses and consumption.

The commission has an enforcement division composed of 201 sworn peace officers.

A major part of the commission's activity involves regulation, licensing, and collection of taxes and fees. In addition, it regulates the manufacture, transportation, and sale of alcoholic beverages, and licensing of the alcoholic beverage industry.

f. Office of the Consumer Credit Commissioner

The Office of the Consumer Credit Commissioner was created in 1967 by legislative enactment of the Consumer Credit Code. (Article 5069-2.02 *Vernon's Annotated Civil Statutes*).

The Office of the Consumer Credit Commissioner superseded the Texas Regulatory Loan Commission, established in 1963 by the Regulatory Loan Act.

The Office of the Consumer Credit Commissioner licenses and otherwise regulates makers of small loans and, in addition, enforces state laws pertaining to installment loans, secondary mortgage loans, and retail installment sales. The office has responsibilities to educate the public about consumer debt and to enforce state laws against deceptive trade practices.

The 61st Legislature gave the consumer credit commissioner the authority to investigate violations of state statutes pertaining to the vending machine industry and its relationships with businesses selling or serving alcoholic beverages for on-premises consumption: (Article 13.17, Title 122A, Taxation - General, *Vernon's Annotated Civil Statutes*, as amended, 61st Legislature, effective September 1, 1969).

The commissioner of consumer credit is appointed by the State Finance Commission, which is appointed by the Governor with the concurrence of the Senate. The commissioner appoints the employees of his office.

Currently, the Office of the Consumer Credit Commissioner employs 45 persons; 20 of them are examiners stationed in Texas' major metropolitan areas.

The operating budget for the Office of the Consumer Credit Commissioner for calendar year 1971 was \$675,726. The office operates entirely on license and other fees collected from its operations.

g. Other State Agencies

(1). *Texas Board of Private Detectives, Private Investigators, Private Patrolmen, Private Guards, and Managers.*

This board was created in 1969 by the 61st Legislature:

*Vernon's Annotated Civil Statutes*

Article 4413(29bb). The Board is responsible for examining the qualifications and licensing of private detectives, investigator patrolmen, guards, and managers of such services operating in Texas. The Board may deny or revoke licenses for reasons specified in Article 4413.

Members of the Board are appointed as follows:

The director of the Department of Public Safety, or his designated representative, and the attorney general of Texas, or his designated representative, are *ex officio* members.

The Governor appoints, with the advice and consent of the Senate, a chairman of the board who is a Texas resident and a U.S. citizen.

The Governor appoints, with the advice and consent of the Senate, three members who have had experience as public or private law enforcement officers.

Board members serve for terms of two years. The board is authorized to hire an administrative staff.

(2). *Texas Criminal Justice Council*

The Criminal Justice Council oversees statewide planning for criminal justice

improvement and administers a grant program for planning and action projects under the Act.

### 3. County Agencies

#### a. Sheriffs

##### *(1). Historical Development*

The sheriff is a constitutional law enforcement officer in the State of Texas. He has broad police authority and is the primary law enforcement officer in each county. Although the sheriff is elected to his office within each county, the sheriff's office is an agency of state government; the sheriff is commissioned by the Governor, and every official act is done in the name of the State of Texas. Since the sheriff is not directly responsible to any other official within a county, the administration of his office is discretionary within the framework of the law.

The State of Texas has 254 counties, each having an elected sheriff. A sheriff's department may range from a sheriff acting alone in the less populous counties to a department of several hundred men in the more populous counties. In addition to his primary role as a law enforcement officer within a county, the sheriff also operates the county jail and handles the civil processes of the county.

##### *(2). Personnel*

In Texas, sheriff's department personnel is selected within the discretionary authority of the incumbent sheriff. Although he may select his deputies, the number of deputies and other assistants and their salaries are determined by the commissioners court. Because of this authority the sheriffs' offices are not included within the framework of state civil service regulations.

The sheriff must submit his budget to the county commissioners court for approval, and must compete with other county agencies for funds to operate his department. All fees and other revenue collected by the sheriff must be deposited in the county's general fund and may not be kept by the sheriff for his operations.

In addition to the regular patrol and investigative functions carried on within the county, the sheriff normally maintains a posse that is used in public relations, emergency, and general duties within the sheriff's department. For example, Bexar County reserves contributed 63,389 man/hours during 1970--sufficient to have had a major impact upon crime within the county.

The civil processes and court services also are major users of man/days; for example, Bexar County served 30,699 subpoenas and warrants in 1970. Statistics for 1971 show a similar trend.

In counties which have major police departments the sheriff's function in terms of crimes handled and arrests made becomes less important in the overall crime picture. In Texas, where a great deal of non-criminal type service is demanded in the rural areas, the development of manpower and scientific deployment is considered least important. Thus, the involvement of local sheriffs in education, scientific management, and the upgrading of records and communications has not had high priority. Those agencies which

are interested in these activities are usually the large departments, reasonably well organized and with adequate financial support.

In the major sheriff's offices there are some informal contracts with the smaller cities within the county to furnish them law enforcement services on a contract basis.

Because of budgetary limitations and inadequate reporting policies, the sheriff's offices are unable to furnish annual statistical data.

#### b. Constables

The constable, an elected precinct official provided for in the constitution, serves as an officer of the precinct justice of the peace court. He is elected to a four-year term and is paid on either a salary basis or a fee basis, depending on the county. The commissioners court of the county determines the amount of compensation and approves the appointment of any deputy constable. The constable is supervised, to a degree, by the justice of the peace he serves, but he works directly with the commissioners court on matters of personnel and budget. He is primarily concerned with the civil process rather than the criminal. However, he is granted broad police powers in some locations and serves as an active law enforcement officer.

#### a. Police

## 4. Municipal Agencies

##### *(1). Historical Development*

From the very inception of organized local government in Texas, the protection of life and property through enforcement of state law and municipal ordinances in urban areas has been a basic responsibility of municipal government. Texas cities and towns are given legal authority by state law and home-rule charters to establish police forces to discharge this responsibility. In general-law cities (those of 5,000 population or less), the elective office of city marshal is created by state statute. The statutes also provide that cities may create, by ordinance, the office of police chief and provide such additional police officers as they deem necessary. Police departments in home-rule cities (those above 5,000 population which have adopted their own charters) are governed by the legal authority provided in their respective charters.

##### *(2). Administration*

In all major cities in the State of Texas the chief of police is appointed to office by the chief executive of the city. This procedure also applies to the majority of the smaller incorporated cities; however, infrequently the city charter provides that the chief of police will be elected.

The purpose of the police function is to coordinate the efforts and capacities of people engaged in providing protection from the criminal element. The greater the size and complexity of the policing task, the more necessary it becomes to employ techniques such as allocation of responsibility and span of control to oversee the work of the police function. Size and specialization make it impossible for the chief to supervise personally all of the activities under his command. Efficient concepts of organizations, therefore, become

vital to the productive performance of police duties.

Police departments are organized to attain the basic objective of protecting life and property, and attempt to achieve these specific goals: prevention of criminality, repression of crime, apprehension of offenders, recovery of property, and regulation of noncriminal conduct. Three major tasks are performed in pursuit of these goals (with various subdivisions of each): law enforcement, traffic regulation, and crime prevention. The detailed administrative activities necessary in carrying out these tasks are usually classified into three broad categories: line, staff, and auxiliary. Line functions include crime investigation, patrol, juvenile crime control, traffic control, and vice control. Staff functions are planning, directing, control, finance, personnel, training, and public relations. Auxiliary functions include records management, property maintenance and control, communications, jail duties, laboratory services, and similar activities.

### *(3). Organization and Workload*

Texas municipal police departments are almost all organized in the traditional structural form as alluded to in the publication, *Municipal Police Administration*, of the International City Manager's Association.

### *(4). Personnel*

A major problem confronting Texas police agencies today is that of competing with industry for qualified personnel. This problem is not unique to Texas, since Texas manpower and salary figures compare favorably with the national average.

State legislation in Texas authorizes municipalities of 10,000 population or more to adopt civil service for policemen on a local option basis. Home-rule cities also may adopt local civil service systems on legal authority contained in their own charters.

In Texas about 33 cities have adopted state civil service for their police; at least two of the larger cities, Dallas and El Paso, operate under local civil service systems. In many of the smaller cities the departments have no civil service program.

### *(5). Budget*

Police department budgets are recommended by the chief executive of the city and approved by the council or commission. State civil service laws, for cities operating under them, establish criteria which set minimum salaries of the lowest grade of patrolman, and promotional criteria for all grades except that of the chief of police.

## **b. Model Cities**

Eight Texas cities are participating in the Model Cities Program, established by Title I of the Demonstration Cities and Metropolitan Development Act of 1966.

Participation in the Model Cities Program gives these cities augmented planning capabilities in the areas of education, health, housing, income



maintenance, social services, employment, economic development, transportation, physical environment, urban design, historic preservation, relocation, and—especially important for the purposes of this plan—crime and delinquency prevention and control.

In addition, the cities have grants of federal action money (known as “supplemental” funds) which can be used to pay for projects in any of the areas above. These funds also may be used as local match for other federal grant funds, such as those available under the Act or the Juvenile Delinquency Prevention and Control Act of 1968.

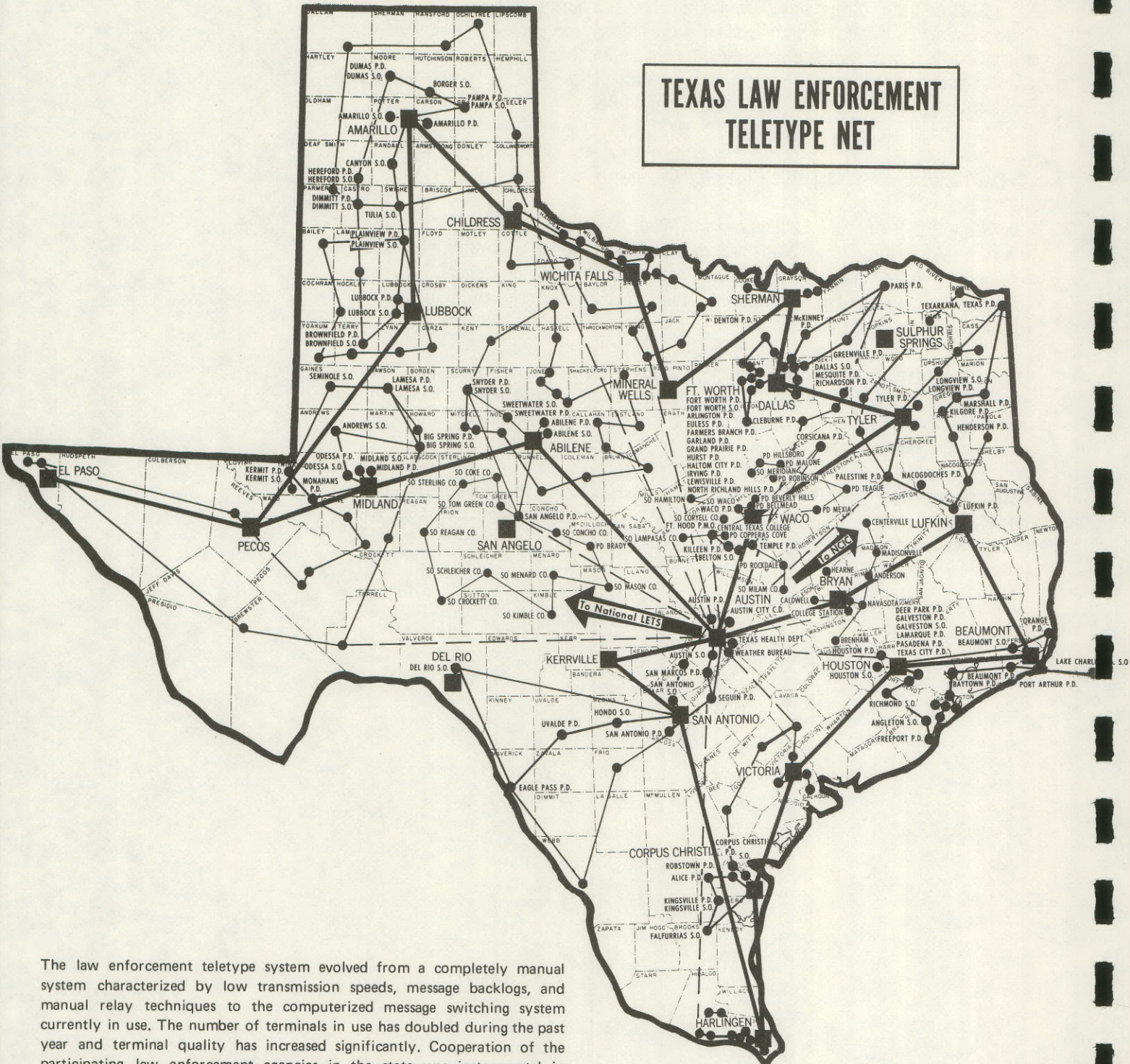
c. Law Enforcement Officers - Interlocal Assistance

The Law Enforcement Officers - Interlocal Assistance Act (Article 999b., *Vernon's Annotated Civil Statutes*), authorized cities and counties in Texas to make their law enforcement officers (police, marshals, sheriffs, constables) available for assistance to any other city or county in the case of civil disorder or natural disaster.

Law enforcement officers become, under provisions of this act, fully empowered peace officers of the local government which they are assisting. They are to be under the command of the officer in charge of the unit of government being assisted.

Officers serving outside their employer jurisdictions are to receive their wages, travel expenses, clothing, and disability and medical coverage from the government employing them; but the employing government is to be reimbursed by the government assisted upon request.

# TEXAS LAW ENFORCEMENT TELETYPE NET



The law enforcement teletype system evolved from a completely manual system characterized by low transmission speeds, message backlogs, and manual relay techniques to the computerized message switching system currently in use. The number of terminals in use has doubled during the past year and terminal quality has increased significantly. Cooperation of the participating law enforcement agencies in the state was instrumental in implementing the existing system and that same cooperation will assist in maintaining a modern and effective law enforcement teletype communications system.

## B. JUDICIAL AGENCIES

### a. Court of Appeals for the Fifth Circuit

This appellate court is sited at New Orleans, Louisiana, and holds regular sessions in Fort Worth, Texas, on the first Monday of November of each year. It is composed of a chief judge, three senior circuit judges, and eleven circuit judges. The chief judge, one senior circuit judge, and two circuit judges are from Texas.

### b. District Court

The district court in Texas has four districts which are the Northern District at Dallas, the Eastern District at Beaumont, the Southern District at Houston, and the Western District at San Antonio. The Northern District has a chief judge and four judges; the Eastern District a chief judge and one judge; the Southern District a chief judge and six judges; the Western District a chief judge and four judges.

These courts have original jurisdiction, exclusive of the courts of the states, of any action or proceeding for the recovery or enforcement of any fine, penalty, or forfeiture, pecuniary or otherwise, incurred under any act of Congress.

The terms of court for the Eastern and Western districts are fixed by Section 108 of the *Judicial Code*: Title 28, Sections 124 and 138, *United States Code Annotated*. The terms of court for the Northern and Southern districts have been abolished and sessions are held at the convenience of the judges.

#### (1). *Commissioners*

Each of the four district court districts has commissioners. The Northern District has eight commissioners, the Eastern District six, the Southern District eight, the Western District eighteen.

#### (2). *Prosecution*

Each of the district court districts has a United States attorney with a staff commensurate with its case load.

#### (3). *Defense*

The United States does not have a public defender system and the judge appoints qualified local counsel to represent indigents before his court. The court-appointed counsel is compensated for his services.

### a. Courts

Texas, unlike most states in the United States, has two courts of final

## 1. Federal Agencies

## 2. State Agencies

jurisdiction: The Supreme Court of Texas hears only civil cases (including decisions under juvenile statutes) and the Court of Criminal Appeals hears only criminal cases.

*(1). Supreme Court*

The Supreme Court of Texas was established in 1876 by Article V, Section 2, Constitution of the State of Texas. It is composed of a chief justice and eight associate justices who are elected for six-year overlapping terms. Each must be a citizen of the United States and of Texas and at least 35 years of age, with at least 10 years as a practicing lawyer or a lawyer and judge of a court of record together. The chief justice receives an annual salary of \$33,500 and each of the eight associate justices of \$33,000.

*(2). Court of Criminal Appeals*

The Court of Criminal Appeals was established in 1891 by Article V, Section 4, of the Constitution of the State of Texas. It superseded a court of appeals which had both civil and criminal jurisdiction and which had existed from 1876 to 1891. In 1966, a revision of Article V, Section 4, increased the number of judges from three to five, one of whom must be presiding judge. Their qualifications are the same as those required of members of the Supreme Court of Texas. They are elected for six-year overlapping terms. The presiding judge receives an annual salary of \$33,500, each of the four other judges \$33,000. The Legislature, during the 1971 regular session, provided for the designation and appointment of certain retired appellate judges or district judges, or active appellate judges or district judges, to sit as commissioners of the Court of Criminal Appeals. This legislation was amended during special session, immediately following the regular session, to provide for appointing a commission composed of two attorneys-at-law, having those qualifications for the judge of the Court of Criminal Appeals. The Legislature provided appropriations only for the commission. The commissioners receive an annual salary of \$33,000.

There is no intermediate appellate court for criminal cases.

*(3). Court of Civil Appeals*

The Courts of Civil Appeals were established in 1891 by Article V, Section 6, of the Constitution of the State of Texas. There are 14 such courts, each of which has a chief justice and two associate justices. These courts are numbered according to their respective geographical districts. Each court has jurisdiction to hear appeals from the trial courts within its district. Qualifications for the justices are the same as those required of members of the Supreme Court of Texas. They are elected to six-year overlapping terms. Each receives an annual salary of \$30,000.

Jurisdiction of the courts is limited to civil cases, including decisions under juvenile statutes.

*(4). District Courts*

The district courts were established in 1876 by Article V, Section 7, of the Constitution of the State of Texas.

Each judge is elected and must be a citizen of the United States and Texas.

He must have been a practicing lawyer and/or judge of a court for four years, and a resident of the district in which he was elected for two years, both immediately preceding his election. Each judge is elected for a term of four years and receives an annual salary from the state of \$22,000, which in many instances is supplemented by funds from the counties in his judicial district.

A total of 217 district and criminal district courts has been created, identified by separate numbers except where specifically statutorily designated by name, each having its own judge and statutory geographical jurisdiction; i.e., district. One of these courts does not become effective until January 1, 1973. While most district courts exercise both civil and criminal jurisdiction, some, by statutory provision, have exclusive criminal jurisdiction, or designated preference of criminal jurisdiction. Further, the Code of Criminal Procedure provides that district courts and criminal district courts shall have original jurisdiction in criminal cases of the grade of felony. A limited number have had their normal jurisdiction expanded by statute to include subject matter normally within the county court jurisdiction (except probate and similar functions). The district courts with exclusive jurisdiction or designated preference of jurisdiction are usually located in the metropolitan areas, while those with expanded jurisdiction are usually in the rural areas. The district court is located at the county seat of each of the counties in its statutory geographical district.

The state is divided into nine administrative judicial districts, in each of which the Governor, with the consent of the Senate, designates one of the district judges to be presiding judge. It is the duty of the presiding judge to call an annual conference, and such special conferences as may be necessary, of the district judges in his administration for "consultation and counsel as to the state of business, civil and criminal, in the several district courts of the administrative district, and to arrange for the disposition of the business pending on the dockets. . . ." It is also the duty of the presiding judge "from time to time, to assign any of the judges of the administrative district to hold special or regular terms of court in any county of the administrative district in order to try and dispose of accumulated business, under such rules as may be prescribed by the session or sessions of the district judges of the administrative district." Judges may also be so assigned when the regular judge of a district court is absent, disabled, or disqualified.

#### *(5). Special Courts*

Courts of domestic relations and juvenile courts are creations of statute and are a result of specialization and jurisdictional limitation to meet the needs of the particular county involved. The judges of these courts are paid exclusively by the county and the salary is determined by the legislature through the statutory creation of the court. Some of the judges have definite salaries set while others have a minimum to maximum salary scale; still others provide for the equivalent to the total (state basis plus local supplement) salary of a district or other judge.

These courts are limited in jurisdiction to one county, and each statute defines the subject matter, scope, and limitation. Each court's statutory authority must be examined to determine the specific qualifications for the office.

The matters heard by courts of domestic relations, of which there are 23, are generally heard by district courts because of their general jurisdiction. These

domestic relations courts may have family law subject matter jurisdiction, and some have juvenile law subject matter jurisdiction as well. The juvenile courts hear matters governed by the statutes pertaining to juveniles. Five "juvenile courts" now have been created in Texas. Juvenile matters are heard by courts in the state by designation of such responsibility. A county court, special county court, district court, or court of domestic relations may be designated as the court in the respective county which will exercise juvenile jurisdiction, and such designation gives exclusive jurisdiction in juvenile matters to that court.

## b. Prosecution

### (1). *State Prosecuting Attorney Before the Court of Criminal Appeals*

The office of the state prosecuting attorney before the Court of Criminal Appeals (hereinafter called state's attorney) was created by Article 1811, *Vernon's Annotated Civil Statutes*, in 1923. He is appointed by the Court of Criminal Appeals for a term of two years and must have had at least five years' experience as a practicing attorney in this state in criminal cases. His annual salary is \$22,000. It is his primary responsibility to represent the state in all proceedings before the Court of Criminal Appeals, the highest appellate court having criminal jurisdiction.

There are no provisions for assistants to the state's attorney and he operates a "one-man office."

It is the statutory duty of the state's attorney to review all cases presented to the Court of Criminal Appeals to determine if they were properly tried and appealed and that all points are sufficiently briefed, and to present the state's point of view to the Court of Criminal Appeals. Sometimes it is necessary for the state's attorney to file supplemental briefs covering legal points and/or presenting other legal points that the local county or district attorney did not present in his brief to the Court of Criminal Appeals. It is also the duty of the state's attorney to argue all cases before the Court of Criminal Appeals when he deems necessary. The case load of the Court of Criminal Appeals is extremely high. It disposed of 955 cases and 672 writs of habeas corpus last year.

As a part of these duties in presenting the cases to the Court of Criminal Appeals, it is often necessary that the state's attorney consult with local county and district attorneys in the trial and the filing of briefs from the trial court.

In addition to the statutory duties, it has become the traditional duty of the state's attorney to be on call for consultation with local district and county attorneys in regard to legal and prosecutorial problems. In addition, the state's attorney is often called upon to consult with local trial judges in regard to the processing of writs of habeas corpus and appellate matters. These duties lead to an estimated 1,000 telephone consultations annually, in addition to numerous personal consultations.

It has also become a traditional duty of the state's attorney to participate in various functions designed to educate and train law enforcement officers and agents. This entails lectures and speaking engagements at various schools, institutes, and training schools, as well as participating in functions such as

the annual Attorney General's Law Enforcement Conference and the annual Prosecutors' Conference sponsored by the Texas District and County Attorneys Association.

*(2). District Attorney*

The Constitution of the Republic of Texas of 1836 provided for the election of a district attorney for each judicial district. The Constitution of the State of Texas, adopted in 1876, empowers the Legislature to provide for the office of district attorney in districts where it is deemed necessary. Since 1876, the Legislature has seen fit to enact statutory provisions which expand, diminish, create, or abolish the particular offices of district attorneys. Each statutory change must be examined to determine the county or counties within the district, the scope of the office, its proper designation, what staff is provided, etc.

The three offices charged with the responsibility of representing the state in criminal litigation are the district attorney, the criminal district attorney, and the county attorney. In most instances, a county is represented by a district attorney and a county attorney, but, if the Legislature has created the office of criminal district attorney for that particular county, such office takes the place of both the district attorney and the county attorney. Conversely, if the Legislature has not created the office of criminal district attorney for a particular county, the Constitution requires that there be a county attorney. In some counties the Legislature has designated the county attorney also to perform the duties of district attorney.

There are presently 69 offices of district attorney and 21 offices of criminal district attorney. Each of these officers is elected for a four-year term by the voters in his district. Each constitutional district attorney and each of the four criminal district attorneys is paid a salary of \$15,000 by the state. Some counties also provide an additional salary supplement. The statutory district attorney and the remaining 17 criminal district attorneys have their salary determined by individual statutes.

With one exception (Harris County) the district attorney and all criminal district attorneys have both criminal and civil jurisdiction. The geographical limits of the jurisdiction must be obtained from the statute creating the particular office.

Where there is both a district attorney and a county attorney, with the one exception, the district attorney is responsible for felony prosecutions and civil suits in the district court.

Texas does not prohibit a district attorney or criminal district attorney from maintaining a private law practice. Although it is unusual for the district attorney or criminal district attorney in a metropolitan area to maintain a private law practice (because of a salary supplement paid), his rural counterpart often finds it necessary to resort to a private law practice to supplement his income. The district attorney in the majority of the judicial districts is provided a budget of \$15,000. This is his annual salary and from this he must operate a one-man office. He may have to provide his own secretary, office furniture, fixtures, supplies, and library.

The processing of charges follows a general pattern, whether the prosecution

is in a metropolitan or a rural area. Generally, charges are filed in a justice of the peace court but, at the discretion of the district attorney or criminal district attorney, may be taken directly to a grand jury. If charges are filed in a justice of the peace court, a warrant of arrest is issued by that magistrate. After the accused is arrested, he may request or waive an examining trial before that magistrate. Yet, the district attorney or criminal district attorney, at his discretion (for many and various reasons), may take the charge forthwith before a grand jury. If an examining trial is held and sufficient evidence is presented, the magistrate sets a bond and the case is bound over to the grand jury for its determination of a true-bill (indictment) or no-bill. The accused, except in a capital case where proof is evident or where he has twice previously been convicted of felony offenses, is entitled to bail. The number of charges filed, the frequency of examining trials, and the frequency of grand juries all contribute to the delay of a speedy trial and congested dockets in the trial court.

Administration of the office of a metropolitan district attorney or criminal district attorney, as compared to that of a rural district attorney, is as varied as is the crime experienced in each respective area. In the largest metropolitan city and county (Houston-Harris) in Texas the district attorney is the administrator of an office of 74 assistant district attorneys, 15 investigators, 39 secretarial and clerical employees, and seven court reporters, a total staff of 136. Typical of the office of a metropolitan district attorney or criminal district attorney, his office is composed of various specialized departments, each operating in its own sphere but in cooperation and conjunction with the others. His budget exceeds one million dollars per year.

### c. Defense

By an act of February 15, 1958, the Legislature provided that "When the defendant is brought into court for the purpose of being arraigned, if it appears that he has no counsel and is too poor to employ counsel, the Court shall appoint one or more practicing attorneys to defend him. . . ." This article remained unchanged through the years but was construed by the Court of Criminal Appeals to require the appointment of counsel for an indigent accused only in capital cases, all cases where a plea of not guilty was before the court, and ordinary felony cases where the complexity of the proceedings clearly demonstrated that the accused would be unable to secure a fair trial without the assistance of counsel.

In 1965, the Legislature provided in Article 26.05, *Code of Criminal Procedure*, for the appointment and compensation of counsel to represent any indigent unable to employ his own counsel when he is charged with a felony or a misdemeanor punishable by imprisonment or in a habeas corpus hearing.

Also in 1969, the Legislature amended Article 2338-1, Section 7-B, *Vernon's Annotated Civil Statutes*, to read in part as follows:

- (a). The court shall have full power to enforce said orders by contempt proceedings after ten (10) days notice to such parent, guardian, or other person or persons responsible for the care and support of the child.
- (b). Whenever the court determines that the child alleged to be a delinquent child is not represented by counsel and that the child, parents,



guardian, or other persons responsible for the care and support of the child are too poor to employ counsel, the court shall appoint one or more practicing attorneys to defend the child. In making the determination, the court may require the child, parents, guardian, and other persons responsible for the care and support of the child to file an affidavit, may call witnesses and hear any relevant testimony or other evidence.

(c). The counsel is entitled to ten (10) days to prepare for trial, but may waive the time by written notice, signed by the counsel and the child alleged to be a delinquent child.

(d). A counsel appointed to defend a child alleged to be a delinquent child shall be paid from the general fund of the county in which the prosecution was instituted. . . .

The expenditure of funds from these provisions must be made from the general fund of the county or counties involved.

Since Texas does not have a public defender system, the appointment of counsel has traditionally been made by each individual judge on a case by case basis.

In 1966, the National Legal Aid and Defender Project made a generous grant to the Houston Legal Foundation to establish a coordinated assigned counsel system for Harris County. Under this plan, every attorney licensed to practice law in the state and residing in the county would, on a rotation basis, be recommended to the judge for appointment to represent an indigent accused of crime. Even here the appointment was made by the judge; the foundation only made the recommendation that certain counsel be appointed to represent a certain defendant. Attorneys—experienced in the field of criminal law—originally were on the foundation staff and available to assist the appointed counsel. The lack of funding has severely restricted the current functions of the foundation. It is unrealistic for the court to appoint an attorney totally without experience in the practice of criminal law to represent one accused of a crime.

The Legislature had a general (statewide) public defender bill introduced in 1969. The result of this effort was a local (one-county) mandatory public defender law, Public Defenders-Tarrant County-Appointment and Compensation, which became effective September 1, 1969, and which is cited as Article 341-1, *Vernon's Annotated Civil Statutes*.

Unique is the dual authority in Section 4 of the Act which provides:

Any indigent person charged with a criminal offense in a court in Tarrant County or any indigent person in Tarrant County who is a party in a juvenile delinquency proceeding *shall be represented by a public defender or other practicing attorney appointed by a court of competent jurisdiction*. If an attorney, other than a public defender, is appointed, he shall be compensated as provided in Article 26.05, *Code of Criminal Procedure*, 1965, as amended.

The criminal district judges in Tarrant County each appointed a public defender as required.

d. Attorney General

The office of attorney general first was created by the Constitution of the Republic of Texas in 1836. It is presently established by Article IV, Sections 1 and 22, of the Constitution of the State of Texas, adopted in 1876.

The attorney general, as chief legal officer of the state, is elected for a term of two years and receives an annual salary of \$31,000. The Attorney General is a standing member of the Criminal Justice Council.

The Constitution enumerates the duties of the office of the attorney general, including such additional ones as "may be required by law." To implement the general constitutional provisions, scores of penal code provisions and several hundred civil statutes confer both general and specific duties upon this office. The attorney general is the state's lawyer and performs two primary functions: (1) giving legal advice in the form of opinions to the Governor, state agencies, committees of the Legislature, and county authorities, and (2) representing the state in civil litigation.

Furnishing legal advice to various officials and agencies is one of the most important constitutional powers of the attorney general. Although opinions of the attorney general are not binding upon the judiciary, it has been repeatedly held by the courts of Texas that opinions of the office are persuasive to the courts. Moreover, problems which are the subject of official opinions often are not litigated, and such opinions thus stand as the highest available interpretation of existing law.

Although the Constitution does not confer upon the attorney general the authority to institute criminal proceedings or to represent the state in criminal proceedings, it does provide that he shall "perform such other duties as may be required by law." It is therefore not uncommon for the attorney general to be designated in a state statute as responsible for instituting causes of action "quasi-criminal" in character.

#### *(1). Law Enforcement Division*

The attorney general has established as one of the several divisions in his office the Law Enforcement Division. The primary function of this division is to represent the State of Texas in criminal proceedings before the United States Supreme Court and in writs of habeas corpus (after final conviction) before any court. This division represents the following state agencies:

Department of Corrections, Board of Pardons and Paroles, Parks and Wildlife Department, Board of Medical Examiners, Alcoholic Beverage Commission, Department of Public Safety, Highway Department, Youth Council, Department of Mental Health and Mental Retardation, Secretary of State, Office of the Governor, district and county attorneys, and all other state agencies, in the following respects:

Injunctive matters pertaining to civil disturbances involving state supported universities and colleges and state agencies;

Federal cases attacking the constitutionality of the state criminal laws and civil statutes which might concern any of the above agencies;

Writing opinions;

Extradition hearings.

Sixteen assistant attorneys general are assigned to this division. Increased petitions during the past several years for post-conviction relief have materially increased the workload of this division. Of the 16 assistants in the division, one is sited in Huntsville, at the Department of Corrections, wherein he advises the director in matters of habeas corpus and in other legal matters regarding the department.

(2). *Crime Prevention Division*

Within the Attorney General's Office is also the Crime Prevention Division. Its duties are to:

Act as special assistant to the attorney general on various projects planned by him;

Act as liaison officer between the attorney general and all law enforcement agencies throughout the state;

Work closely with the various law enforcement organizations for the following purposes:

To upgrade the pay schedules and qualifications of all officer personnel;

To assist the law enforcement officers in instigating a better police-community relationship;

To help those responsible for recruiting officer personnel to establish and maintain a better system of training all new officers;

To combat in every possible manner one of the greatest threats to our society—the rising disregard for the rule of law which is the guarantee of all freedom;

To make talks to as many organizations as possible in an effort to combat the great lack of respect for authority on the part of the general public.

In the discharge of these duties, it is contemplated that in addition to the personal contacts with the heads of the local criminal justice agencies, the Crime Prevention Division will work with any organization in the state having as its primary purpose the betterment of criminal justice.

This division makes approximately 65 speeches each year to peace officers, justices of the peace, constables, and civic organizations. It processes an average of 160 inward WATS telephone calls per month from criminal justice agencies. It gives 30 to 60 unofficial opinions per month, lectures on the college level to peace officers working on their certifications, prints and distributes monthly the *Crime Prevention Newsletter* with a current circulation of 5,200, and gives general consultation with both county and district attorneys.

At the present time this division is composed of three men, one of which has the duties of first assistant to the attorney general.

The attorney general also sponsors the annual Law Enforcement Conference for the benefit of county attorneys, district attorneys, criminal district attorneys, county judges, judges of the county criminal courts, sheriffs, and other law enforcement officials.

e. Judicial Qualifications Commission

The Judicial Qualifications Commission was established in 1965 by the adoption of Article V, Section 1-a(2), Constitution of the State of Texas.

It is composed of nine members who are selected as follows:

Two justices of the Court of Civil Appeals and two district judges, to be chosen by the Supreme Court with the concurrence of the Senate;

Two members of the State Bar, selected by the board of directors of the State Bar under regulations prescribed by the Supreme Court, with the concurrence of the Senate;

Three members appointed by the Governor, with the concurrence of the Senate.

The qualifications are:

Judges--No two shall reside in or hold judgeship within, or for, the same supreme judicial district.

Members of the State Bar--Must have practiced law for at least 10 consecutive years preceding their selection.

Governor's appointees--Must be at least 30 years old, not licensed to practice law, not hold any salaried public office or employment and must have physical residence within the state.

They are appointed for six-year overlapping terms and all are compensated for their expenses.

It is the duty of this commission to receive and consider information, complaints, or reports, formal or informal, from any source, pertaining to misconduct or disability of particular judges or justices; make preliminary investigations; conduct hearings; and order the production of pertinent documents. At its discretion, it may request the Texas Supreme Court to appoint an active or retired district judge or justice of a court of civil appeals as a master to hear and take evidence and report his findings to the commission. If, after either a hearing or a report of a master, the commission finds good cause therefor, it is to recommend to the Supreme Court the removal or retirement of the justice or judge in question.

f. Civil Judicial Council

The Civil Judicial Council was established in 1929 by Article 2328a, *Vernon's Annotated Civil Statutes*.

It is composed of 18 members: chief justice of the Supreme Court or some other justice designated by him, chairmen and immediate past-chairmen of Senate and House Judiciary committees, two justices of the Court of Civil Appeals, two presiding justices of the administrative judicial districts, two lawyers, and two laymen.

Lawyers, laymen, presiding justices, and civil appeal justices are appointed by the Governor. Others are ex officio.

One of the laymen must be a journalist. Two of the lawyers must be selected

from a list of eight made by the State Bar. No qualifications are stated for the others.

Lawyer and lay members serve six years (overlapping). Other members serve the terms of their office.

In 1969 the Legislature amended the powers of the council to include the following:

To require the supplying of statistical data and other information pertaining to the amount and character of the civil and criminal business transacted by the courts of this State and other information pertaining to their conduct and operation; and to prescribe procedures and forms for the supplying of such statistical data and other information.

It shall be an official duty of every justice, judge, clerk or other officer of every court of this State to comply with the reasonable requirements of the Council for the supplying of statistical data pertaining to the amount and character of the business transacted by his court and such other information concerning said court or the office of the clerk thereof as may be within the scope of the functions of the Council. Failure to supply such data or information within a reasonable time after request therefor shall be presumptively deemed a willful refusal to supply the same.

Due performance of the duty to supply data and information as aforesaid shall be enforceable by writ of mandamus, the corresponding actions for which shall be brought, and the corresponding courts shall have jurisdiction of the same, as follows: if against a district clerk or a clerk, judge or other officer of a trial court other than a district court, in a district court of the county of residence of the respondent; if against a district judge or clerk of a court of civil appeals, in the Court of Civil Appeals for the Supreme Judicial District in which the respondent resides; in all other cases, in the Supreme Court of Texas.

The Attorney General of Texas shall file and prosecute the foregoing actions on behalf of the Council upon its written request, which shall be presumptively taken as the action of the Council if signed by its president or by as many as five of its members; but no such action shall be filed if the Attorney General shall in writing certify his opinions that the same is without merit.

The council publishes an annual statistical report from the information obtained.

g. State Bar of Texas

The State Bar of Texas was established in 1939 by Article 320a-1, *Vernon's Annotated Civil Statutes*. It is composed of all persons practicing law in the state.

The declared purposes of the agency, as stated in its rules, are advancement of the administration of justice and the science of jurisprudence, encouragement of cordial intercourse among its members, improvement of relations between the bench, the bar, and the public, and protection of the professional interests of members.

The organization has been interested in the enactment of rule-making powers

for the Supreme Court in civil procedures and simplification in trial procedure; improvement in corporation, probate, and criminal laws; enactment of a retirement system for district and appellate judges; increased judicial salaries and a better system of judicial selection and tenure; post-graduate legal education through legal institutes; and more active associations on the local level.

Other activities include development of a program of public information so that services of the legal profession can be made known to the public; promulgation of rules improving effectiveness of machinery for handling discipline complaints against lawyers in their relations with clients; continuation of the bar's program for better citizenship and a program to curb unauthorized practice of law by unlicensed persons or corporations.

Long-range objectives of the State Bar of Texas are stated thus:

Preservation of representative government in the United States through a program of public education and understanding of the privileges and responsibilities of American citizenship;

Promotion and establishment within the legal profession of organized facilities for the furnishing of legal services to all citizens at a cost within their means;

Improvement of the administration of justice through the selection of qualified judges and adherence to effective standards of judicial administration and administrative procedures;

Maintenance of high standards of legal education and professional conduct to the end that only those properly qualified shall undertake to perform legal service;

Preservation of the respect and confidence of the public in the bar, in the profession, and in its members, by the maintenance of high ethical standards;

Coordination and correlation of the activities of the American Bar Association, the State Bar of Texas, and local bar associations; improvement of the administration of the bar; and the rendition of service to practicing lawyers.

### 3. County Agencies

#### a. County Courts

The county courts were established in 1876 by Article V, Section 15, of the Constitution of the State of Texas.

Each county in Texas has a county court and a judge who is elected for a four-year term. The Legislature determines the salary or salary range, which is paid by the county, which generally is in relation to the population of the county. The county court has limited subject matter jurisdiction. The qualification is that the judge be well informed on the law of the state. The county court has general probate jurisdiction, limited original civil jurisdiction, limited criminal jurisdiction, and limited appellate civil and criminal jurisdiction. In appeals from inferior courts, there is a trial "de novo." These are known as "constitutional" county courts and there are 254 in Texas.

The "constitutional" county judge also is the presiding officer of the county commissioners court and performs many administrative duties.

In addition to the "constitutional" county courts, the Legislature by statutes has created 53 "special" county courts known as county court-at-law, county civil court-at-law, criminal court of appeals, county criminal court, county criminal court-at-law, and county probate court. Of these "special" county courts, 13 deal only with probate or civil matters. Yet the name alone does not always disclose their complete functions. The statutory authorization for each of these 53 "special" county courts must be examined as to qualifications, salary or salary bracket (paid by the county), and functions. These "special" county courts are primarily situated in metropolitan counties and are designed to relieve the "constitutional" county judge of part or all of his judicial duties.

#### b. Justice of the Peace Courts

The office of justice of the peace was established in 1876 by Article V, Section 18, of the Constitution of the State of Texas. The justice of the peace is elected for a four-year term and his compensation is a salary or a fee basis, as determined by the county commissioners court, subject to certain statutory requirements depending upon the population of the county involved. There are no specified qualifications to hold this office.

The constitution provides that each county be divided by the county commissioners court into not less than four nor more than eight precincts. A justice of the peace is elected within each precinct, except that in any precinct with 8,000 or more inhabitants, two justices are elected. There are presently 892 justices of the peace in Texas.

Justice of the peace courts have jurisdiction in criminal matters "of all cases where the penalty or fine to be imposed by law may not be more than \$200, and in civil matters of all cases where the amount in controversy is \$200 or less, exclusive of interest, of which exclusive original jurisdiction is not given to the district or county courts, and such other jurisdiction. . . . as may be provided by law. . . ." It is further provided that "appeals to the county courts shall be allowed in all cases decided in justice courts. . . ; and in all criminal cases under such regulations as may be prescribed by law."

#### c. Prosecution

##### *County Attorney*

As noted above, unless there is a criminal district attorney, each of the 254 counties of Texas has a county attorney who is an elected official serving a four-year term. There are presently 222 county attorneys.

The jurisdiction of the office is co-extensive with the limits of the county, and, with the exception of Harris County, has both criminal and civil jurisdiction. In the exercise of criminal jurisdiction, his primary duty is to represent the state in misdemeanor cases tried in the county court and the justice of the peace courts. The duties may be expanded by statute to require the assumption of the duties of the district attorneys for that particular county. In many instances, the county attorney assists the district attorney in felony matters within his particular county.

In the rural areas of the state, the county attorney, like the district attorney,

generally operates a "one-man" office. The salary of the county attorney, staff, furniture, fixtures, and library are determined by the commissioners court. The variance is as great as the number of offices. The county attorney is not prohibited from engaging in a private law practice, and, in the rural areas, he must rely upon this private practice to supplement his income.

The prosecution of misdemeanor offenses is upon an information and a complaint and the processing of such charges is relatively simple. It is possible for the county attorney to interview the person who is seeking to file a complaint or who has filed a complaint with a justice of the peace court. If he determines there is validity to the complaint, he may accept it and file it on information.

#### d. Defense

The provisions cited in the "Defense" section of "State Agencies" is applicable here and should be referred to for this section.

### 4. Municipal Agencies

#### a. Courts

The office of municipal court was created in 1899 by Article 1194, *Vernon's Annotated Civil Statutes*. Judges of municipal courts are elected or appointed in home-rule cities as required by the city charter, or elected or appointed in general-law cities as determined by the governing body. There are no specified qualifications for the office and the term of office varies from two years to an indefinite period at the pleasure of the governing body. The salary is determined by the charter or ordinance of the city governing body.

A municipal court has jurisdiction within the territorial limits of the city, town, or village in all criminal cases involving violations of city ordinances. A considerable portion of its time is consumed in processing traffic violations. There are 569 municipal courts in the 950 cities and towns in Texas. The metropolitan cities usually have more than one municipal court.

Only the City of Wichita Falls, by a local statute, has permissive authority to adopt a court of record to be known as the "Municipal Court." They may create as many as necessary to dispose of the cases arising in that city. The rest of the statutory provisions are the same as other courts of record.

#### b. Prosecution—Municipal Attorney

The office of municipal attorney is created by the government of the respective city, and the city determines the salary and staff. If the office of attorney is not created, as is true in the smaller cities, private attorneys are retained or paid on an agreed basis, to handle the city's legal business. There are presently 688 offices of municipal attorney in the state.

The office has both civil and criminal jurisdiction. The criminal jurisdiction is exercised only before the municipal court of that city in the prosecution of offenses triable in that court. A great majority of these are traffic offenses.



c. Defense

The provision cited in the "Defense" section of "State Agencies" is applicable here and should be referred to for this section.

## C. CORRECTIONS AND REHABILITATION AGENCIES

The federal government maintains several correction and rehabilitation units in Texas. They are the narcotic addicts rehabilitation center at San Antonio; community treatment centers at Houston and Dallas; employment placement offices at El Paso, Dallas, and Houston; and federal correctional institutions at Texarkana, Seagoville, and El Paso.

The U.S. Bureau of Prisons also has contract arrangements with the Santa Maria Hostel in Houston for pre-release services for female prisoners transferred from federal women's institutions and selected female offenders on probation. The former United States Public Health Service Hospital in Fort Worth is being converted to a penal and correctional facility of the Bureau of Prisons. Federal probation and parole services are based in the major metropolitan areas.

These units provide correctional services and programs for federal offenders from all over the country. Included are diagnostic, medical, and psychiatric services; expanding educational opportunities, both academic and vocational; on-the-job training, work release and work furloughs, job placement, and addict rehabilitation.

a. Confinement

(1). *Adult*

The First Texas Legislature, on May 11, 1846, voted to establish a state penitentiary and authorized the Governor to appoint one to three commissioners and a superintendent.

In 1927 legislation was passed authorizing a nine-man corrections board to supervise a general manager of the correctional system, an arrangement still in use. In 1957 the Legislature changed the name of the Texas Prison System to the Texas Department of Corrections and the general manager's title to director. Nine non-salaried members constitute the board and are appointed by the Governor for overlapping six-year terms. The department's chief executive, the director, is appointed by the board. The present director, George J. Beto, was appointed March 1, 1962, and is a member of the Criminal Justice Council and the Criminal Justice Council Executive Committee.

Administrative headquarters of the department are located in Huntsville. Inmate population exceeded 15,000 in 1971. The system contains 14 units, all in the eastern portion of Texas.

### 1. Federal Agencies

### 2. State Agencies

(a). *Rehabilitation.* TDC emphasizes rehabilitation of the public offender in all programs and activities. This emphasis is reflected in all aspects of inmate life: physical, spiritual, and moral. It also provides assistance in resolving behavioral problems associated with incarceration, either as cause or effect. Attainment of the overall objective, however, requires a significant commitment to education and training.

Selective placement of the inmate, both in a specific unit in the corrections system and in a job, is a primary consideration. Data are collected on family background, employment, education, prior criminal record, medical history, religious affiliation, and other characteristics and problems of the individual. Specialists in psychology and sociology prepare comprehensive case histories for each inmate. The classification committee then considers the information in the case study and conducts a personal interview with the inmate before making unit and job assignments.

The Legislature has established TDC as a non-geographical independent school district, enabling it to offer the inmate extensive educational opportunities. The school district is supported by the Texas Education Agency's Minimum Foundation Program and is subject to the certification requirements and regulations of that agency and the State Board of Education.

The overall goal of this school program is to provide opportunity for its students to acquire academic and vocational skills necessary to function in a modern technical society.

Approximately 85 percent of Texas felons are school dropouts. Almost 50 percent have less than a fifth grade education. About 15 percent are illiterate, and more than 40 percent are under 25 years of age. Statistics show that the acquisition of educational and vocational skills drastically reduces recidivism. The school program provides academic and vocational classes from grades 1 through 12 to all inmates who are not high school graduates.

Classes are conducted at each of the 14 prison units. Inmates who perform at less than fifth-grade equivalency on a standardized test are required to attend school at least six hours per week. Others who qualify through the point incentive plan are released from work to attend classes leading to the General Education Development diploma and the junior college program. Since 1956, 8,839 inmates have passed GED tests, including 765 in 1970 and 651 in 1971.

In almost every respect, the program is unique. It is the first educational system of such scope to be established in a statewide prison system. More than one-half of the inmate population attend classes.

The faculty has been increased from nine adult basic education teachers to 54 professional teachers, all holding college degrees and certified by TEA. The curriculum is non-graded, provides for continual progress, and operates on a 12-month scholastic year. Each student progresses at his own rate through various levels in language arts, social studies, science, and mathematics. He also attends classes in health and physical education.

Programmed materials and audio-visual aids also are incorporated.

TDC board serves as the district school board. The school program is administered by a superintendent of schools and a principal, and curriculum development is supervised by a coordinator.

Allocations have been made for 27 special education teachers and three librarians. The program is expected to have a total of 60 classroom teachers and 41 vocational teachers when fully implemented.

Probably the most rapidly growing area of correctional education in the past decade has been college instruction for inmates of correctional institutions. TDC initiated a college program in 1965, and plans have been made to enlarge that program.

From a meager beginning of 60 students, enrollment in the college program has increased greatly, and highly positive results have been noted. As of June 30, 1971, 7,047 students had enrolled in the program so far. The general trend is upward, with 1,145 enrolled in the spring semester of 1970, 1,083 in the summer, and 1,238 in the fall. In 1971, spring enrollment was 1,302, with 1,308 in the summer. The latter group will accumulate 8,000 hours of credit by the end of the semester, for a total of 24,000. The grade-point average for the period has ranged from 1.5 to 2.0.

The scope of the program has been widened to include college level instruction at all TDC units. Instruction is available through Alvin Junior College, Alvin; Brazosport College, Freeport; Henderson County Junior College, Athens; and Lee College, Baytown. Sixty courses are available to 1,400 students.

Lee College and Alvin Junior College can confer the Associate of Arts degree on eligible inmates. So far 46 inmates have received AA's.

Providing occupational training for an offender previously labeled unskilled is considered essential. With legislative approval having established TDC Independent School District, additional vocational training areas and increased occupational opportunities have been made available. TDC, in cooperation with various agencies and with federal assistance, has improved existing programs and implemented new vocational training areas. Occupational opportunities are available at all units of the system.

TDC, after receiving approval in November, 1968, established a pilot program under the Manpower Development and Training Act providing training and related services to inmates. Participating inmates receive compensation while learning a trade. Inmates selected for the MDTA program normally are released shortly after their training is completed. The continuing program consists of eight vocational fields with about 740 inmate students.

A "first offender" unit, Ferguson, conducts training programs in machine shop, upholstery, culinary arts, radio and television, air conditioning, refrigeration, auto repair, building trades, auto mechanics, sheet metal, and woodworking. A barber college is under construction at the Clemens unit. A diagnostic center under construction at the Goree unit for female offenders will provide limited vocational education and training. In addition, inmates now may participate in college level vocational classes, taught by college personnel.

(b). *Employment of Inmates.* The TDC employment program serves a number of purposes. Inmates are occupied constructively and avoid the idleness that traditionally has had such destructive effects in American prisons. It provides opportunities for on-the-job training, with inmates doing the kind of work in which they might find employment in the free community when released. It also supplements the resources available to TDC for meeting various personal needs of offenders. The comparatively small appropriations made from the state's general revenue for the support of the system are increased by profits of industrial operations and special entertainment events and concessions.

Examples of the latter include the Texas Prison Rodeo, which contributed \$210,000 in 1970 to the rehabilitation program; industrial production that netted \$6,599,887 in FY 1970; and the canteens and commissaries for inmates and employees in the various units of the system, which made profits of \$1,371,778 in 1970.

Inmates participating in the rodeo won funds to add to their trust accounts. The industrial operations, in addition to affording inmates many opportunities for the development of skills, substantially reduced the cost of the department's operations to the taxpayer. The profits from the commissaries and canteens were used for educational and recreational purposes, as well as to supply personal needs of inmates, such as dentures and eye glasses.

Industrial operations include a cardboard carton factory, sign shop, license plate plants, laundries, print shop, saw mill, kilns, shoe factory, woodworking shop, prison store that handles the items necessary to operate all of the units, textile mills and garment factories, soap and detergent plant, canning plant, and tire-recapping and furniture-refinishing plants. Many of the prison-made items are used by state hospitals, special schools, and other institutions at substantially reduced cost to the taxpayer.

For example, tires recapped at TDC reduce the cost of tires for the entire state government. Garments manufactured in both the women's and men's prison units are used not only by inmates of all units but also by patients in mental health and mental retardation units and other state departments and institutions. TDC makes all of its own mattresses and many of those used in the jails and state hospitals. It operates a laboratory in which dentures are made for prison inmates and state hospital patients. It manufactures the bricks used in its building program and constructs all of its own buildings, using prison-taught inmate craftsmen.

Inmates are helping solve the state's critical shortage of school buses, while training for trade they can follow on release. The recent Supreme Court decision on busing to achieve integration has multiplied the demand for school buses to the extent that the supply of these vehicles has become extremely limited, both nationally and within the state. TDC has helped resolve this problem by instituting a school bus renovation program. A 43,000 square foot building was constructed. In June, 1971, work began in the bus renovation program. By August 12, 150 school buses had been renovated. Most of the buses were "klunkers," vintage 1954 to 1969 with an average age of 12 years. Cost to the local school districts for renovating each bus averages about \$1,200 to \$1,300.

The training of inmates to convert records for electronic computer

processing has been valuable to other state agencies. Inmates converted more than 10 million automobile certificates of title for the Texas Highway Department, saving more than one million dollars during the first year. They converted all drivers' license records, involving millions of entries, and the criminal record, traffic violation, and accident files for the Department of Public Safety. They also keypunched RAP sheets and index cards for DPS, quarterly wage reports for the Employment Commission, patient information system reports for the State Department of Mental Health and Mental Retardation, and voter registration lists for Harris and Travis counties.

Inmates also have provided microfilm services for the Motor Vehicle Division of the Highway Department and others. In addition, they update motor vehicle title record cards each year, furnish current license receipt information to the Highway Department, and perform a security role in housing and maintaining backup files for the Highway Department computer in the event of accidental dumping.

Thirty-eight different edible crops are grown on 6,000 acres devoted to food production on the department's 10 producing farms. More than 6.5 million pounds of fresh produce are furnished from a year-round production program.

The net result is that TDC provides incarceration for a relatively large prisoner population at costs well below those in most other parts of the country, and at the same time makes a significant contribution to rehabilitation programs intended to reduce the future criminal behavior of inmates.

*(c). Social Reintegration.* In the last several years there has been a significant effort to reintegrate offenders into the community on release. Four pre-release units have been established to prepare inmates for their return to society, and the program has received exceptional cooperation from persons and groups who have been involved in its operation. An ambitious work release program in which inmates are transported each day to and from civilian jobs has been started. Projections indicate a considerable expansion and refinement of these community-based programs in future years.

The Legislature authorized work release programs for TDC in 1969. The programs were adopted on a pilot basis by the Board of Corrections.

The pre-release program at the Jester unit, where 18,886 men have completed the program to August 31, 1971, has had excellent results in helping releasees meet their problems. The program is being updated and expanded to include a larger proportion of the men being released.

A work release or work furlough program is being conducted in conjunction with the pre-release program. Also on a pilot basis, it has had excellent results in returning convicted offenders to the free community. The recidivist rate of the unit is less than 20 percent, compared to a rate of 85 percent for misdemeanants and felons housed in jails throughout the state.

A total of 160 inmates has participated in the work release program since it began in December, 1969, and 21 currently are involved. Inmates in the

program have earned \$376,882 in salaries and wages and have paid federal income taxes of \$32,386, social security taxes of \$16,730, and upkeep (such as board and room) to TDC of \$46,632. They also have placed \$168,609 in savings accounts and sent \$25,844 home to their families.

The potential benefits of expanding this program seem evident.

(2). *Juvenile*

Article 5143d, *Vernon's Annotated Civil Statutes*, enacted by the 55th Legislature created the Texas Youth Council, charged with administering the state's correctional facilities for delinquent children. The Executive Director of the Texas Youth Council is a standing member of the Criminal Justice Council. Thus provided is a program of constructive care, treatment, education, and training aimed at rehabilitating children adjudged delinquent by Texas courts and committed to TYC. Active parole supervision is provided for delinquent children released from TYC's training schools.

TYC also is vested with responsibility for administration and operation of the state home for dependent and neglected children, for "coordination and combination of such facilities," and for "the creation of new facilities within the appropriations provided by the Legislature . . . ."

Other major statutory duties and functions of TYC are to:

Administer statewide juvenile parole programs.

Establish and operate halfway houses, group homes, and foster homes as required, to serve the needs of children in the agency's care.

Carry on a continuing study of juvenile delinquency and focus public attention on special solutions to this problem.

Cooperate with all existing agencies and encourage establishment of new ones, both local and statewide, whose objective is services to delinquent and pre-delinquent youth.

Assist local authorities of any county or municipality, when requested, in the development, strengthening, and coordination of education, welfare, health, recreational, or law enforcement programs the objective of which is the prevention of juvenile delinquency and crime.

Before each convening date of the regular session of the Legislature, make a report to the Governor and the Legislature of its activities and accomplishments and of its findings as to its major needs relative to the handling of children committed to it by courts. The report shall include specific recommendations for legislation, as part of an integrated, unified, and consistent program to serve the best interests of the state and the youth committed to TYC.

The Youth Council is a three-member policy-making board appointed by the Governor with the consent of the Senate. The members receive no pay and must be "influential citizens in their respective communities who are recognized for their interest in youth." The council appoints an executive director who is the administrative head of the agency and is responsible for the performance of duties and functions imposed on the council by any provision of law.

All youngsters committed to TYC are admitted initially to a reception and

classification center. It is believed that the rehabilitation process begins at the moment of admission; therefore, the time spent by the youngster in the reception center is one of the most important periods in the entire treatment and training process. The staff of the reception and classification center is composed of medical doctors, dentists, psychiatrists, psychologists, social workers, educators, chaplains, youth activity supervisors, and house-parents. Each youngster is carefully evaluated and placed, by committee action, in the training school best suited to his individual needs.

In 1970 TYC opened in Brownwood a diagnostic and reception center for girls. All girls who have been committed to TYC by juvenile courts are sent to this facility, where they are evaluated. Each is placed in the institution best suited to her individual needs.

On the same site, under direction of the same superintendent but with separate staff, a new training school for girls was opened, increasing to three the number of schools for girls operating under TYC. The other two are located at Gainesville and Crockett.

One of the most glaring deficiencies in the correctional system for juveniles is the lack of adequate detention facilities planned and operated specifically for this age group. There are less than 12 counties in the state which provide juvenile detention facilities other than the county jail. While the statute does not prohibit placing children in jails designated for adults, it does specifically state that they shall be segregated from the adult offender. Texas is far behind other states in the creation of separate juvenile detention facilities.

As reported in other sections of this plan, many jails in Texas are inadequate for the confinement of adults; the confinement of children in such conditions may drastically impede rehabilitation of the juvenile. As noted in other sections of this plan, there are as many varieties of juvenile probation departments as there are counties. Some counties provide no juvenile probation services. Some counties have separate juvenile detention facilities--juvenile home, detention center, or detention home--but are hampered by fragmented administration. A detention facility using the warehouse approach with no correctional program, no educational facilities, and no real direction is little better than a county jail system with a separate section for juveniles.

#### b. Supervised Release

##### (1). *Adult Probation and Parole*

Texas was one of the last states to develop a system of adult probation. A suspended sentence law was enacted in 1913. By its terms the person whose sentence was suspended by the judge or the jury was free to come and go without restraint or supervision, and the only way the suspension could be revoked was for the individual to be indicted, tried, and convicted of still another felony or an offense involving the unlawful acquisition of property.

In 1947, an adult probation law was enacted providing for conditions of supervision. This law and the old suspended sentence law both were in force, and the judge or the jury could select either procedure. No provisions were made for probation officers, and any probation services were voluntary. In the mid-1950's several counties asked the Legislature to enact legislation enabling them to hire county probation officers. With the ensuing

enactment, the first professional probation officers were employed.

With the passage of the "Adult Probation and Parole Law" of 1957 (Article 718d, *Code of Criminal Procedure*) all Texas counties were authorized to hire probation officers at the discretion of the commissioners court with funds to be provided from the county general fund.

The present law, enacted in 1965 (Article 42.12, *Code of Criminal Procedure*), repealed the old suspended sentence law and provides for probation in all felony cases in which punishment assessed does not exceed 10 years, and for misdemeanors (Article 42.13, *Code of Criminal Procedure*), with certain restrictions, with the power to grant probation given to both judge and juries. The act assigns responsibility for probation to the counties. There is no provision for state aid.

The act authorizes district judges with criminal jurisdiction to appoint probation officers with the advice and consent of the commissioners court, and to designate their duties and fix their salaries. The probation officer should conduct pre-sentence investigations. However, in many instances judges do not require a pre-sentence investigation before placing a person on probation. It frequently is the practice of judges to hand down a probated sentence without background information.

A probation officer also is charged with responsibility for establishing and supervising a rehabilitation program for those on probation and, through casework services, making sure that the terms of probation are enforced. If these conditions are not met, the probation officer must request the district attorney to initiate a motion for revocation of probation.

Qualified as probation officers are "those persons who have successfully completed education in an accredited college . . . with two years full-time paid employment in responsible probation or correctional work with juveniles or adults, social welfare work, teaching or personnel work . . . or licensed attorneys . . . with the provision for the substitution of two years additional experience for two years of the college work."

There are now more than 150 adult probation officers in Texas. Some of these officers in the smaller counties supervise juveniles as well as adults. More than 125 of the 254 counties have adult probation services. All of the major population areas provide such services.

The law expresses the intent that the caseload of each probation officer should not substantially exceed 75 probationers, but this intent seldom is observed. As an example of present caseloads, Travis County, with a population of 290,000, has 1,159 persons under supervision for felonies and 732 for misdemeanors. At a record conference, officers reported caseloads ranging from 150 to 325, far exceeding the statutory intent.

A survey of the inmates of the Department of Corrections, on December 31, 1970, revealed that more than 60 percent had previous commitments suspended or probated. The failure rate for misdemeanants on probation is about 10 percent, for felons about 15 percent; 85 to 90 percent, therefore, complete their terms of probation without further convictions.

Analysis of available information indicates a critical need for expansion of probation services throughout the state, not only to establish new



departments where none now exist but also to strengthen the resources and capabilities--and use--of existing departments.

There is no state agency responsible for adult probation.

In 1968 a demonstration project--the Texas Adult Probation Project, in a four-county region centered in Travis County--was developed to prove the effectiveness of probation services as a basis for legislation to establish a statewide system. With the use of local, state, federal, and private foundation funds, the project, on June 30, 1971, was supervising 1,430 felony and 1,034 misdemeanor cases, in a population area exceeding 350,000. Current funding for the project was scheduled to end September 1, 1971, but Capital Area Planning Council has submitted to CJC a plan for its continuation until the Legislature has had time to make statutory provision for a statewide system. At this writing the plan is under review.

In 1893 the Legislature created a Board of Pardons Advisors to consist of two members appointed by the Governor to assist him in his responsibility for executive clemency. In 1929 the name was changed to the Board of Pardons and Paroles and a third member added.

The present board was created by a constitutional amendment of 1936 and is composed of three members. One member is appointed by the Governor, one by the chief justice of the Supreme Court, and one by the presiding judge of the Court of Criminal Appeals. The appointments are subject to confirmation by vote of two-thirds of the members of the State Senate. Terms are six years. It has been the policy of the board to rotate the chairmanship so that each member will occupy that position for the last two years of his term.

In 1936 the Governor convened a parole conference that resulted in the creation of a voluntary parole system. Parole supervision was performed under the direction of the board by individuals who donated their services and by such organizations as the Salvation Army. In 1947, the first "Adult Probation and Parole Law" was enacted, but no funds were appropriated. In 1957 the 55th Legislature enacted the "Adult Probation and Parole Law of 1957" (Article 718d, Code of Criminal Procedure). This act separated probation from parole, leaving parole as a statewide operation under the Board of Pardons and Paroles and placing administration of probation on a local basis. Funds were provided for Texas' first system of paid parole officers consisting of 40 officers. The present law was enacted in 1965 basically the same as the 1957 law.

The Division of Parole Supervision operating under the board consists of a director and central office staff, a unit attached to the Department of Corrections, and four area officers serving from 30 to 101 counties, and 27 field offices. Each area office is headed by an area supervisor, and there are 69 field parole officers. The unit assigned to TDC has 11 parole officers who, under the TDC director, compile data and investigate and interview inmates for the board.

A parole officer must be 26 to 55 years of age with four years of college study and two years of full-time paid employment in responsible correctional work with adults or juveniles, social welfare work, teaching, or personnel work.

The board supervised 5,467 individuals during fiscal 1970. In addition, it supervised 620 parolees and 733 probationers from other states. There were 718 paroles revoked during the year. Twenty-nine percent of 37,987 persons released on parole during the last 23 years have violated and clemency has been revoked. During the year, 12,631 cases were considered for parole, 7,409 recommendations were made to the Governor, and 7,175, or 96 percent, were granted.

There is significantly less cost to maintaining a person on parole than in confinement in a correctional institution. The board estimates that the cost of parole is one-fourth that of incarceration, \$285 per year compared to \$1,152. The difference is so significant that a study of the possibility of expanding the parole process in Texas is indicated. The national average of public offenders granted parole is about 68 percent, with about 32 percent serving all of their sentences. The Texas average is about 39 percent granted parole, with 61 percent serving all of their sentences. The Texas parole failure rate is approximately 12 percent as opposed to the national rate of 27 percent. Therefore, the Texas failure rate is highly favorable.

Decisions of the members of the Board of Pardons and Parole, whose actions are intended to avoid favoritism in parole procedure, are subject to approval by the Governor, the final authority in parole matters. These decisions directly affect the rehabilitation efforts of the Department of Corrections as well as the overall size and cost of operating the system. In addition to protecting society by confinement of the inmate population, the Department of Corrections is charged with the responsibility of rehabilitating inmates, if possible, before the end of their sentences.

Financial assistance can be provided to the Board of Pardons and Paroles for study and evaluation of its parole procedures and criteria. Financial assistance also could be granted to increase staffing and resources to implement whatever findings and recommendations this study and evaluation might produce.

## (2). *Juvenile Program*

In 1970 Texas enacted its first juvenile (delinquency) court act, which provided permissively for probation officers. The present juvenile court act was passed in 1943 (Article 2338-1, *Vernon's Annotated Civil Statutes*) and is based upon the "Parens Patriae" concept, the fundamental rationale of juvenile court procedure throughout the United States.

Under Texas law a juvenile is a boy over the age of 10 and under the age of 17 or a girl over the age of 10 and under the age of 18. Jurisdiction is conferred on the juvenile court if the juvenile commits an offense (felony or misdemeanor) for which the punishment would be confinement in jail were the offense committed by an adult. In addition, there are several behavioral classifications that are not applicable to adults.

Under these a juvenile delinquent is defined as one:

who habitually violates any penal law of this State of the grade of misdemeanor where the punishment prescribed for such offense is by pecuniary fine only or

who habitually violates any penal ordinance of a political subdivision of this State or

who habitually so deports himself as to injure or endanger the morals or health of himself or others or

who is an habitual associate of vicious and immoral persons.

Texas does not have a mandatory reporting system for juvenile delinquency in each county. There never will be a clear-cut picture of the extent of juvenile delinquency until such mandatory reporting is established. It is proposed that with the creation of the Texas Crime Information Center (TCIC) reporting be required.

The first state-financed juvenile parole program in Texas began September 1, 1961. The 57th Legislature provided funds for TYC to create a parole supervision division with a director in the central office in Austin and five parole offices in the five largest cities of the state.

Parole officers must qualify for appointment under the provisions of the State Merit System. The general academic standard is a college degree in a behavioral science.

One problem in the parole field is that when a juvenile court removes a child from his home and places him in a state training institution, the home environment itself remains unchanged. Therefore, after the child has undergone a period of training and rehabilitation in a Youth Council facility, he too frequently is returned at the time of his parole to the same environmental situation that caused his confinement in the first place.

Until Texas is able to make a concerted effort to alleviate the home environmental problems while the child is in an institution, the rate of recidivism for the parolee from the state training schools has little chance for improvement.

#### c. Unsupervised Release

The State of Texas is almost devoid of unsupervised release programs for public offenders upon expiration of their sentences. Of the existing programs, most are provided by private, nonprofit corporations similar to the Salvation Army and United Fund agencies. There are a few residences provided by locally sponsored detoxification organizations. There is no officially organized and supported program operating statewide.

#### d. Education and Training in Corrections

Primary task of the Institute of Contemporary Corrections and the Behavioral Sciences at Sam Houston State University is the education of criminal justice personnel. The President of Sam Houston State University is a standing member of the Criminal Justice Council. The institute was established in 1965 by the Legislature (Resolution No. 469).

The Coordinating Board, Texas College and University System, has authorized the B.A., B.S., and M.A. degrees in criminology and corrections, and the Doctor of Criminal Justice degree, the only one of its kind in the United States. Students desiring to take courses which later will be accepted toward a degree may earn a certificate in criminology and corrections. The institute integrates programs and uses resources of the Department of

Corrections, adjacent to the university campus. Both degree and certificate students preparing for careers in adult corrections customarily serve a three-month correctional internship with TDC. Students interested in juvenile corrections serve internships in TYC institutions, in juvenile courts, and in agencies offering protective services to children. The juvenile corrections internships are made possible by grants from the Department of Health, Education, and Welfare and from the Criminal Justice Council.

In addition to degrees in criminology and corrections, the institute is authorized to grant degrees in law enforcement and police science and the B.S., B.A., and M.A. degrees in social rehabilitation and social services, a field closely related to corrections. An M.Ed. degree program in correctional education is in the advanced planning stage. This degree would be offered by the School of Education of the university with the program content and development supervised by the Department of Education and the institute. The student earning this degree would be trained to work as a teacher in correctional institutions, both adult and juvenile, and with the delinquent and endangered child in the public school systems.

The institute is engaged in extensive research in criminal justice and in the causes and control of crime and delinquency. The *Criminal Justice Monograph*, published by the institute, contains reports of research projects and articles of general interest to criminal justice practitioners and educators. The institute also acts as consultant to law enforcement and correctional agencies in Texas. It will direct the Center for Continuing Education in Criminal Justice in cooperation with TDC, TYC, CJC, and Texas professional criminal justice organizations.

The joint internship program of TDC and the Institute of Contemporary Corrections is one of the largest in the nation and is cited as a model of university-agency relationships. Almost 100 interns take advantage of the program each year. In addition, TDC provides summer employment for college students who, while not enrolled in a college internship program, desire on-the-job training in the correctional field.

Under grants from the Department of Health, Education, and Welfare and CJC, the Institute of Contemporary Corrections will supervise a group of interns in juvenile courts, juvenile police bureaus, and child protective agencies in Texas during the summer. Interns also will be placed in TYC institutions. This is a new program, as funds have not been available previously for on-the-job training of students interested in careers in juvenile corrections.

In the professional training field, TDC provides regular pre-service and in-service training for all of its employees. TYC has an extensive in-service training program for counselors and house-parents. Programs for training adult probation officers are in operation in Harris and Travis counties, the one in Travis County being innovative in nature. The Texas Corrections Association sponsors regular regional and statewide training conferences.

In 1969 the Texas District and County Attorneys sponsored an educational institute, supported in part by CJC grants. Additional workshops are planned for 1971. The judges of the metropolitan courts held a training conference in 1971, focusing on problems of court administration and sentencing practices as they relate to rehabilitation of the offender. The judges' conference was co-sponsored by TDC and the Institute of Contemporary Corrections and

the Behavioral Sciences. It was supported in part by a grant from CJC--another example of cooperative effort in criminal justice education and training. The next annual interagency workshop at Sam Houston State University was conducted in the summer of 1971, bringing to Texas outstanding authorities in all phases of law enforcement and corrections. Other professional organizations are planning workshops, and conferences, as well as regional and statewide meetings to consider problems and disseminate information on new programs and techniques for updating criminal justice administration and advancing prevention and control.

A multi-story building is being constructed adjacent to Sam Houston State University and TDC's Huntsville unit to provide dormitory and classroom-seminar facilities for the continuing education and training of criminal justice personnel.

#### a. Local Concepts

Each community in the state has cultivated its own attitude toward crime, on the basis of the local political climate. Groups of these communities or regions have developed area correctional philosophies related to local considerations. These social, economical, and political situations have been developed by the criminal activity and conditions which have existed in these areas and communities in the past. The state's size necessitates creation of a complex correctional system that will function in *all* regions.

The concept of corrections in Texas has improved very little since the frontier era. A few local governments have spent large sums of money building new jails or remodeling old ones in a futile attempt to deal with the constantly rising crime rate. These building programs accentuate a prevalent fallacy--that incarceration will correct previous criminal behavior.

Corrections programs in local detention facilities are almost non-existent. This void is attributable to the fact that corrections theory, based on academic research and field experience, is more progressive than the society in which it functions. More than 99 percent of all persons apprehended ultimately will be returned to society, many to resume their criminal activity, unless the correctional process can rearrange their living habits and return them as law-abiding citizens.

The correctional process is an integral part of the criminal justice system and in actuality begins with the apprehension of a suspect. Law enforcement officers must be aware of the correctional process and theory, to aid, rather than subvert, them. Extensive training programs must be effected to achieve this sensitivity throughout the criminal justice system.

Implementing the correctional reforms necessary to achieve this goal will be complex and costly. The *1971 Criminal Justice Plan for Texas* reflects that these conditions of incompatible roles exist in all counties of the state. It is inconsistent with current corrections theory for the apprehending officer to be charged with the responsibility of carrying out correctional processes. This conflict is compounded if the apprehending officer is, as is the case in many areas, acting as the probation officer or functioning in other roles of the correctional process.

### 3. County and Municipal Agencies

## b. Detention Facilities

The comprehensive state plan has described the conditions that exist in local detention facilities. The larger urban communities have detention facilities that are in reasonably good repair and provide acceptable security capabilities. Often the jails in the rural communities are in a deplorable state of repair and do not meet acceptable standards of security. Although many rural jails serve large geographical areas, the prisoner population in most of these facilities is small. The combined prisoner population of several of these counties would not provide sufficient population to justify operation of a regional detention facility.

In 1970, the Bureau of the Census surveyed all jails in the United States for the Department of Justice. The survey was limited to jails that customarily hold individuals for 48 hours or more. All qualified Texas jails reported.

The 325 jails in Texas include 235 county jails, 60 jails in municipalities of less than 25,000 population, and 30 in municipalities of more than 25,000 population.

In the 60 jails in cities of less than 25,000, the ratio of inmates to full-time employees was 15 to 1. Only three states have a higher ratio. In the 265 county or municipal jails in cities of more than 25,000 population, the ratio of inmates to full-time employees was slightly more than 10 to 1. Only one state has a higher ratio.

At the time of the Bureau of the Census survey (March, 1970), 210 jails were receiving juveniles, and all but one of these were holding juveniles who had received no preliminary hearing.

Of the total inmate population 64 percent (5,183) had been arraigned and were awaiting trial, 27 percent (2,195) had not yet been arraigned or were being held for other authorities. The remaining 9 percent (728) were awaiting the outcome of appeals or were serving misdemeanor sentences.

Of the 265 county and municipal jails only seven had recreational facilities. Eight had space for educational facilities (whether used or not). There were 3,117 cells (55 percent of total) less than 25 years old, 1,794 cells (31 percent) from 26 to 50 years old, and 779 cells (14 percent) older than 50 years.

The State Health Department is required by law to inspect the jails in the state. The staff of the Criminal Justice Council has been cooperating with the Health Department, which has given the Council copies of inspection survey reports. This survey is not complete; to date reports have been received from 226 of the 254 counties. These data reveal that 25 jails were constructed in the last 10 years (1961-1970). Twenty-four jails were constructed before 1891; 17 were constructed in the years 1891 to 1900. According to the survey report, 15 jails were remodeled between 1961 and 1970. The largest number of jails (41) was constructed from 1931 to 1940. An estimated 17 percent of the jails in use are more than 70 years old, and approximately 30 percent are more than 50 years old.

County commissioners and county judges indicate that units of local government are not financially able to provide modern programs or facilities

for incarcerating their public offenders.

Local correctional facilities are needed to house inmates who are awaiting the outcome of appeal, who are serving misdemeanor sentences, or who are confined for extended periods awaiting trial.

c. The Case for Regional Jails

In their report to the Governor and the 62nd Texas Legislature titled *Toward Urban Progress*, the Texas Urban Development Commission recommended:

Although each of these problems (set out in the commission report of jails) has separate alternative solutions, one collective alternative would be the establishment of regional correctional facilities.

Presently there is a dire lack of operating and construction funds for jails in counties and personnel resources could be pooled to provide adequate facilities and rehabilitative programs. Furthermore, career correctional positions could be established, and individuals in these positions could receive adequate education, training, and pay.

American county jails have been often described as the penal (they cannot properly be called correctional) institutions that have most successfully resisted change and reform. Most of them have been rated by inspectors as unfit for human habitation. Old and unsanitary buildings, poorly qualified and constantly changing personnel, intermingling of all types of prisoners--sick and well, old and young, hardened criminals and petty offenders--in overcrowded cell-blocks and "tanks," and the almost complete absence of even the most rudimentary rehabilitative programs constitute a scandalous state of affairs which will not be eliminated until the public is aroused to the point where it backs the efforts of the many sheriffs and jailers who are trying to correct bad conditions and practices, and insists that the others do so or be replaced.

In the December 19, 1970, report to the Texas Senate by the Senate Penal Servitude Interim Study Committee, entitled *Penal Servitude and Parole*, we find the following recommendations:

As has been noted, in Texas, accused persons who cannot make bail are often lodged in county jails for several months awaiting trial. Furthermore, after conviction, offenders generally remain in county jails for substantial periods of time while their cases are on appeal. In too many instances Texas county jails are located in aged, cramped quarters and prisoners are too often provided with only the bare essential amenities of life.

It is recognized that the immediate establishment of regional jails would cost a considerable amount of money. The Committee does not believe that it can recommend immediate establishment of a number of such facilities, but the Committee does recommend establishment to the extent feasible of regional level rehabilitation programs for persons held in county jails. Further, the Committee states its support of the principle of regional correctional facilities and expresses the hope that money can be found to establish such facilities within the next few years. In particular it is suggested that a regional jail might first be established in the Dallas-Fort Worth area as a pilot project.

Hand-in-hand with the need for local correctional facilities is the need for expansion of TDC's pre-release and work release programs. Sixty-five percent of all TDC parolees in the past year have been paroled to five Texas counties: Bexar, Dallas, Harris, Tarrant, and Travis (a lesser number to the latter). Because individuals who are discharged by expiration of sentence do not have follow-up supervision, their location cannot be pinpointed. It is felt that, proportionately, discharges will follow the same geographical pattern as parolees. A much lower rate of recidivism has been experienced among those individuals who have gone through the pre-release and work release programs. It is felt that if a combined unit could be constructed and operated to serve both local corrections and TDC inmates, the result would be greater efficiency, as well as improved rehabilitation, both statewide and locally.

The case for regional jails or correctional centers is therefore compelling:

Present facilities in Texas are archaic, poorly designed, and inadequate in virtually every particular to make a realistic rehabilitation effort possible.

New construction is extremely costly, running \$20,000 per inmate or higher. Federal, state, and local funds cannot be expected in sufficient amounts in the foreseeable future to replace an appreciable number of local facilities.

Correctional programs cannot be operated economically with small jail populations nor efficiently in larger jails (with populations of 500 or more).

An alternative, therefore, is to create regional facilities to serve groups of adjacent communities and counties. The participating governments can share construction costs (hopefully 25 percent of the total, with a federal assistance program providing 75 percent), operating costs, and access to the facility for local offenders with rehabilitation potential. The regional facility also has an advantage over the larger state institution, in that it can apply community resources to the correctional process. The construction and operation of such regional facilities by TDC, an option authorized by recent legislation, makes high standards possible statewide. It will insure consistency and coordination of effort, and TDC prisoners can be channeled to their home communities near the time of their release through work release arrangements at the regional centers.

In 1971 the 62nd Legislature passed House Bill 646, authorizing TDC to contract with units of local government or combinations thereof to build and operate regional detention facilities. This statutory authority furnishes the legal mechanism for TDC to extend rehabilitation programs to regional and community levels. Assisted by federal construction grants available under Part E of the Omnibus Crime Control and Safe Streets Act, local units of government may use TDC materials and inmate labor to construct regional detention facilities by contracting with TDC for construction, operation, and maintenance of the regional facilities.

#### d. Juvenile Services

Each county in Texas has a court of record designated as a juvenile court. In most counties this is the county court. Two counties, Travis and Bexar, have a district court (the highest trial court in Texas) designated as juvenile court,



and they function as full family courts. Two counties, Dallas and Harris, have statutory juvenile courts. Twenty-three counties have statutory domestic relations courts functioning part-time as juvenile courts. The statutory courts are not part of the state judicial system but are funded by local commissioners courts from the general funds of the various counties.

In addition, recent statutory changes have provided for "discretionary transfer" of children from the juvenile courts to the adult court. This is for boys 15 and 16 years old, and girls 15 through 17 years old, who at the discretion of the juvenile court judge, can be transferred to an adult court. The case then can be presented at an examining trial, presented to a grand jury, and tried in the adult court, or can, by the adult court or the grand jury, be transferred back to the juvenile court for disposition. If it is transferred back to the juvenile court, there can be no further criminal action taken for the same offense after the child reaches adult age.

In 1919 Texas began enacting "bracket and local" statutes which provided for juvenile probation officers. Some of the statutes are permissive and some mandatory. The statutes use the terms "juvenile officer" and "probation officer" interchangeably. In actual practice a "juvenile officer" is usually a police officer who derives his power as a peace officer and who works primarily with juvenile offenders. A juvenile probation officer is a county employee, and his principal duties are as an investigator and counselor for children before the court.

Almost every county has different "enabling legislation" in regard to juvenile probation officers. Such legislation often creates "juvenile boards," usually consisting of the district judges and the county judge of a county which is the administrative authority of the juvenile court. Commissioners courts are authorized to provide from the general funds for the necessary staff, or for the staff designated in the local law.

Approximately 92 of the 254 counties in Texas have juvenile probation officers. The size of the departments range from more than 100 in Harris County to part-time officers who also serve as school attendance officers or adult probation officers.

There are no statewide standards as to education or experience for juvenile probation officers. Since they are county employees, each county sets its own standards. The larger departments usually require a bachelor's degree in a behavioral science, and some try to recruit workers with a master's degree in social work. Some departments have additional staff, such as attorneys, special investigators, and psychologists.

Salaries for juvenile probation officers are set by commissioners courts. They range from about \$4,000 a year to about \$14,000. All monies for juvenile probation services come from the general funds of counties. There is no state aid and cities do not provide funds. A few demonstration projects have been funded by foundations and the federal government. Budgets for the programs range to approximately one million dollars for larger counties.

As more families move to urban areas, the population of the juvenile delinquency age bracket in the cities continues to increase. However, the alarming part of the increase of juvenile delinquency is not so much in the number of referrals as in the nature of the offense for which the child is referred.

A sampling of probation departments throughout the state has revealed apparently a significant increase in drug and narcotics abuse. Another sampling through probation departments in Texas revealed a qualitative change in offenses committed. There are more violent acts, such as shootings, stabbings, and armed robbery, occurring in the juvenile age bracket now than there have been in the past.

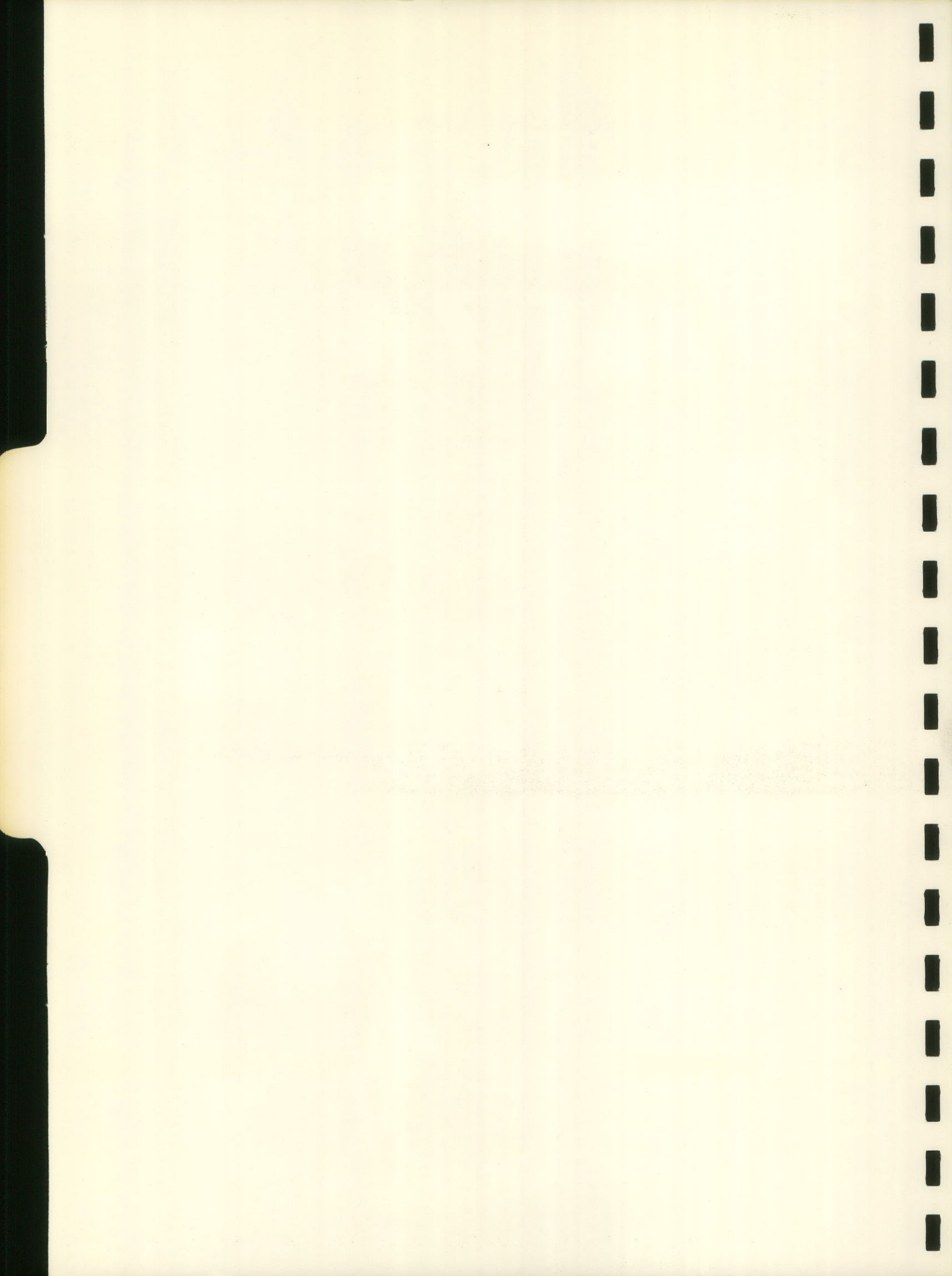
One urban probation department reported that it had a three- to five-percent increase in juvenile delinquency in 1969 over 1968; however, there has been a *400-percent* increase in the drug and narcotic abuse offenses that have been referred to it. This rise was verified by this urban probation department, and through the juvenile section of the sheriff's office and police department.



## II. THE MULTI-YEAR PLAN



Multi-Year Plan



## II. The Multi-Year Plan

### A. UPGRADING LAW ENFORCEMENT PERSONNEL

The basic strategy for upgrading police personnel will be to develop programs to attract better qualified personnel into the police service and to develop and implement programs for increasing the competence of persons already employed. Substantially, these objectives will be achieved through a four-fold approach: (1) recruit and in-service *peace officer training*, (2) *professional college education* for recruits and in-service personnel, (3) *improved personnel administration*, including recruitment, selection, discipline, promotion, and compensation of personnel, and (4) increased *availability of publications, manuals*, and other reference materials.

#### 1. Problems and Needs

##### a. Peace Officer Training

Regional plans, other regional studies, and the Texas Commission on Law Enforcement Officer Standards and Education report the level of training for police officers in many local police departments and sheriffs' offices is low. The larger departments, however, generally have adequate recruit training programs of from 16 to 20 weeks with good curricula and instruction. The Commission on Law Enforcement Officer Standards estimated in 1971 that approximately 14,500 of 16,000 to 19,000 officers working in the state had completed the equivalent of the basic recruit course of 140 hours as prescribed by the commission. The Task Force Committee on Police Education and Training found that in-service refresher training is deficient statewide, although in-service schools taught by the Department of Public Safety, the FBI, Texas A & M University, and others are of some assistance to local police. In the field of management training, as well as in certain specialized and advanced fields, the task force reported grave deficiencies.

The Legislature has recognized the critical need for police training by enacting, during the 1969 session, a law requiring all police officers entering police service after September 1, 1970, to have completed the minimum training program established by the Commission on Law Enforcement Officer Standards and Education within one year from date of employment. This law increases the need for regional academies to serve the sheriffs' and constables' offices and smaller police departments by providing the required basic training. The basic training program needs to be increased from 140 class hours to 400 class hours, as recommended by the President's Commission. Local academies need to be established and improved to meet the training need. In-service, refresher, management, and advanced specialized training on a statewide basis is critically needed.

The objectives in the field of training are again those delineated by the President's Commission. They read as follows:

Formal police training programs for recruits in all departments, large and small, should consist of an absolute minimum of 400 hours of classroom work spread over a 4- to 6-month period so that it can be combined with carefully selected and supervised field training.

Every general enforcement officer should have at least one week of intensive in-service training a year.

All training programs should provide instruction on subjects that prepare recruits to exercise discretion properly and to understand the community, the role of the police, and what the criminal justice system can and cannot do. Professional educators and civilian experts should be used to teach specialized courses--law and psychology, for example. Recognized teaching techniques such as problem solving seminars should be incorporated into training programs.

The ultimate objective is to have every officer in every assignment trained to perform his duty to maximum effectiveness.

The plan for implementing the training and education programs for 1971 has been based in part upon the 1970 IACP study of Texas police education and training.

#### b. Professional Police Education

The need for professional education among police practitioners is critical. This need is statewide, since there are few police officers in Texas who have college degrees and even fewer with degrees in a job-related field. In some regional planning areas there are no degree persons in the police service. As these regions become more urbanized and police management and operating procedures more complex, the lack of education becomes more acute.

While police education is available on a selective basis, the number of institutions offering law enforcement and related programs needs to be expanded to have full impact upon the law enforcement function. The prime need is for two-year programs to insure a workable geographical distribution of educational facilities.

The second and perhaps the most critical of the educational problems is the lack of program integration into a compatible system of comprehensive education. Programs at the two-year level range from pure training to fairly sophisticated educational offerings. The bachelor degree programs, with rare exception, are unstructured groups of courses that do not meet the relevant needs of law enforcement in a contemporary society.

In the field of formal professional education, the long-term objectives will be those delineated by the President's Commission on Law Enforcement and Administration of Justice. They read as follows:

The ultimate aim of all police departments should be that all personnel with general enforcement powers have baccalaureate degrees.

Police departments should take immediate steps to establish a minimum requirement of the baccalaureate degree for all supervisory and executive positions.

Every officer should be given incentives to continue his general education or acquire special skill outside his department.

The number and geographical distribution of educational programs in the state are inadequate for police education needs. Prospective police students of each municipality should have the opportunity to secure a college degree within reasonable distance of their homes.

Qualitatively, the direction of police education in the multi-year plan will in

part be dictated by the recommendations of the IACP survey of police education and training in Texas, and the findings of the "Core Curriculum Committee" appointed by the Commission on Law Enforcement Officer Standards and Education.

The principal priorities of the professional education effort are to increase the number of professionally educated police officers in the police services, to upgrade the curricula in law enforcement programs, and to integrate the education and training function into a systematized body of knowledge.

The Law Enforcement Education Program (LEEP) has greatly accelerated the professional education of active police officers as well as college students. The initial impact of LEEP has been of such consequence that the Commission on Law Enforcement Officer Standards and Education has provided two consultants to assist junior colleges and four-year institutions with the development of law enforcement programs, to encourage police officers to enroll therein, and to encourage the recruitment of high school graduates into law enforcement education.

The first priority is to enroll 500 to 700 qualified graduating high school seniors and 2500 to 3000 police officers in institutions of higher education. The institutions are encouraged to develop degree curricula oriented to the paraprofession of law enforcement work and work experience programs such as internships and cadets. This program is intended to produce a learning situation that will eliminate duplication of effort and information necessary to develop an efficient law enforcement officer.

The second priority will be to upgrade law enforcement curricula to meet the needs of a transitional society. Priority will be to systematize training and education programs. With an upgrading of curriculum content, the definitive line separating basic functional training from education will be established. An effort will be made to identify areas in which training can be supplemented with educational components and appropriate academic recognition given.

### c. Improved Personnel Administration

Police personnel needs have not been analyzed and documented in terms of a functional statewide system. These needs may be tentatively identified in problem areas such as civil service laws, recruitment, selection, assignment, rating and evaluating, discipline, and promotion. The Texas Research League reports the total absence of coordinated policies or procedures in many of the listed areas. Their conclusion was that each department has its own system. Some are good; others have no system at all.

The Criminal Justice Council, recognizing the importance of the personnel component in the criminal justice system, will attempt to stimulate departmental awareness of the need for improving personnel policies and procedures.

The President's Commission on Law Enforcement and Administration of Justice made the following recommendation on police personnel administration:

Police departments should recruit far more actively than they now do, with special attention to college campuses and inner city neighborhoods.

The ultimate aim of all police departments should be that all persons with general enforcement powers have baccalaureate degrees.

Police departments should take immediate steps to establish a minimum requirement of a baccalaureate degree for all supervisory and executive positions.

Until reliable tests are devised for identifying and measuring the personal characteristics that contribute to good police work, intelligence tests, thorough background investigations and personal interviews should be used by all departments as absolute minimum techniques to determine the moral character and the intellectual and emotional fitness of police candidates.

Police departments and civil service commissions should reexamine and, if necessary, modify present recruitment standards on age, height, weight, visual acuity and prior residence. The appointing authority should place primary emphasis on the education, background, character and personality of a candidate for police service.

Police salaries must be raised, particularly by increasing maximums. In order to attract college graduates to police service, starting and maximum salaries must be competitive with other professions and occupations that seek the same graduates.

Salary proposals for each department within local government should be considered on their own merits and should not be joined with the demands of other departments within a city.

Promotion eligibility requirements should stress ability above seniority. Promotion "lists" should be compiled on the basis not only of scores on technical examinations but on prior performance, character, educational achievement and leadership potential.

Personnel to perform all specialized police functions not involving a need for general enforcement powers should be selected for their talents and abilities without regard to prior service. Professional policemen should have the same opportunities as other professionals to seek employment where they are most needed. The inhibitions that civil service regulations, retirement plans and hiring policies place on lateral entry should be removed. To encourage lateral movement of police personnel, a nationwide retirement system should be devised that permits the transfer of retirement credits.

Entering officers should serve a probation period of, preferably, 18 months and certainly no less than 1 year. During this period the recruit should be systematically observed and rated. Chief administrators should have the sole authority of dismissal during the probation period and should willingly exercise it against unsatisfactory officers.

The Texas Research League reports, in several regional plans, that an assortment of local ordinances, state statutes, and local policies, or the absence of policy, creates an uncoordinated variety of procedures for hiring, promoting, compensating, and disciplining police officers and deputy sheriffs over the state. It reports that rules adopted by many cities are extremely rigid and allow entrance only as a recruit or chief, thus barring alternate entrance, as is recommended by the President's Commission. It feels that this practice hinders professional development. On the basis of these findings, a major need exists for development of a model civil service law and model



civil service and personnel administration regulations and procedures and their subsequent adoption by the Legislature, the cities, and the counties.

For the purposes of this report the personnel systems are subdivided into three major categories: (1) compensation and benefits, (2) personnel qualification, and (3) other personnel policies and procedures.

*(1). Compensation and Benefits*

Although a few large departments pay salaries that might be attractive to college graduates, the majority of the salaries is too low to attract professionally educated men. For example:

The state police agency, the Department of Public Safety, has a starting salary of \$696 per month, too low to compare favorably with more progressive states and the larger cities. To compound the problem, DPS officers are not included in the State Classification System for salary administration. Therefore, step increases cannot be paid and longevity increase is accrued only in five-year steps.

The above recommended studies should identify the needs in this area and serve as a basis for corrective action. Programs for building public and legislative support for adequate salary structures in police agencies are imperative if police service is to attract and retain the quality of personnel it must have to carry out its mission.

Retirement programs and fringe benefits for police are generally inadequate or nonexistent. Local police pension systems are based on a number of population brackets, authorizing statutes, or a general statute for municipal employee retirement. County officers are covered by a special statute on county employee retirement. State police agencies are covered under a general state employee retirement act. All the local pension systems depend upon action by the city or county government to participate. Some local pension systems are reported to lack actuarial soundness and these systems provide varying benefits, none of which compare favorably with federal retirement systems for law enforcement officers or with good state police systems. For example:

The state retirement system for police officers offers retirement after 20 years and age 60, but there are no increased benefits. Thus, if a state police officer retired at age 55 with 20 years of service he could draw as maximum retirement only 27.5% of his average pay for the best five consecutive years out of the last 10 years. An option providing for widow's benefits would reduce this amount substantially. The local nature of police pension systems makes transfer of benefits between agencies difficult, thus impeding professional progress and development. Other benefits such as health insurance, life insurance, etc., are provided for local officers on an individual governmental unit basis and range from good in some cities to none in others. No health or life insurance is provided for state police officers.

Texas needs a statewide system of police pensions and benefits that provides the equivalent of the federal system and of the better state systems. For example:

Such a system would as a minimum provide for retirement at age 55 with 20 years of service and pay 50% of the average pay for the five best

consecutive years out of the last 10. Benefits should increase for additional service up to 30 years with maximum benefits of 75%. Under a statewide system such benefits need to be freely transferable between agencies, fostering professional growth and progress when lateral entry is provided.

There is a need for a statewide police compensation and benefits study by SMSA. This study should address the following problem areas:

An inventory of compensation and benefits for local police in each SMSA and state agencies including an inventory of statewide ordinances and programs governing and regulating police salaries, pensions, and other benefits.

A salary study in each SMSA comparing local police salaries with salaries in comparable positions in business and industry, the state government, and the federal government and a comparable study for state police. This salary survey will be repeated in 1973 for updating.

A design for a state established pension and fringe benefits system that meets the needs and that is actuarially sound. This design will include suggested statutes.

The salary surveys then may be utilized by political subdivisions as a basis for securing adequate police salaries and benefits in the subdivisions. Proposed statutes should be prepared for consideration.

To benefit fully from this program, a feasibility study and the dissemination of information about such a program should be undertaken by a management consultant or by the Texas Peace Officers Association. Many cities operate on rules or policies within the framework of the State Civil Service Law (1269m) which of itself allows for reasonable flexibility in basic requirements for entry and basic rules of behavior that set the guidelines for discipline or dismissal. This law is extremely rigid, however, and allows entrance only at recruit or chief level; it rules out giving credit on promotional examination, for any special qualifications, education, or skills; the probation period on new personnel is too short, as are the time limitations placed on acts calling for discipline and dismissal, thus handicapping administrators in the progressive management and administration of their departments.

It is felt that a need exists for the development and subsequent adoption of a modern civil service law and model personnel administration regulations and procedures. The approach to revision must be tactful, not only because of present social conditions marked by police officers being courted by labor unions or influenced by teacher walk-outs and other means of defiance, but also because of the historical background. The law, 1269m, was passed 22 years ago, against a backdrop of political history which records police as pawns of politicians operating under the political spoils system. This law was written to overcome this image and, despite its many shortcomings, has effected needed improvement (similar involvements have been noted in many areas as pointed out in OLEA's study of Philadelphia).

State civil service law should retain the many excellent provisions in that statute and should bring it into line for effective modern personnel administration with particular emphasis on the sections that would encourage the true professionalization of police service. It should provide recognition of professional education in the selection process and the

promotional process. It should provide for lateral entry along the lines of the President's Commission's recommendation.

The revised statute should retain the 30-odd cities now under state civil service and should encourage the entry of others. The model ordinance will be presented to cities not under state civil service and they will be encouraged to adopt it to encourage the true professionalization of police service.

### (2). *Personnel Qualification*

Texas has never had effective statutory or administrative standards for peace officers. The statute referred to previously, effective September 1, 1970, authorized the Commission on Law Enforcement Officer Standards and Education to establish (administratively) physical, educational, training, mental, and character qualifications or standards for beginning police officers. Effective action by the commission and full cooperation by all affected agencies is needed to establish and implement effective standards for police officers. Effective supervision of all agencies will be needed to assure compliance with the standards.

### (3). *Other Personnel Policies and Procedures*

Most departments are operating without adequate guidelines for their day-to-day operations. Studies should be conducted to identify major departmental personnel weaknesses and action grants developed to eliminate these weaknesses. As a result of these studies a model police manual for statewide application should be developed.

Studies such as the comprehensive analyses conducted in the Galveston, San Angelo, Rockport, and Edinburg police departments are necessary for improving personnel administration.

#### d. *Publication and Reference Material*

Peace officers need to receive, at regular and frequent intervals, comprehensive reference materials such as information on opinions from the attorney general and appellate courts that affect their work. A monthly publication now is issued by the attorney general and is available to all police agencies. Regular revision, reprinting and distributions of the *Handbook for Law Enforcement Officers*, produced by the Texas House of Representatives' Commission on Law Enforcement Procedures in 1968, budgeted under 71-A4, and other appropriate publications are needed as references for individual officers and as textbooks in training programs.

Other reference sources such as trade journals, model manuals, and publications dealing with changing police activities should be made available to all peace officers.

There is need to produce a model manual in the field of police discretion. *The New York Police Manual* and the publication, "Police Guidance Manuals, a Philadelphia Model," will be used as a model and modified to meet this state's unique legal and procedural conditions. Upon completion of the model it should be disseminated widely and its adoption urged by all local agencies. Some funding may be done in local agencies for the revision of their manuals to meet local needs.

Grants will be made for group subscriptions for the IACP legal points to go to all requesting agencies.

In 1972 the staff of CJC will identify informational publications that may be funded with action grants.

## 2. General Statement of Priorities and Programs

### a. Peace Officer Training

With regional academies, junior colleges and local academies involved in training programs, it is anticipated that all planned academies will be operational in 1972. These academies will be involved primarily in the basic training as mandated by the Legislature and in some specialized courses to improve departmental functions.

With the preliminary physical location of the academies completed, the increased emphasis will be upon curriculum development, upgrading of instructional personnel and the extension of the training programs to the 400-hour minimum.

Training, in order to be effective, must be a continuing process, recognized as a necessary resource by administrators and accepted by the line officer as necessary to the professionalization and upgrading of the service. Regional coordinators are charged with the field contacts to insure that training is shown as an integral part of a department's operation.

The Commission on Law Enforcement Officer Standards and Education will be funded in 1972 to develop a catalog of approved police training. This catalog will contain a comprehensive syllabus of each course, a subject listing, points allowed toward various certificates, course prerequisites, and a bibliography of available training materials. It will be established by the commission as its training standard.

Two consultants of the Commission on Law Enforcement Officer Standards and Education have been provided through grants of 1969, 1970, and 1971 funds to assist the planning regions and local units in structuring their regional training academies and in strengthening their local training programs.

In addition to the basic recruit training programs, regional academies and training programs also will teach numbers of specialized and advanced courses, such as general criminal investigation, homicide investigation, and burglary investigation. Other specialized courses, including narcotics, juvenile police work, identification work, and police instructors' courses, will be taught in the regional academies. As resources are increased, regular in-service refresher training will be inaugurated to move toward the objective of one week for every man each year.

A major development in the field of management training and of high quality advanced and specialized training for police is projected. This plan is the School of Management and Advanced Studies at the Texas Department of Public Safety.

With an action grant from 1970 funds, DPS has begun the construction of an addition to its existing academy, which will handle 200 officers at one time. The department expects to staff it adequately to develop a high quality

program of management training, preparation of training officers, and high level training in advanced and specialized subjects. This academy is expected to be completed by the end of 1971, to be in operation sometime in 1972.

Studies will be conducted in 1972 to follow up recommendations made by the IACP analysis of training programs in Texas. Consultants will be retained to design action programs to implement these IACP recommendations.

**TABLE II**  
**Summary of Police Training Plan**

	1972	1973	1974	1975	1976
1. 20 Students - Southwestern Law Enforcement Institute @ \$800 each (3 months)*	\$ 16,000	\$ 16,000	\$ 16,000	\$ 16,000	\$ 16,000
2. 40 Students - Southwestern Law Enforcement Institute @ \$400 each (1 month)*	16,000	16,000	16,000	16,000	16,000
3. 10 Students - Southern Police Institute @ \$1,200 each (3 months)	12,000	Phased into DPS Program in 1973			
4. 120 Students - University of Texas Management Workshops @ \$150 each	18,000	Phased into DPS Program in 1973			
5. Department of Public Safety Management and Supervisory Workshop*	55,000	65,000	75,000	90,000	90,000
6. 800 Students - local middle management training @ \$50 each*	50,000	60,000	70,000	80,000	80,000
7. 800 Students - local supervisory training @ \$50 each*	50,000	60,000	70,000	80,000	80,000
<b>Specialized and Advanced Training</b>					
8. 1,500 Students - various subjects @ \$25 each	\$ 37,500	\$ 47,500	\$ 57,500	\$ 57,500	\$ 65,000
9. 70 Students - technical training (data processing chemists, toxicologists, polygraph operators, etc.) @ \$1,200 each	92,000	102,000	102,000	112,000	130,000
<b>Basic Training Course (Recruit and In-Service)</b>					
10. 1,000 Students - agency academies	\$ 80,000	\$ 80,000	\$ 95,000	\$ 95,000	\$110,000
11. 1,500 Students - regional police academies	225,000	200,000	200,000	200,000	200,000
12. 600 Students - local training programs @ \$25 each	15,000	15,000	15,000	15,000	15,000
13. Unscheduled - in-service refresher	25,000	25,000	25,000	25,000	25,000

**Technical Assistance for Training**

14. Com. on L.E. officers standards and education and outside consultants for program evaluation	\$135,000	\$135,000	\$135,000	\$135,000	\$135,000
15. Training Equipment for new innovations to assist present programs	300,000	325,000	325,000	350,000	350,000

\*Phased into partial credit academic program.

**b. Professional Police Education**

Changes in police personnel administration procedures described elsewhere in the Plan will give much greater incentive for professional education. Professional education curricula will be designed for potential recruits as well as for in-service police officers. Continued dependence on LEEP is planned and, with the 1970 changes in the Omnibus Crime Act, increased emphasis will be directed to programs in this category.

The *professional college education* program will fund the Commission on Law Enforcement Officer Standards and Education for two employees to work with colleges and universities to install degree programs or to upgrade existing programs, to work with all police agencies and officers to encourage police officers to enroll in college courses, and to encourage qualified, graduating high school seniors to enroll in college police courses through LEEP. This program will be carried out through high school vocational guidance counselors.

Working officers will be encouraged to enroll in college courses through *pay incentives* included in the program. Only modest funding, as incentive pay, was budgeted for 1970 but substantial increases are planned for 1971 and subsequent years. Pay incentives at the present time can be paid only to officers in the major cities because of limitations in Section 1269M of the State Civil Service Law. With modification of this law, pay incentives then become a stimulation for police officers to secure an education on their off-duty time.

The professional college education program also will provide assistance to local agencies for implementing police cadet programs in which qualified high school graduates will be employed full or part time in the police agency and enrolled in a professional college course. The Law Enforcement Education Program (LEEP) will provide tuition, fees, and books in this program. LEEP programs, special seminars, and scholarships will be handled through the LEAA regional office in Dallas.

Colleges at all levels in the multi-year plan will be encouraged to develop liaison with operating police agencies and to assist these agencies in improving training and educational methods through experimental type projects.

As of January 1, 1971, eight institutions of higher learning in the state are authorized by the Coordinating Board, Texas State College and University System, to grant the Bachelor of Science degree in law enforcement. These institutions are: Southwest Texas State University, San Marcos; Mary

Hardin-Baylor College, Belton; the University of Texas at Arlington; Lamar University, Beaumont; Hardin-Simmons University, Abilene; Texas Christian University, Fort Worth; and Sam Houston State University, Huntsville. Pan-American College at Edinburg, Sam Houston State University, and Texas Christian University also offer the Master of Arts degree in police science and public administration. Sam Houston offers a certificate in law enforcement and police science for the non-degree student desiring college level course work in law enforcement and the related behavioral sciences. Sam Houston State University, beginning in the fall of 1970, has a Ph.D. program in criminal justice. Other senior colleges offer course work in the behavioral sciences which help prepare the student for a career in law enforcement, and both Texas A & M University and Southern Methodist University have extensive non-degree police training programs. Sam Houston State University and Texas A & M University offer extension-type courses in areas removed from the main campus, thus making higher education in law enforcement available to practitioners in the field.

The 22 colleges of the Texas Public Junior Colleges System which offer course work in law enforcement are included in the colleges participating in LEEP.

**TABLE III**  
**Texas Schools Participating in LEEP**  
**With Law Enforcement Enrollment and Majors**  
**July 1, 1971**

	Total LE Program Enrollment	Law Enforcement Majors
Alvin Jr. College	60	28
Amarillo College	53	53
Bishop College		
Brazosport Jr. College District		
Central Texas College - Killeen and Austin	252	216
Christian College of the S.W.	150	
College of the Mainland	19	17
Cooke County Jr. College	75	49
Dallas Baptist College		
Del Mar College	95	91
East Texas State University		
E! Centro College	262	310
Galveston County Jr. College	74	0
Grayson Jr. College	67	67
Hardin - Simmons University	106	104
Henderson County Jr. College	150	85
Howard County Jr. College	28	23
Kilgore College	75	75
Lamar University	161	55
Lee College	30	30
Laredo Jr. College	11	11
Mary Hardin - Baylor College		
McLennan County College	72	61
Midwestern University		
North Texas State University		
Odessa College	180	51
Prairie View A&M College		
Sam Houston State University	1,103	733

San Antonio Union J. C. District	608	608
San Jacinto College	59	24
South Texas Jr. College	118	107
Southwest Texas State University	568	178
St. Edward's University		
St. Mary's University		
Stephen F. Austin St. College		
Tarrant Co. Jr. College	260	255
Texarkana College	75	75
Texas A&I University	14	14
Texas Christian University	25	25
Texas Wesleyan College		
Tyler Jr. College	73	58
University of Texas at Arlington	333	53
University of Texas at Austin		
University of Texas at El Paso		
University of Houston		
Victoria Jr. College	77	33
Wharton County Jr. College		
Total	5,233	3,587

### c. Improved Personnel Administration

A study of existing police personnel administration procedures and regulations will be proposed in 1972 with planning funds. It will be updated in each succeeding year. The study will be made by a task force appointed by the CJC staff. Some consultant expertise will be secured from appropriate sources. The task force will be broadly representative of agencies and organizations with an interest in the subject. The work products of the task force will include the following:

An analysis of state law and of a representative sampling of local ordinances and administrative regulations on the subject.

A model law, a model ordinance, and a model administrative regulation with rationale for the proposals in each.

A suggested public information program to be implemented by CJC to create widespread understanding of, and public support for, the proposals.

Beginning in 1971 and continuing through the following five years, action programs will be inaugurated to improve the recruitment of police officers and of the procedures utilized in selecting personnel. Some studies will be funded in individual agencies to improve their recruitment and selection procedures and some programs will be funded to develop regionwide recruitment programs. A model selection program will be developed and its widespread use encouraged. Encouragement will be given to increasing the recruitment at colleges and the recruitment in minority groups. Full advantage will be taken of the "Project Transition" program funded by LEAA and executed by IACP with military personnel in recruitment. The findings of the Chicago study in the area of predicting personnel performance will be used in developing new selection programs.

A professional police salary survey will be made with planning funds in the 23 standard metropolitan statistical areas to be used as a basis for consideration for improving police salaries.



A statewide police compensation and benefits study by SMSA will be conducted in 1972. The study will be updated in 1973. Its work products have been discussed in "Problems and Needs." Seventy-five percent of police personnel in the state should be using it by the end of the period.

*(1). Police Compensation and Benefits Study*

The police compensation and benefits study may offer a statewide plan to provide by state statutes an adequate pension and benefits program that is actuarially sound and in which the accrued benefits can be easily transferred from one agency to another. With the adoption of such a program, uniform pensions and other benefits would prevail throughout police service, making it more attractive for the entrance of professionally trained personnel. The salary survey should establish reasonable standards for police salaries in each SMSA for its central cities and smaller units to encourage local legislative bodies to provide adequate salaries and a basis for building public support for such action. It is expected that the survey, to be made each two years, will cause police salaries to move upward substantially as qualifications and competence improve. The study will delineate the need for state aid to local police and will aid in the development of such a program.

*(2). Personnel Administration Regulations Study*

This study will provide recommendations for a statewide system that will attract and retain highly qualified personnel. The projected study of existing police personnel administration regulations will be proposed in 1972. It should produce proposed revisions to the state civil service law, a model ordinance for cities that are not under the state law, and model administrative regulations for cities that do not adopt an ordinance for this purpose. The proposed revision of the state civil service law should retain the many excellent provisions in that statute and should bring it into line for effective modern personnel administration with particular emphasis on the sections that would encourage the true professionalization of police service. It should provide recognition of professional education in the selection process and the promotional process. It should study the feasibility for lateral entry along the lines of the recommendations of the President's Commission. The revised statute should retain the 30-odd cities now under state civil service and should encourage the entry of others. The model ordinance will be presented to cities not under state civil service, which will be encouraged to adopt it to encourage true professionalization of police service. The 1973 updating will produce a further refined model and needed legislative revision.

*(3). Other Personnel Policies and Procedures*

When the model police selection program is developed, it will be made available to all police agencies and they will be encouraged with action grants to adopt it as their selection procedure. This model program will be updated as necessary to incorporate new developments. It will be made available to all police agencies as a model selection program through which they can select applicants most likely to perform the police task adequately. With the incentive of action grants at least 500 agencies covering 75 percent of police personnel in the state should be using it by the end of the period.

The model police guidance manual project in 1972 and 1973 will produce a series of manuals dealing with areas where police discretion is involved. All

agencies of any size will be encouraged to adopt the manual and action grants can be utilized to encourage them by providing for its publication in the agency. It is expected that the manuals will be adopted and in use in all major agencies covering 50 percent of the police personnel in the state by the end of the period.

It is anticipated that the improved personnel administration program, by the end of the multi-year period, will produce professional police recruitment programs in every large and medium sized city and in the other central cities of each SMSA (35 cities). Similar improvements should result for all the regions through a regional recruitment program for smaller agencies. This program should bring into police service many more qualified applicants. It is expected that all the central cities in the planning regions and many of the smaller cities will adopt the model police selection program and be utilizing the most effective techniques for selecting applicants who can be predicted to perform police work most successfully. The salary surveys and police compensation and benefit surveys are expected to produce strong support from the Legislature, from city councils, and from county governing bodies to raise police salaries to a level that will be competitive with private industry for comparable positions. The revision of state and local personnel regulations produced by the work of the planning project will provide a system that will emphasize ability and encourage professionally educated persons to enter and remain in police service.

*(4). Publications and Reference Material*

At the end of the multi-year period the publications and reference materials program will be providing every officer a monthly publication from an authoritative state agency that digests each pertinent state attorney general's opinion, and each pertinent court opinion from the state appellate courts that would affect the work of police officers. This program also will revise and reproduce annually the "Handbook for Texas Law Enforcement Officers" and distribute it to every police officer in the state and to all of the police training academies as a textbook. Some national legal reporting periodical will be going to at least 500 of the major police agencies in the state. This publication will serve as a legal reference and will keep agencies informed in detail on developments in criminal law.

**TABLE IV**  
**Category A: Upgrading Law Enforcement Personnel**

<b>PROBLEM</b>	<b>NEED OR OBJECTIVE</b>	<b>PLANNING PROJECTS</b>	<b>ACTION PROGRAMS</b>
1. Deficient training - quantity and quality	Adequate recruit and in-service training for all peace officers	Education and training study	A1 Peace Officer Training
2. Lack of professional education	Professional college education	Education and training study	A2 Professional College Education
3. Inadequate personnel administration	Improvement of personnel administration - regulations, compensation, benefits, etc.	Personnel administration regulations study Police pension study	A3 Personnel Administration Systems D1 Organization and Administration Surveys
4. Lack of publications	Availability of publications	Model police guidance manual	A4 Law Enforcement Publications

a. Planning Projects Proposed\*

3. Multi-Year Financial Plan

Program Description Titles	1972	1973	1974	1975	1976
Education and training study	\$ 25,000	\$ -0-	\$ 25,000	\$ -0-	\$ 25,000
Personnel administration regulations study	30,000	10,000	-0-	15,000	-0-
Model selection program	60,000	-0-	-0-	5,000	-0-
Model police guidance manual	20,000	-0-	10,000	-0-	10,000
Police compensation and benefits study	40,000	20,000	-0-	10,000	-0-

\*These estimates do not include operational expenses of the SPA.

b. Action Programs

Program Description Titles	1972	1973	1974	1975	1976
Peace officer training	\$ 850,000	\$1,500,000	\$1,500,000	\$1,500,000	\$1,500,000
Professional college education	452,000	700,000	700,000	700,000	700,000
Personnel administration systems	60,000	200,000	250,000	250,000	250,000
Law enforcement publications	20,000	45,000	50,000	55,000	55,000

a. Peace Officer Training

4. Multi-Year Forecast of Accomplishments

By the end of the multi-year period all police officers working in Texas should have completed the minimum prescribed course for a basic certificate and all recruits entering service after September 1, 1970, will be required to meet training standards prescribed by the state. A large percentage of them should have completed adequate advanced and specialized courses to receive advanced certificates. The minimum standards on the course will be raised to 400 hours to comply with recommendations of the President's Commission. All of the large and medium-sized cities and all of the large sheriffs' offices will have strong training programs in their own academies, having been funded out of action funds for the creation of the academy or for the expansion of the current 22 certified academies.

It is expected that all regional police academies will be funded and in operation in 1972. These academies will teach the minimum basic course for recruits prescribed by the Commission on Law Enforcement Officer Standards and Education. This course will be taught to police officers now employed who have not received such training and to new officers who will be employed. It is expected that this minimum course will be lengthened and continually upgraded through the coming years.

With the DPS academy, the increase of academies in police departments and sheriffs' offices, the strengthening of existing local academies, and full establishment and implementation of the 22 regional police academies and regional training programs, it is believed that the training objective will be achieved for all recruits by 1973.

This structure, by the end of the multi-year period, will result in 1,000 of 2,000 recruit officers annually receiving 600 to 1,000 class hours of high quality instruction in recruit schools in the 24 local agency academies. The other 1,000 recruit officers annually will be receiving, by the end of 1973, 400 class hours of basic recruit instruction. These two programs will

substantially meet the recommendation of the President's Commission for recruit training.

In the local agency academies and in the regional state academies, every officer in the state (18,000 to 20,000) will receive at least one week in-service training annually. About one-half of the officers will receive general in-service refresher training, the other half first-level specialized training, advanced specialized training, first-level supervisory training, and advanced management training in the local academies, the regional academy, or the state academy for management and advanced studies. Every officer in a supervisory or management position will receive one week of training at some level of police administration annually. Strong emphasis will be placed on police-community relations training in all of the recruit programs and in-service refresher programs and many of the specialized courses will devote the entire curriculum to police-community relations. Police training will be clearly structured with the course standards established by the Commission on Law Enforcement Officer Standards and Education. The annual projections are as follows:

- 1972 Provide support for upgrading present programs; consolidate present programs through coordination between local agencies, regional training academies, and the junior college training efforts. Upgrade curriculum through assistance from the Commission on Law Enforcement Officer Standards and Education. Survey needs for special types of training. Make preliminary studies to determine how training programs dealing with supervision and management can best meet the needs of the criminal justice system. Retain outside consultants as needed.
- 1973 Formulate and develop integration between education and training programs. Phase some training into academically related programs. Continue support for third-year training programs. Continue to assist in updating instruction and curricula in established academies. Expand specialized training to meet technological needs. Implement changes from training studies conducted in 1971. Identify areas of need for LEEP research and utilize technical consultants for evaluation.
- 1974 Continue support to existing academies and specialized training. Evaluate problem areas and structure research through LEEP projects. Reevaluate college/police training affiliation. Follow suggestions as outlined in the 1973 studies.
- 1975 Continue support to existing academies and specialized training, upgrading of equipment and curriculum in academies. Do follow-up study on the functioning of the state training system.
- 1976 Continue support to existing academies and specialized training. Implement recommendations of 1975 report.

At the end of the multi-year period every police officer in the state will be certified by the Commission on Law Enforcement Officer Standards as having met the state-prescribed standards for police training.

## b. Professional Police Education

The multi-year objective is to assure that professional education is available to all counties and municipalities with two or more enforcement officers. Major metropolitan cities will be encouraged to follow the lead established in 1970 by the Dallas Police Department, which has implemented a two-year educational entry requirement to take effect over the next three years. This will be followed by a four-year degree requirement for entry and promotion to top level administrative positions.

The direction of law enforcement education in Texas will be guided by recommendations of the 1970 IACP study of police education and training. These recommendations are alluded to throughout the remainder of this section.

Law enforcement education programs that have been operational during the last five years, and have been assisted by LEEP, are beginning to produce results. See following table.

In the spring semester, 1971, there were approximately 5,233 enrolled in law enforcement courses in colleges throughout the state. Of this number, approximately 3,587 were police officers. Encouraging this activity through technical and financial assistance will be the key to a successful state police educational system.

With 16 senior colleges and universities and 34 junior colleges with law enforcement degree programs at the present time, the numbers and the geographical distribution appear inadequate to serve the professional education needs of the police in Texas. It will be the task of the two representatives of the Commission on Law Enforcement Officer Standards and Education, in cooperation with educators, and aided by the LEEP incentive, to expand these numbers. Goal for the next five years should be at least 18 four-year institutions and 40 two-year programs.

The professional college education program will fund the Commission on Law Enforcement Officer Standards and Education to work with educational institutions to upgrade existing programs. They will encourage police officers and graduating high school seniors to enroll in college police courses through LEEP. This program will be carried out through high school vocational guidance counselors. Working officers will be encouraged to enroll in college courses through pay incentives included in the program.

The professional college education program also will provide assistance to local agencies for implementing scholarships and police cadet programs in which qualified high school graduates will be employed part-time in the police agency and enrolled in a professional college course, going into full-time employment upon graduation. The Law Enforcement Education Program will be depended upon for tuition and fees in this program.

Regional projects in program development between education and training organizations will be initiated. Experimental instructional and testing techniques will be devised and utilized in both the training and education programs.

Regional projects between functional police agencies and the colleges will be encouraged. Resources of both organizations need to be utilized in order to reconcile basic communication gaps in education programs.

**TABLE V**  
**Law Enforcement Student Enrollment in Two and Four Year Colleges**  
**(LAW ENFORCEMENT MAJORS)**

College or University	F-69	S-70	F-70	S-71
1. Alvin Junior College	*	20	32	28
2. Amarillo Junior College	*	29	40	53
3. Christian College of the Southwest	*	8	44	*
4. Central Texas College (Killeen)	*	29	105	105
5. Central Texas College (Austin)	*	*	*	111
6. College of the Mainland	*	*	17	17
7. Cooke County Junior College	*	12	35	49
8. Del Mar College	*	98	76	91
9. El Centro College	*	250	330	310
10. Galveston County Junior College	*	*	54	46
11. Grayson County Junior College	*	52	71	67
12. Hardin-Simmons University	*	50	101	104
13. Henderson County Junior College	*	*	30	85
14. Howard County Junior College	*	64	38	23
15. Kilgore Junior College	*	*	71	75
16. Lamar University, BS degree	*	*	57	66
17. Lamar University, AAS degree	*	*	38	44
18. Laredo Junior College	*	*	*	11
19. Lee Junior College	*	47	61	30
20. McLennan Community College	*	66	50	61
21. Odessa Junior College	*	55	65	51
22. Sam Houston State University	*	594	1,075	733
23. San Antonio College	*	200	29	608
24. San Jacinto Junior College	*	12	59	24
25. South Texas Junior College	*	46	71	107
26. Southwest Texas State University	*	116	160	178
27. Tarrant County Junior College	*	216	245	255
28. Texarkana Junior College	*	32	55	75
29. Texas Christian University	*	*	13	14
30. Texas Southmost Junior College	*	*	*	25
31. Tyler Junior College	*	63	*	58
32. University of Texas at Arlington	*	*	30	53
33. Victoria Junior College	*	*	18	30
	*	2,051	3,070	3,587

The multi-year plan will support the Commission on Law Enforcement Officer Standards and Education. Staff members will work with institutions of higher education to develop and upgrade existing programs.

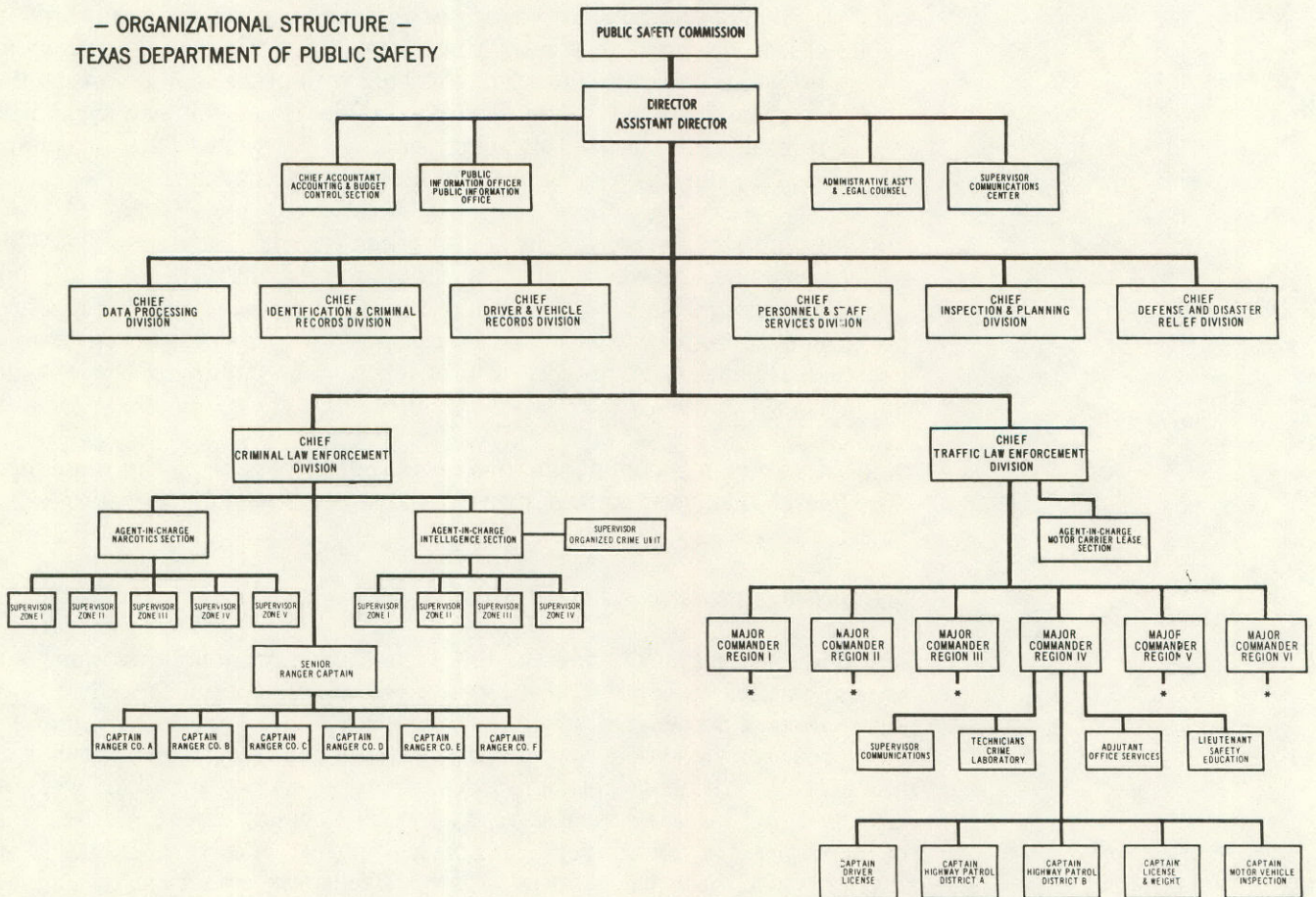
The forecast of activities and accomplishments planned for this multi-year program follows.

- 1972 Continue assistance to the Commission on Law Enforcement Officer Standards and Education. Plan and upgrade professional education on a statewide basis. Efforts will be made to coordinate, upgrade curricula and develop a superior faculty resource. Four or five four-year law enforcement programs and eight to 10 new two-year programs will be established. Approximately 3,000 full-time law enforcement officers and 500 qualified graduating seniors will be enrolled in courses directly relating to law enforcement.

Upon completion of the IACP study on police education and training, educational research consultants will be retained to assist in implementing the recommendations of the study. The law governing educational incentive pay will be studied and legislative recommendations made.

Experimental and innovative teaching projects will be sought to upgrade educational programs. Technical assistance for emerging programs to include a study on funding of technical and nontechnical curricula.

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\* Other Regions are substantially the same as Region IV

Continue support to academic institutions engaged in specialized training. Institutions will be encouraged to upgrade and bring appropriate courses into the specialized academic programs. Study on specialized types of education, i.e., public education grades 6-12.

- 1973 Continue changes as suggested by IACP report. Draw up necessary legislative changes; put task forces on these changes. Expand number of four-year programs to cover all regions of Texas. Assist DPS in implementing college sponsorship for supervisory, management, and specialized courses. Upgrade some college based specialized training to educational status. Implement innovations as suggested in consultant studies.
- 1974 Complete changes as suggested by the IACP report. Assist four-year law enforcement academic programs to aid regional law enforcement on a consultant basis. Assist training academies in updating instructors and curriculum materials. Draw up guidelines for two-year institutions, further separate training curricula from the academic program. Encourage two-year college programs to develop allied training programs. Encourage four-year law enforcement programs to coordinate their curricula with other components of the criminal justice system. Continue to develop statewide system of roll-call training. Implement programs suggested in consultant studies. Have a continuing evaluation of program changes.
- 1975 Complete agreement on transfer--non-transfer standards. Bachelor programs to cover all major metropolitan regions of the state. Refine and upgrade both training and educational components of the two and four-year system. Continue support for upgrading instruction. Reevaluation of progress and changes to be conducted by outside consultants.
- 1976 Implement recommendations of consulting personnel. Continue high level of support for innovative research, studies, and applications.

### c. Improved Personnel Administration

Continuing through 1972 and the following four years, action programs will be inaugurated to improve the recruitment and selection procedures for police officers. Some studies will be funded in individual agencies to improve these procedures and some programs will be funded to develop regional and statewide recruitment programs. A model selection program will be developed and its widespread use encouraged. Encouragement will be given to increasing the recruitment at colleges and in minority groups. Full advantage will be taken of the "Project Transition" program funded by LEAA and executed by IACP with military personnel in recruitment. In the field of selection, the findings of the Chicago study in the area of predicting the performance of personnel will be utilized in the development of new selection programs.

It is anticipated that the improved personnel administration program, by the end of the multi-year period, will produce professional police recruitment programs in every large and medium-sized city and in the other central cities of each SMSA (35 cities), and for all of the regions through a regional recruitment program for smaller agencies. This program should bring into



police services many more qualified applicants. It is expected that all of the central cities in the planning regions and many of the smaller cities will adopt the model police selection program and be utilizing the most effective techniques for selecting applicants who can be expected to perform police work most successfully. The salary surveys and police compensation and benefit surveys are expected to produce strong support from the Legislature, from city councils, and from county-governing bodies to raise police salaries to a level that will be competitive with private industry for comparable positions. The revision of state and local personnel regulations produced by the work of the planning project will provide a system that will emphasize ability and encourage professionally educated persons to enter and remain in police service.

The multi-year program will proceed in the following manner:

A 1972 professional police salary survey will be made with planning funds in the 23 standard metropolitan statistical areas to be used as a basis for consideration for improving police salaries.

A statewide police compensation and benefits study by SMSA will be conducted in 1972. The study will be updated in 1974. Its work products will be:

An inventory of compensation and benefits for local police in each SMSA and state agencies, including an inventory of statewide ordinances and programs governing and regulating police salaries, pensions, and other benefits.

A salary study in each SMSA comparing local police salaries with those in comparable positions in business and industry, the state government, and the federal government, and a comparable study for state police. This salary survey will be repeated in 1974 for updating.

A design for a state established pension and fringe benefits system that meets the needs and is actuarially sound. The design will include suggested statutes.

The salary surveys then may be utilized by political subdivisions as a basis for securing adequate police salaries and benefits in the subdivisions. Proposed statutes should be prepared for consideration. The model police guidance manual will be initiated. Data for inclusion in the manual will come from administrative surveys conducted in 1971 and 1972.

Administrative analyses in several departments will be initiated to upgrade personnel, policies, and procedures.

Reference materials in training manuals, journals, and bulletins will be increased.

1972 Evaluate program and research results. Implement and continue those projects showing results. Second-year funding for long-range programs. Initiate new administrative studies, collate results of study, and distribute a model administrative manual.

1974 Evaluate and fund second- and third-year programs. Use action grants to implement project results.

Sponsor innovative programs in upgrading personnel. Update

compensation and benefits study.

- 1975 Evaluate and fund ongoing second- and third-year programs. Evaluate results of past studies with consultant groups. Move to have study recommendations adopted into departments. Support needed projects that result from studies.
- 1976 Continue programs in second and third year. Implement programs into department on a permanent basis.

#### d. Publication and Reference Material

At the end of the multi-year period the publication and reference material program will be providing every officer a monthly publication from an authoritative state agency that digests each pertinent state attorney general's opinion and pertinent court opinion from the state appellate courts that would affect the work of police officers. This program also will revise and reproduce annually the *Handbook for Texas Law Enforcement Officers* and distribute it to every police officer in the state and to all of the police training academies as a textbook. Some national legal reporting periodicals will be going to at least 500 of the major police agencies in the state for legal reference and for keeping them current on the criminal law on a more detailed basis than the monthly periodical.

- 1972 Continued support for the attorney general's publication. Appraisal of requests for manuals, journals, and other types of books and publications. Evaluate and reassess how field officers can best be informed on current information.
- 1973 Continued support to assist in upgrading police library facilities. Determine need for information to be disseminated to all peace officers included in *Southwestern Lawman* and *Texas Police Journal*.
- 1974 Continued support for prime publications. Encourage local support at the second- and third-year funding.
- 1975 Review publications available. Encourage comprehensive writing in state journals. Study new devices for communicating statewide.
- 1976 Continue support as above. Develop new concepts in communication.

### B. PREVENTION OF CRIME

#### 1. Problems and Needs

The President's Commission on Law Enforcement and Administration of Justice identifies three essential approaches to crime prevention: (1) eliminating social conditions associated with crime; (2) improving the ability of the criminal justice system to detect, apprehend, judge, and reintegrate into their communities those who commit crimes; and (3) reducing the situations in which crimes are most likely to be committed.

These categories are broad and include other governmental social action programs, the private efforts of groups and individuals, and programs in the

field of criminal justice. However, the ever increasing cost of crime to society indicates that too little is being done to prevent crime.

A complete list of problems in the field of crime prevention would be as lengthy and complex as a listing of all of the problems faced by society. Consequently, the following list is limited in scope. All programs which may prevent crime should receive careful attention.

a. Lack of Public Information on Crime and Criminal Justice System

The Public Education Committee of the Criminal Justice Task Force has found a general lack of public understanding of the nature, extent, and effect of crime, as well as the criminal justice system's objectives, operations, problems, and needs. The condition is largely due to the lack of public information and education. Public support, so essential for effective work of criminal justice agencies, will depend in a large measure on public understanding. A continuing program using a broad spectrum of informational media is needed to remedy this deficiency.

Citizens are not sufficiently aware of the facts about crime, methods of protecting themselves from it, or methods of helping police detect it. Due to a lack of public knowledge, public support of and participation in the criminal justice system often is lacking.

The President's Commission on Law Enforcement and Administration of Justice states:

The Commission believes that there is a clear public responsibility to keep citizens fully informed of the facts about crime so that they will have facts to go on when they decide what the risks are and what kinds and amounts of precautionary measures they should take. Furthermore, without an accurate understanding of the facts, they cannot judge whether the interference with individual liberties, which strong crime control measures may involve, is a price worth paying. The public obligation is to provide this information regularly and accurately.

The lack of sufficient public understanding of the crime problem, limited and reluctant public participation in the criminal justice process, and too little public support of crime prevention and control have contributed to rising crime rates. There is a need to educate the public about crime and steps that can be taken to control it. Criminal justice agencies need to share in this public education process through developing public education programs in their communities. The public information media, private organizations, schools, colleges, and universities also have indispensable roles to play in this process. The Texas Legislature in 1969 took a major step in requiring crime prevention, especially information about the abuse of drugs and narcotics, to be taught in grades 5 through 12 of all the state's public schools.

There is a need, in addition, for development of new materials and techniques for public education about crime prevention and control. Members of the professions and volunteer organizations must be encouraged to focus their knowledge and expertise on the crime problem.

Drug abuse and narcotics-related crimes are rapidly increasing in Texas, and

it is believed that public education will prove to be one of the most effective tools in controlling their problem. Special attention, therefore, must be given to educating the public about the abuse of narcotics and about organized crime.

b. Inadequate Crime Repression Through Police Presence

Research indicates that the presence of police at the location of projected crime often prevents the attempt. Every police agency should deploy its personnel to secure the maximum crime prevention from their presence. It is almost impossible to deploy police patrols on an exact, scientific basis, at probable locations, at the time a crime is most likely to occur without the use of a computer. Larger cities need computer capability for control of patrol functions in order to maximize crime prevention by police presence.

The Texas Research League in the report referred to above states:

A computer cannot make decisions on the assignment of police manpower. However, it can provide the decision-maker with comparisons and analyses of a considerable amount of data that should be considered in making manpower assignments. This is accomplished by simulating or by building a model of the police patrol network into a computer, including all of the various factors that affect the need for manpower. While it is impossible for any human being to analyze all factors influencing the need for police services in a given area prior to each beat assignment, a computer has this capability and is accomplishing this task for many departments.

Each major city needs to design a system for utilizing a computer for the allocation and control of police resources. There is also a need to regulate and improve the quality of private police patrol agencies offering crime prevention service to merchants, residential areas, and others. These services have grown rapidly in the last few years and are of varying degrees of competence. The Legislature has established the Board of Private Detectives, Investigators, Patrolmen, Guards, and Managers to regulate these agencies.

c. Vulnerability of Traditional Crime Targets

Adequate consideration has not been given to reducing opportunities for crime. The Texas Research League, in a recent report to the North Central Texas Council of Governments, made the following statement:

Burglaries constituted almost 45 percent of all index crimes committed in the Dallas and Fort Worth metropolitan areas in 1967. Burglary involves breaking and entering or illegal entry. Burglars usually have as their objective the theft of money or objects ranging from small change in a vending machine to a big haul from a major safecracking job. The value of money or property taken in the vast majority of burglaries is modest. This may indicate a high percentage of amateur, first-time offenders. Statistics showing the ages of persons arrested indicate, further, that a high percentage of persons involved in these burglaries are teenagers.

Although scientific verification is lacking, there is general agreement that elimination of easy crime possibilities could produce significant dividends by precluding many juveniles' first criminal acts, thereby

detering a subsequent life of crime. Acting in accordance with this generally held theory, the United States Department of Transportation has established standards for the manufacture of new automobiles, making auto theft much more difficult. The same logic used to justify higher standards for automobile locks could be used at the local level to: (1) establish standards which would make homes and business establishments more difficult to burglarize; (2) establish requirements for burglar alarms and other mechanical and scientific aids to the police in detecting criminal activity as well as deterring it; and (3) establish standards for street lighting and lighting of private premises utilized for commercial or industrial purposes.

The Criminal Justice Council has authorized a number of planning studies to be made during 1971 and 1972 on methods for reducing (hardening) crime targets, such as buildings, children's routes to and from school, and locations with a history of violent incidents.

d. Inadequate Citizen Participation in Crime  
Prevention and Control

A lack of direct citizen participation in crime prevention and control is reported generally. This lack is explained as fear of involvements, population density, and other causes. Evidence indicates a need for much greater involvement of citizens--through action to protect themselves and their property more effectively and through increased assistance to police and other criminal justice agencies.

One immediate result of greater citizen involvement would be quicker detection and reporting of crimes and imminent crimes by citizens. Frequently it is difficult for the public to contact police when crimes are imminent or in progress, and police agencies often are slow in responding to calls for emergency assistance. Therefore, units of local government should make certain that citizens needing to contact the police are able to do so quickly.

Studies of the adequacies of public call-box facilities in areas of high crime incidence and low income are needed. Steps need to be taken to remedy identified deficiencies. In addition, local governments should seek to improve the public's telephone contact with police by working with telephone companies to implement a common police telephone number (911) and by procedures for using pay phones for emergencies without the deposit of money.

Police response time to crime should be determined in each city, and steps taken to reduce response time where necessary.

e. Inability to Detect and Treat Predelinquent Behavior  
and Characteristics in Children

There has been no method for early detection of tendencies toward delinquency in juveniles and providing corrective treatment on a broad, systematic basis. Generally, juveniles are far along the path to delinquency before they come to the attention of law enforcement authorities. There is a serious need for programs involving schools, juvenile authorities, youth guidance centers, and other appropriate agencies to identify early tendencies

toward delinquency and establish corrective measures. Recently developed diagnostic techniques offer promise in this area. Consideration should be given a broad corrective program, involving home, school, youth authorities, and volunteer groups, to assist and correct the youngster before the pattern of delinquency is fixed. Emphasizing this need is the fact that in 1970, 34.8 percent of all index crimes solved involved persons under 18.

#### f. Research

Research should be an integral part of each action project. A need exists for additional research in every area of crime prevention. Research efforts cannot be delimited by a project description but must be broad enough to include a meritorious idea, technique, or procedure. Field agencies and educational institutions need to form coalitions in ongoing research projects that will improve the methodology for crime prevention. Criteria for evaluating the effectiveness of countermeasures are needed.

## 2. General Statement of Priorities and Programs

During 1972 and the four succeeding years, CJC will develop a multi-program approach to crime prevention. Major focuses will be on: (1) *public education* about crime and public involvement in the criminal justice system; (2) *increased crime repression by police presence*; (3) *reduction of opportunities for crimes*; (4) *increased citizen participation in crime prevention and control*; (5) *increased citizen participation in predelinquent behavior in children*; and (6) *research and development* in the broad field of crime prevention.

#### a. Public Education

The public information envisioned during the next five years will be of three different types: (1) A major emphasis will be given to programs acquainting young people with the dangers of drugs and narcotics; (2) programs designed to acquaint the public with the workings of the criminal justice system and the need for massive public participation in the system will be stressed; and (3) programs designed to acquaint citizens with methods of protecting themselves from crime will be emphasized.

A task force on public education appointed by CJC in 1969 identified the following objectives for public education programs:

To develop better public understanding of the entire law enforcement system encouraging viewing the entire process, including criminal investigation, arrest, prosecution, judicial processes, correctional programs, probation, parole, and other treatment programs, rather than seeing them as isolated components.

To develop better public understanding of the nature and extent of crime along with causative factors and the relationship to social and cultural conditions.

To develop public support for constructive changes in the penal law and broaden citizen involvement in the various components of the law enforcement system.

To develop a curriculum in the public schools of Texas to prepare young people better for the responsibilities of citizenship and to acquaint them

with the operation of the criminal justice system.

To develop and encourage broad citizen involvement in programs of crime prevention and special emphasis upon the problems of youthful offenders, drug abuse, and traffic in narcotics.

To develop a means of strengthening the image of the law enforcement officer in the eyes of the public.

Current programs for public information in the next five years are those titled "Public Education Units for Criminal Justice Agencies" and "Special Meritorious Programs."

In the "Public Education Units for Criminal Justice Agencies" program, the five-year goal is to have city, county, or regional public education units covering substantial portions of each of the standard metropolitan statistical areas in Texas. Currently, 23 SMSA's are designated in Texas. It is estimated that the 25 to 30 units will employ a total of from 40 to 60 full-time crime prevention officers. The state police agency, the Department of Public Safety, will employ the equivalent of 20 full-time officers.

Public education units will be responsible for planning and developing crime prevention exhibits for display in shopping centers, securing speakers on crime prevention for citizen groups, acting as liaison between the police and citizen groups developing crime prevention campaigns, undertaking security surveys for homes and businesses, training other police officers in crime prevention techniques, and sponsoring special efforts such as robbery clinics for banks, savings and loan institutions, and retail stores dealing with large amounts of cash. It is anticipated that public education units will work closely with narcotics and other special units within police and prosecutors' agencies in developing presentations, displays, and programs on narcotics and other special crime prevention topics.

Currently the functions of crime prevention units as described herein are being performed by almost every major police agency in the state; however, the crime prevention function is seldom handled in a planned, systematic way. Most often community relations units are given this responsibility, thereby requiring time and manpower which could be spent on other community relations work. Only one or two city police departments in Texas have a planned, staffed, crime prevention unit. The DPS's 40-man Safety Education Service performs many of the functions of the crime prevention unit defined above; however, most of the Safety Education Service's work has been traffic oriented.

The program titled "Special Meritorious Programs" is a wide-ranging one based in part on the CJC's belief that the field of public information on drug abuse and crime prevention is in need of massive participation and innovation.

Many programs on crime prevention and drug abuse currently are sponsored by public and private agencies and organizations. Those dealing with drug abuse will be cataloged and evaluated by special multi-discipline task forces created as a part of major state efforts against drug and narcotic abuse. Crime prevention programs will be evaluated by CJC and its staff.

Many different innovative or tried-and-proven public education programs will be funded under this program. They will range from small projects such

as local drug abuse and crime prevention projects to major statewide projects conducted, for example, in all of the public schools of Texas. CJC and its staff intend to participate in the development of a number of programs, especially a drug abuse program. In addition, innovative projects from every possible source in the state will be solicited.

b. Increased Crime Repression by Police Presence

The five-year objective of the program titled "Special Units and Programs" is to develop a computerized capability for the optimum assignment of patrol units in most of Texas' major cities.

During the next five years, it is planned that at least 15 of the state's major city police departments will develop computerized systems for assigning their patrol resources in the manner most likely to deter crime.

c. Reduction of Opportunities for Crime

During the next four years CJC plans to sponsor a number of studies to develop methods of "hardening" crime targets. Two of the studies are outlined in the following paragraphs. Both would be conducted by the Texas Research League or other competent organization.

(1). *Reduction of Opportunities for Burglary*

Work products would include specific recommendations for:

- Building code provisions designed to deter burglaries
- Burglar alarm requirements
- Lighting of commercial and industrial properties
- Minimum street lighting standards for various types of land-use areas

(2). *Reduction of Opportunities for Violent Crimes*

Work products of this study would include:

Identification of specific locations (e.g., "drive-up" grocery stores, motels) and specific situations (e.g., children walking to and from school) which provide easy targets for violent crimes.

Specific recommendations for reducing opportunities for crime in each location and situation identified in the foregoing. (Alternative recommendations with alternative cost implementation figures should be provided wherever possible.)

Recommendations concerning procedures for implementing these proposals.

Unless the studies are done by the Texas Research League at no cost to the state, they will be financed from planning funds.

When the studies are completed, the results will be disseminated throughout the state.

A growing number of Texas businesses and residential developments are



using private guard or detective services to supplement public officers. As was recognized by the Police Task Force of the President's Commission on Law Enforcement and Administration of Justice, the presence of private security personnel "can serve as an added deterrent to persons who are seeking an opportunity to commit crimes."

d. Increased Citizen Participation in  
Crime Prevention and Control

CJC plans for studies during the next five years of public means of contacting the police in 15 of the state's major cities. Deficiencies in existing facilities identified by the studies will be corrected by action programs.

It also is planned to implement in numerous locations throughout the state by the end of the next five years a common emergency telephone number and a system whereby pay telephones can be used for contacting police without depositing coins.

The program designed to accomplish these objectives is titled "Public Contact with Police Agencies."

Public emergency callbox facilities and pay telephones exist throughout Texas, but there has been little, if any, systematic study of existing public emergency communications facilities to determine the availability of such facilities in areas of high crime incidence, areas deserted at night, and low-income sections of cities where private telephones are not numerous.

The ability of the public to contact police for assistance in emergencies and when crimes are imminent or in progress is similar in importance to the ability of the police to respond quickly to calls for assistance. The President's Commission on Law Enforcement and Administration of Justice documented the effect of reductions in police response time to crime and demonstrated a significant correlation between immediate police response to calls for assistance and crimes prevented and arrests made. This program is designed to accomplish the same ends by reducing the average time required for citizens to summon police aid.

Also envisioned under this program and the one titled "Special Meritorious Programs" are public information programs such as the popular "crime stop" or "crime alert" programs to encourage and facilitate the public's prompt reporting of suspicious situations to the police. This program also will cover funding of cities and regions for the support of citizens' crime commissions selected, organized, and operated in compliance with guidelines from CJC. The following table shows the relationships between problems, needs, objectives, planning projects, and action programs.

e. Inability to Detect and Treat Predelinquent  
Behavior in Children

This subject is dealt with under category C, "Prevention and Control of Juvenile Delinquency."

f. Lack of Basic Research

A demographic study of crime and system response is envisioned to start in late 1971 in a major metropolitan area. It will utilize full 1970 Census data and complete analysis of crime and criminal justice system resources and response to crime. Other items of research are dealt with under Category J, "Research and Development."

**TABLE VI**  
**Category B: Prevention of Crime (Including Public Education)**

Problems	Needs or Objectives	Planning Projects	Action Programs
1. Lack of public information on crime and criminal justice system	Optimum public education program	Public education task force	B1 Public Education Units for Criminal Justice Agencies
2. Inadequate crime repression through police presence	Effective police preventive patrol	Local computer design studies	B3 Special Meritorious Programs
3. Vulnerability of crime targets	Harden crime targets (make crime harder to commit)	Planning study "hardening" crime targets	No Action Program Until Study Completed
4. Lack of citizen participation in crime prevention and control	Full citizen participation with their criminal justice professionals in crime prevention and control	Staff study of police response time	B2 Public Contact with Police Agencies B3 Special Meritorious Programs
5. Inability to detect and treat predelinquent behavior and characteristics in children	Early detection and treatment of predelinquent behavior and characteristics in children	(Handled in Category C)	(Handled in Category C)
6. Lack of research	Extensive research into the causes of crime and the most effective countermeasures	Planning study on "hardening" crime targets Action projects under Program J1	J1 Research and Development

### 3. Multi-Year Financial Plan

#### a. Planning Projects\*

Program Description Titles	1972	1973	1974	1975	1976
Reduction of opportunities for burglary**	\$ 12,500	\$ 10,000	\$ 12,500	\$ 15,000	\$ 15,000
Reduction of opportunities for violent crimes**	12,500	10,000	12,500	15,000	15,000

\*These estimates do not include operational expenses of the SPA.

\*\*Present plans are to request the Texas Research League to do both studies with the Criminal Justice Council funding part or all of the cost of publication in 1972. If not successful, a private consulting firm will be used.

#### b. Action Programs

Program Description Titles	1972	1973	1974	1975	1976
Public education units for criminal justice agencies	\$ 50,000	\$220,000	\$240,000	\$260,000	\$280,000
Public contact with police agencies	50,000	250,000	275,000	300,000	300,000
Special Meritorious programs	50,000	50,000	50,000	50,000	50,000
Implementation of Drug Abuse Education Program-State	200,000	200,000	200,000	200,000	200,000

#### 4. Multi-Year Forecast of Accomplishments

The multi-year objective of the crime prevention program is to make available continuous, specialized crime prevention information and assistance to the 80 to 85 percent of Texas' population living in standard metropolitan statistical areas. It is estimated that 25 to 30 local crime prevention units will be required and that they will employ from 40 to 60 full-time crime prevention officers. The Department of Public Safety will provide the equivalent of 20 full-time officers.

A public information program will seek to acquaint individuals and businesses with the scope and significance of crime, with special emphasis on drug abuse, ways to protect themselves from crime, the work of the criminal justice system in crime suppression, and activities for the public in the support of criminal justice agencies. During the first year, it is expected to improve or establish four to six public education units in metropolitan areas, generally police departments. Major funding is available in special meritorious programs which should provide major impact on certain emphasis areas, such as drug abuse.

A beginning will be made on improving the capability of the public to contact police agencies promptly and easily. They will be encouraged through typical "crime alert" programs to initiate contacts. Four of these projects are expected to be funded, and five cities will survey their public police call facilities for possible expansion. A standardized telephone number (911) is expected to be established in 10 metropolitan areas.

The police preventive patrol, an effective crime prevention device, will be dealt with under the category of "Improvement of Detection and Apprehension of Criminals." Anticipated activities and accomplishments by year are shown.

1972 In order to evaluate a rationale for public contact with police agencies and, conversely, police contact with public agencies, there is a need to develop innovative public information programs. Since police contact with the public is basically the individual effort of a department, the Criminal Justice Council will encourage functional projects by or in conjunction with the operating departments. Another goal will be to survey substantial portions of approximately 15 major Texas cities to determine the adequacy of public emergency police contact systems and to remedy identified deficiencies, thereby reducing by approximately one-fourth to one-half the average time required for individuals to place emergency calls to the police. It is also planned to have a standard emergency telephone number in most areas of Texas by the end of the multi-year period.

Two studies dealing with the reduction of opportunities for burglary and for violent crimes under a planning grant will be begun in 1972.

The development of drug education and special information programs with schools will be continued.

1973 Continue ongoing programs. Evaluate present public relations program and from those recommendations formulate new programs. Generate innovative devices and techniques to encourage pilot projects in medium-sized departments. Develop experimental projects centered around the multi-lingual curriculum in

Pan-American College law enforcement program.

1974 Continue ongoing programs. Coordinate efforts with public information on organized crimes, drugs, and juvenile delinquency. Fund research in developing a comprehensive public information effort.

1975 Continue ongoing programs that appear to be worthwhile. Evaluate  
1976 and direct effort to the best programs.

## C. PREVENTION AND CONTROL OF JUVENILE DELINQUENCY

### 1. Problems and Needs

Statewide experience in the field of prevention and control of juvenile delinquency has proved the existence of a number of problems and program deficiencies. Even though in recent years a variety of programs has been tried, using millions of dollars throughout the nation, no really adequate criteria have been developed for measuring success in prevention, to say nothing of control, of juvenile delinquency.

The 1971 Plan and that of subsequent years encompasses a positive approach to meeting the challenge of the obvious problems and needs in this area. It therefore would follow, on the basis of experience gleaned from trial and error, that legitimate priorities can be established.

The first two priorities, which because of their nature require no written justification as to problems and needs, are: (a) the statewide compilation of known facts of existing systems and (b) codification of existing statutes under which these systems operate, with any attendant legislative change required. A twofold approach has been marshaled to meet these priorities. This approach is: (a) a comprehensive survey of existing juvenile systems conducted by a task force appointed by CJC, and (b) drafting of new legislation to develop a more functional juvenile code by the Family Law Section of the State Bar of Texas, the University of Texas Law School, and the Baylor University Law School.

This dual approach, enhanced by codification of current statutes, will establish a broad, secure foundation upon which many if not all of the existing problems and needs may be identified and assigned to their proper place on a list of priorities.

Identifiable, existing problems, acknowledged by a majority of juvenile correctional workers, will be established at the outset.

Detailed solutions to these problems and their priorities as now recognized will be discussed in the ensuing portion of this section.

#### *The Acknowledged Existing Problems*

1. Failure of established social institutions, to provide for early detection of delinquency-prone children.
2. Failure of proper training--beyond police sciences as such--of police in the behavioral sciences and child development as it pertains to police officers who will enter law enforcement work with the pre-delinquent and delinquent child.

3. Community failure to provide adequate services for the delinquency-prone child short of court action. Such service would divert the child from the court and prohibit the delinquency label from being attached.
4. Community failure to provide adequate temporary detention facilities for children who must be detained.
5. Failure, as in item 4, of communities to provide properly staffed probation services because of apathy or lack of local finances.
6. Failure of community-based facilities for treatment and research in drug abuse and narcotics.
7. Children in need of temporary removal from negative, emotionally packed home situations for a short period, but not in need of secure detention facilities.
8. Children who are in dire need of outside assistance and support of personal family-related problems, but who do not require legal limits established by juvenile court.
9. Failure of many institutions of higher learning adequately to provide undergraduate students with on-the-job experience for professional entry into the field of law enforcement. Failure to provide adequate quantity or quality of continuing education opportunities and research for correctional personnel.
10. Failure to provide adequate locally based residential training facilities for pre-delinquent or delinquent children.
11. Failure to provide for foster-home care for individual pre-delinquent or delinquent children.

Many goals will be met by several broadly based programs in prevention and control of juvenile delinquency which are included in the 1971 Plan. These programs will make notable inroads in many of the areas listed and will be carried on into the multi-year plan. Titles of these areas are:

- In-service Training, Juvenile Probation Departments.
- Day Care Program for Delinquents.
- Support for Police, Juvenile Court and Juvenile Correctional Internships, Academic Training and Research Program for Correctional Personnel.
- Youth Service Bureaus.
- Potential Delinquency, Academic and Social Adjustment Program.
- Comprehensive Treatment Center for Drug Abuse.
- Codification of Juvenile Laws.
- Volunteers in Probation, Adult and Juvenile.
- Local Training Schools.
- Foster Residential Facilities for Development Programs for Troubled Youth.

As indicated in Part I, legislation will be required to place into the multi-year plan programs which offer solutions to the problems and needs.

## 2. General Statement of Priorities and Programs

With reference to the in-service training officer-juvenile probation departments, local community effort should be mobilized for basic planning, development, and implementation of a coordinated training program. Such a program should emphasize the law, dynamics of human behavior, basic casework treatment techniques, and effective use of all community resources. To this end the position of in-service training officer will be established immediately, as a pilot project, in urban metropolitan probation departments. During the period covered by the multi-year plan, this program will be extended to several metropolitan areas each year.

The basic goals are to have by 1973 several such programs in operation in metropolitan areas throughout the state. It is expected that each of the metropolitan areas, by the end of 1974, will absorb the total cost of its project.

Many children who find themselves in conflict with the law do so as a result of poor academic achievement. This failure may be caused by academic retardation, self-imposed dropout, or school-imposed dropout. To help these children to continue their academic education, CJC has established another resource. One proposal of merit is a locally-staffed and financed "day-care center for delinquents." Through this project the juvenile court could, informally or formally, order a child to participate in an organized day-care center where remedial education, psychological and psychiatric counseling, and individual counseling by a probation officer are available. An innovative method of treating the pre-delinquent or adjudicated delinquent, it would help him reestablish himself academically and become a productive member of society. The goal is funding of such a project in several communities for two years, at the end of which time it is anticipated that the communities themselves will assume the financing, making available to the state the project's results.

It has long been a practice in graduate schools of social work to have students do actual work in the field in order to gain experience. In view of the drastic and rapidly changing laws governing the handling of juvenile delinquents and new methods of working with them, it follows that the undergraduate student who is preparing to go into the field of law enforcement should be given the same opportunity as the graduate student. The undergraduate schools should create an intern program to enable the student to gain meaningful experience while still in the academic setting. To this end facilities have been established for undergraduates to participate in ongoing in-service training programs as interns in police departments, juvenile probation departments, juvenile courts, or other law enforcement institutions.

One of the most effective ways of keeping children from being declared delinquent is to keep them from the juvenile court system. This method is recommended by the President's Task Force on Juvenile Delinquency, which favors broad-based community action to create a "youth service bureau." Through the youth service bureau a child who shows pre-delinquent behavior could be referred by appropriate authority to the bureau for professional help and guidance in getting at the causes of his delinquency before the actual delinquent act occurs.

Through reorientation of teacher training, future public school teachers should learn to detect behavior which gives warning of possible delinquency later on, so that preventive treatment may be initiated. Every effort should

be made to bring in trained teachers who are working with children of pre-delinquent age, to train them to detect these dangerous behavior patterns. Resources must be developed to which teachers may refer the child for treatment. Broad general programs that cover this area have been written into the Plan, and it is anticipated that several projects will be placed in operation.

There is actually a dearth of knowledge on the harmful effects of marijuana and other dangerous drugs. Therefore, there must be continuing research projects carried on throughout the state to help determine the effects drugs are having on the youth and adults of our country today. To this end comprehensive treatment centers are being established, at which the person who has developed a dependence on hard narcotics or dangerous drugs may receive treatment and at the same time provide a basis for research into the results of drug addiction. The results of such research should be made available to the public in order to point up the need for education and training programs in the drug abuse field.

Any program of this nature that anticipates using a methadone maintenance program would be expected to follow the policy statement of the Bureau of Prisons, Washington, D.C., with reference to parolees. It also would be expected to follow statements of general policy and interpretation as set out in the Food and Drug Administration Title 21 recorded in the Federal Register and must obtain an Investigational Exemption for a new drug (I.N.D.) number issued by the Food and Drug Administration and the Bureau of Narcotics and Dangerous Drugs.

While it is becoming more and more important that police officers receive scientific training, too frequently one broad area of training is overlooked: that of the police officer assigned to a juvenile-aid bureau or a crime prevention bureau in a police department. In addition to their urgent need for police science training, there is a most important need for these persons to receive additional training in the behavioral sciences and child development. After receiving this extra training they would be in a position, as they worked in their everyday jobs, better to understand more of the motivation for delinquent behavior. Until the causes actually are understood by police officers working in the field, a child's first encounter with the police may endanger the child's future.

County jails in Texas are not designed or constructed to house juvenile delinquents. When it is necessary to detain a juvenile for any reason, it must be done in the county jail. While the statutes do not prohibit a child from being confined in a jail that was built for adults, they do specify that he must be segregated from adults. Too many jails are not constructed to care adequately for the needs of adult felons; yet they are used for detaining juveniles. In order that this grave situation be remedied immediately, regional detention facilities should be created throughout the state, grouping counties which lack the resources to build and operate juvenile detention facilities of their own. Regional detention facilities should be established on a cooperative basis among counties that can provide adequate care for juveniles.

In recent years, much has been said about the environment in which a child is reared as a cause of juvenile delinquency. It has been established that in many cases environmental factors have influenced children in overt delinquent behavior. In many instances, emotional conflicts within the home

have caused a child to commit a delinquent act. If a project were instituted whereby professional help could be summoned to such a home, it is conceivable that the child should, on a temporary basis, be removed from the home while the professional worker assists in resolving the conflict between child and parents. A new concept is the halfway house program, locally supported, which would enable placing a child in such a unit in an effort to avoid committing him to a correctional institution. During a four-year period, several halfway houses should be established. In conjunction with the halfway house a need has been developed for several types of in-community residential facilities to assist juvenile courts throughout the state in their quest for proper placement of youth with problems. Based on the premise that homes can be developed for troubled youth, a project should be established whereby research could find a method to develop in-community residence and service based on the individual child's need. Through community involvement, representative civic groups with probation departments could sponsor jointly suitable residences in a given community under the guidance of the probation departments. Volunteers would be used as foster home finders and developers, as well as being involved with the representative group in planning.

In order that more children and adults who come into conflict with the law, especially in rural areas, may receive the services of professionally-trained and qualified probation officers, juvenile and adult probation departments will be created. Preferably, they should be set up to meet the needs of multi-county judicial districts and at the same time show the validity of the statewide plan for both juvenile and adult probation.

In Texas, under Article 2338-1, many children are declared delinquent who, if they were adults, could not be arrested or taken into court. While these statutory reasons for declaring delinquency are legitimate, they do not reach the causes. It is therefore recommended that they be deleted from the statutes. Legislation will be required to place such cases under another responsible agency. The establishment of such an agency would require further legislative action. While these acting-out symptoms need professional help, offenders do not need necessarily to be adjudged delinquent by a juvenile court; they need treatment before court action. Therefore, legislation again is required to provide a child with professional help from sources other than a juvenile court. The President's Commission recommends that these steps be taken under programs for persons in need of supervision, or children in need of supervision. This service should be provided by an agency, statutorily created, besides a juvenile court in an official setting. There is no possible way that this project can be carried out until the Legislature takes appropriate action in 1973.

The President's Commission found that no non-public agency is responsible for providing services whereby children named in complaints of truancy, incorrigibility, and minor law infractions can be diverted from the actual filing of a delinquency petition and appearance in the juvenile court.

The President's Commission further reports in "The Challenge of Crime in a Free Society" that it found juvenile courts in the United States cluttered with cases involving minor complaints.

The commission decried the fact that so many youths were having petitions filed against them and were being adjudged delinquent for minor acts which, when committed by adults, do not constitute grounds for action. As an



alternative, the commission urged *more effective* and better-coordinated services outside the court for children and youths with behavioral problems.

It would be expected that four to five youth coordination services would be established in the state to demonstrate the feasibility of such a program, coordinating all youth service programs within a given area. It is anticipated that such services would, on a three-year basis, be established at \$75,000 for each program initiated.

Probation services for juveniles and adults may be found in metropolitan areas, but there is a complete lack of services in the field of probation provided for juveniles or adults in the sparsely populated districts of Texas.

It is easily discernible that the metropolitan departments are understaffed and the rural areas have no services at all. Unless CJC can assist the multi-county judicial districts in creating departments there will continue to be a lack of adequate services. Therefore, a program will be established to enlist volunteers in working with professional probation officers, bringing to the area of juvenile and adult probation services volunteers who are willing to give their time to work with the adjudicated offender. This program is becoming a nationwide movement and is gaining momentum. Texas should become involved in such a program as soon as possible.

As research and development continue in the field of treating the adjudicated offender outside the institution, it is necessary that probation officers who would be responsible for carrying out most of these duties be trained. They should be provided an opportunity to study the new development and research of juvenile and adult correctional procedures. There is a distinct need to provide the necessary academic qualifications at every level to practitioners in the field. The academic institutions should be offered laboratories for research and development in the science of human behavior in correctional settings. Such a program would have to be carried out with the assistance of many of the institutions of higher learning. They should develop an ongoing research and academic training program for this field. The cost of this program could not be estimated until data are compiled and proposals for various projects are developed.

Many children appearing before juvenile courts have to be committed to state training schools because of the seriousness of their offense, or because of the need to remove them from their home environment. It is conceivable that many children appearing before the courts or who are referred to probation departments on offenses on which a petition cannot be predicated need to be removed from their home for a lengthy period. To accomplish this goal regional homes for children need to be established in a residential setting where they may receive treatment from social workers, probation officers, psychologists, and other professionals. At the same time the family could be receiving treatment from professional persons who could help and alleviate the problems in the home. This proposal is not in conflict with the halfway house. The halfway house is a short-term program. Under this proposal each child should be removed from the home for an extended period.

It is proposed that such institutions be established to serve four- or five-county areas that would receive referrals from juvenile-probation departments, child-welfare departments, and possibly police departments. It is estimated that one such institution could be created at an estimated cost

to CJC of \$50,000 for a two- or three-year period to prove feasibility.

Under sponsorship of the Texas Education Agency, mandatory instruction in the dangers of crime and narcotics is being undertaken in all grades of the public schools. CJC is lending all possible support to TEA in preparing teachers and establishing an acceptable curriculum for these courses.

**TABLE VII**  
**Category C: Prevention and Control of Juvenile Delinquency**

PROBLEMS	NEEDS OR OBJECTIVES	PLANNING PROJECTS	ACTION PROGRAMS
1. Failure of institutions to provide for early detection of delinquency-prone children	Early detection of violence-prone behavior by teachers		C6 Delinquency Prevention-Academic and Social Adjustment Program
2. Failure of proper training - beyond police sciences as such - of police in the behavioral sciences and child development pertaining to police officer who will enter law enforcement work with pre-delinquent and delinquent child	Police officer assigned to juvenile department must receive training in the behavioral sciences and child development		C4 Correctional Personnel, Aides, and Assistance
3. Community failure to provide adequate services for the delinquency-prone child short of court action	Establishment of the Youth Services Bureaus Program for professional help and guidance		C5 Youth Services Bureaus
4. Community failure to provide adequate temporary detention facilities for children who must be detained	Establishment of proper temporary juvenile detention facilities		C8 Interim Homes
5. Failure of communities to provide properly staffed probation services because of apathy or lack of local finances	Adequate recruit and in-service training for all juvenile probation officers		C4 Correctional Personnel, Aides, and Assistance
6. Failure of facilities for treatment and research in drug abuse and narcotics	Projects to help determine effects drugs are having on youth and adults Also establishment of comprehensive centers and methadone maintenance programs		C7 Comprehensive Treatment Center for Drug Abuse

PROBLEMS	NEEDS OR OBJECTIVES	PLANNING PROJECTS	ACTION PROGRAMS
7. Lack of facilities for temporary detention	Establishment of proper temporary detention facilities for juveniles		L3 Construction of Regional Correctional Facilities
8. Lack of outside assistance with problems for those juveniles who are not court referred	Professional services outside the court for children and youths with behavioral problems		C5 Youth Service Bureaus
9. Failure of schools to provide undergraduate with on-the-job experience for professional entry into field of law enforcement. Failure to provide quantity or quality of continuing education opportunities and research for correctional personnel	Adequate intern program for the undergraduate through the school. Development of ongoing research and academic training programs for probation officers		C4 Correctional Personnel, Aides, and Assistance
10. Failure to provide locally-based residential training facilities for pre-delinquent or delinquent children	Continuation of academic education for delinquents through day-care centers. Could benefit from psychological and psychiatric counseling and individual counseling by probation officers		C2 Day Care Program for Delinquents C1 Community Service Centers for Guidance and Supervision of Initial Pre-Conviction and Post-Conviction Youthful Offenders
11. Failure to provide for foster home care for individual pre-delinquent or delinquent children	Establishment of regionally-based homes for juveniles - professional 16 staffed		C3 Vocational Education/ Training - Potential Delinquents and Young Adult Offenders To be covered in 1973 Plan

### Action Programs

Program Description Titles	1972	1973	1974	1975	1976
Community service center for guidance and supervision of initial pre-conviction and post-conviction youthful offenders	\$ 150,000	\$ 150,000	\$ 150,000	\$ 150,000	\$ 150,000
Day care program for delinquents	200,000	200,000	200,000	200,000	200,000
Vocational education/training - potential delinquents, delinquents, and young adult offenders	150,000	150,000	150,000	150,000	150,000
Correctional personnel, aides, and assistance	345,000	345,000	345,000	345,000	345,000
Youth services bureau	500,000	500,000	500,000	500,000	500,000
Delinquency Prevention - academic and social adjustment	350,000	350,000	350,000	350,000	350,000
Comprehensive Treatment center for drug abuse	300,000	300,000	300,000	300,000	300,000
Interim houses	200,000	200,000	200,000	200,000	200,000
Drug abuse education/state	192,000	192,000	192,000	192,000	192,000
Adult juvenile probation	2,000,000	2,000,000	2,000,000	2,000,000	2,000,000

### 3. Multi-Year Financial Plan

#### 4. Multi-Year Forecast of Accomplishments

The study of juvenile probation being conducted by the CJC staff should be completed through the assistance of outside consultants by the latter part of 1972 so that recommendations may be placed in the proper hands for legislative action.

It is anticipated that in 1971 several projects will be established in metropolitan areas under "In-Service Training Officer-Juvenile Probation Department."

"Day-Care Programs for Delinquents" are expected to be conducted in several metropolitan areas for a two- to three-year period, 1971, 1972, and 1973.

Establishment of a multi-county home for children who do not require institutionalization in a state-supported training school but do require prolonged removal from the home is anticipated. With financing planned for a two-year period, it is expected that counties making referrals to the home will assume the financial burden at the end of that time.

Support for "Correctional Personnel, Aides, and Assistance" will be for a multi-year period of 1971, 1972, and 1973. It is anticipated that after a two- to three-year period, the university conducting the program will absorb all cost. This program should reach approximately 150 students during each multi-year period.

An academic training and research program is needed for correctional personnel working with the adjudicated offender who is outside the institution. This would be a program similar to that now funded by CJC under the title, "Continuing Education." It would afford the practitioner in the field an opportunity, through higher academic institutions, to study latest research and development in the fields of human behavior in correctional settings.

Over a four-year period it is anticipated that existing and newly created youth service bureaus numbering approximately five will enlarge their operation by starting new and innovative programs based on the experience of operations. Local communities should assume total cost when CJC funds are no longer available.

"Delinquency Prevention--Academic and Social Adjustment Program" will provide at least two projects to be placed into operation in 1971 and continued with CJC funds in 1971 and 1972, at the end of which time the local communities will be expected to assume cost of the ongoing program.

"Comprehensive Treatment Center for Drug Abuse" will be a two-year project as the Legislature has appropriated \$125,000 for 1971 for this project and \$125,000 for 1972.

"Interm Homes" will encompass a four-year project, with anticipation of creating one of more each year for the four-year period.

Codification of state juvenile laws now is mandatory to get a comprehensive overall view of the existing statutes as they relate to each county. This will be a one-year project to be completed during fiscal year 1971.

A volunteer program in adult and juvenile probation and with prison inmates

should be established on a statewide basis. The primary objective in establishing a central office would be to train volunteers to work with professional personnel in these three areas. This project would cost approximately \$36,000 a year for a three-year period, at the end of which it is anticipated that church groups would contribute the funds for continuing the program.

Foster residential facilities for troubled youth should be established in several metropolitan areas under the direct guidance of local juvenile probation departments. The project envisions establishment of in-community residence where research can be done with the individual child's needs while an attempt is being made to fill those needs.

#### D. IMPROVEMENT OF DETECTION AND APPREHENSION OF CRIMINALS

##### a. General

##### 1. Problems and Needs

##### (1). *The Increase of Crime and Climbing Crime Rate*

The major problem of overriding significance is that of social disorder manifested by the tremendous volume of crime and its spectacular growth over the last 10 years. The growth of crime and the growth of the crime rate are reflected in the two following tables:

**TABLE VIII**  
The Growth of Crime in Texas  
1960 - 1969 - 1970

1 INDEX CRIMES	1960	1969	1970	CHANGE 1960-1970		CHANGE 1969-1970	
				Number	%	Number	%
Murder & Homicide	1,080	1,257	1,388	+ 308	+ 28.5%	+ 131	+10.4%
Rape	1,196	2,413	2,733	+ 1,537	+128.5%	+ 320	+13.3%
Robbery	3,560	9,515	11,319	+ 7,759	+217.9%	+ 1,804	+18.9%
Burglary	56,976	116,204	124,706	+ 67,730	+118.8%	+ 8,502	+ 7.3%
Aggravated Assault	12,128	25,828	28,586	+ 16,485	+135.7%	+ 2,758	+10.7%
Theft	108,869	239,643	26,122	+152,351	+139.9%	+21,577	+ 9.0%
Auto Theft	15,147	37,391	39,110	+ 39,110	+158.2%	+ 1,719	+ 4.6%
TOTALS	198,956	432,251	469,062	+270,106	+135.7%	+36,811	+ 8.5%
Index Crime Rate (Per 100,000 Population)	*2,157	**4,002	***4,189				

\*Based on 1960 Census

\*\*Based on 1960 Census

\*\*\*Calculated From 1970 Preliminary Census Figures

<sup>1</sup>Department of Public Safety Tabulations and Projections

Crime and the crime rate continued to increase during 1970, however, the rate of increase slowed in 1970 as indicated by this table to 8.5 percent 1969-1970 compared to 15.9 percent 1968-1969. As has been true throughout the last decade, crime has increased at a faster rate than the population growth.

A class of crime not included in the index crimes has proliferated tremendously in Texas. It is the crimes involving the abuse of drugs. The growth of this drug abuse problem in the last three years is reflected in the following table showing the number of arrests for drug offenses by the police departments in the cities of Austin and Dallas.

**Drug Offense Arrests**

City	1968	1969	1970
Austin	198	387	870
Dallas	1,449	2,210	3,100

*(2). Inadequate Police Response to Crime*

Society depends on the criminal justice system to create an adequate deterrent to the commission of crime. The police component of that system is a key element. When it fails to perform adequately, the remainder of the system does not have the opportunity to function. The growth of crime reflected in the above statistics would indicate that the police component has failed to make inroads in crime occurrences. Apparent failure is perhaps attributable to the inadequacy of police crime prevention activities—public education programs and programs to harden crime targets; the inadequacy of crime repression activities—police presence, and the failure of police service to make its maximum contribution to the creation of an adequate deterrent to crime by promptly solving a sufficiently high percentage of crimes committed. This failure in crime detection and solving is indicated by the fact that only 26 percent of the known index crimes reported were cleared by arrest in 1968 and 1969, down from a 27 percent clearance rate in 1967. The 1970 clearance rate increased to 27 percent, but this rate is still not adequate to create a creditable deterrent. Refer to tables showing 1970 clearance rate and comparison for years 1967 through 1970.

This fundamental problem of inadequate police response to crime may be attributed to many factors. Among these factors are: a faulty and inadequate structure of the police component; lack of police resources; deficient organization and administration in the police agencies; inadequacy of programs, tactics and techniques in agencies; extremely deficient application of technology due largely to a lack of financial resource; constitutional and statutory deficiencies; and, deficiencies in the capabilities of personnel due to lack of education and training.

**TABLE IX**  
**State of Texas**  
**1970 Crime Clearance**

Offense	Known Offenses	Offenses Cleared	Percent	Percent
	Reported 1970	By Arrest 1970	Cleared 1970	Cleared 1969
Murder and homicide	867	793	91%	87%
Rape	1,663	1,018	61%	68%
Robbery	7,509	2,740	36%	36%
Burglary	78,780	18,777	24%	23%
Aggravated assault	17,351	12,291	71%	70%
Theft	171,729	36,760	21%	22%
Auto theft	15,811	6,132	39%	24%
<b>TOTALS</b>	<b>293,710</b>	<b>78,511</b>	<b>27%</b>	<b>26%</b>

Note: Above data taken from reports of cities or counties reporting monthly during 1970. These are not estimated figures.

**TABLE X**  
**Index Crimes Increase and Clearance Rates**

Year	Index Crimes	Increase Over Previous Year	% Increase	Rate (Per 100M)	Clearance Rate
1967	332,986	35,176	11.8%	3,138.7	27%
1968	372,912	39,926	12.9%	3,515.0	25%
1969	432,251	60,339	15.9%	4,002.0	26%
1970	469,062	36,811	8.5%	4,189.0	27%

b. Specific

The specific problems and needs set out below have been identified by police administrators, other police personnel, the professional literature, the President's Commission Report, studies made by the Texas Research League, staff of the International Association of Chiefs of Police, regional studies and plans, and CJC staff.

(1). *Fragmentation of the Police Component*

The Texas Research League, IACP, and numerous writers in the field point out that the police component of the criminal justice system in Texas is highly fragmented, a condition which results in an inadequate police response to crime. There are 254 sheriffs' offices, approximately 630 city police departments and city marshals, and 651 constables' offices in Texas. State and federal police agencies also operate throughout the state. In many instances the jurisdictions overlap, sometimes causing considerable confusion. Generally, however, informal policy agreements settle jurisdictional problems reasonably well. Each agency, especially sheriffs' offices and city police departments, operates completely autonomously, providing all of its own services. This condition results in duplication, such as one county's having several jails. This fragmentation renders impossible the effective coordination of effort, and in practice it limits effective police strength in any one location to the strength of the most effective agency in the area. It prevents the utilization of all the strength of other agencies having jurisdiction in the area, resulting in an inadequate police response to crime. Many staff and service operations could be performed much more efficiently and economically in larger agencies, or in smaller ones functioning cooperatively.

A regional plan developed by IACP staff comments as follows:

In other important functions such as education, fire protection, public works, and recreation, standards and programs have been developed which transcend jurisdictional boundaries in providing public services. The local autonomy of agencies involved in law enforcement sacrifices a great deal under our criminal justice system for lack of similar formal programs. Although the local autonomy of police agencies is likely to be preserved in the tradition of the state, cooperation is necessary in police responses to the problems of detection, identification, and apprehension of criminal suspects. Consolidation or coordination in such areas of law enforcement services as training, communications, records, purchasing, and jail operations also would result in increased efficiency and uniformity of purpose. Through a shared cost and responsibility program in these and similar intra-jurisdictional problem areas, economy and effectiveness would result without loss of control to local communities. In-depth studies in the various regions should

recommend workable plans for cooperative regional operation of some of the services enumerated.

A statewide study of the police component of the criminal justice system is needed to determine the component's most effective and desirable structure. Constitutional, statutory, and local changes will then be needed to implement the recommended structure.

(2). *Defective Organization and Inefficient Administration in Agencies*

Although several of the police agencies in the state recently have had competent surveys made of their organization, administration, and operations, many of the middle-sized and larger agencies are operating with traditional organizational structure and traditional administration practices. Several regional plans delineated a need for management surveys. Major police agencies in standard metropolitan statistical areas need a complete survey at periodic intervals and all police agencies need surveys of certain functions; i.e., personnel, administration, and records.

(3). *Limited Use of Staff*

The President's Commission reports that police departments have generally made inadequate use of staff. Regional plans indicate that this is true in Texas, particularly in the field of planning, development, and professional aides. Stimulation from the state planning agency and from regional planning agencies should increase the planning and development function, including research, in many larger police agencies. Two countywide criminal justice planning and coordinating units have been formed in large city areas. The other two large cities should set up such units to improve the criminal justice system. More effective use of professional staff in policy development, personnel administration, legal, statistical, and psychiatric advisors, planning, and research are needed.

Although the President's Commission recommended that every medium and large department employ a skilled lawyer full time as a legal advisor, only three local police departments in Texas have a staff legal advisor. The Department of Public Safety has an attorney on its headquarters staff, but it has none in field headquarters. A need for a full-time legal advisor exists in three large and several medium-sized cities, and such services are needed on a part-time basis in several smaller cities.

(4). *Prosecutor Acceptance, Indictment, and Conviction Rates*

There are no valid statistics on these items; however, various studies indicate acceptance rates of less than 75 percent, indictment rates of less than 50 percent and conviction rates of less than 60 percent. A long range goal is to achieve acceptance rate of 98 percent, indictment rate of 95 percent and a conviction rate of 90 to 95 percent for all major offenses.

(5). *Inadequate Criminal Intelligence*

The Texas Research League reports that there is generally a lack of coordination in the criminal intelligence collection and evaluation units. DPS reports a need for better coordination at state level. A detailed study of this



problem is needed to develop specifications for the program and its operating procedures. When the study is completed, there will be a need for implementation of the recommendations to establish effective regional and statewide systems for the collection, analysis, and dissemination of criminal intelligence.

*(6). Lack of Evidence Technicians*

Several regional plans reported that many smaller police agencies lack qualified technical investigators to make crime scene searches and other technical investigations. A program is needed to make available to all smaller agencies highly qualified investigative experts to work in close coordination with the crime laboratories in crime scene searches and in finding, identifying, and preserving materials as potential evidence for laboratory examination.

The major departments should expand their capabilities in this area. DPS has limited assistance capabilities which should be increased as the laboratories are expanded.

*(7). Ineffective Operations in Agencies*

*(a). Low clearance rates.* Police service fails to make its maximum contribution to the creation of an adequate deterrent to crime by solving promptly a sufficiently high percentage of crimes committed. This failure is indicated by the fact that only 26 percent of the known index crimes reported were cleared by arrest in 1968 and 1969, down from a 27 percent clearance rate in 1967. In 1970, the clearance rate increased to 27 percent, but this is not adequate to create a deterrent to crime.

*(b). Slow police response time.* The President's Commission reported that the promptness of police response to crime was an important factor in clearing crimes by arrest. They defined response time as time used in the communications center and field travel time by the officer. A limited check of police response time in a few Texas cities indicates that the police often respond too slowly to make effective apprehensions. Long response times involve many factors, such as size of beat, communications, and dispatching procedures. Every agency needs to establish a system of records for dispatching to determine its response time to "crime in progress" and other emergencies. Programs designed to shorten police response time are needed in every police agency, with special emphasis given to reducing time in the receiving and dispatching sector. These programs should be based on the President's Commission's recommendations and the results of independent studies in each agency. Computer command and control and personal radios for each officer will aid materially.

*(8). Understaffing in Police Agencies*

Regional plans and other studies reveal that most police agencies in the state are understaffed on the basis of professional measurement and averages for population groups reported by the President's Commission. Plans and studies report that understaffing is caused by unwillingness of governing bodies to authorize a sufficient number of officers and by inability to fill authorized quotas because of low salaries, lack of professional and promotional opportunities, a poor public image of police, and other reasons. The studies also found that understaffing is aggravated in some departments by

assignment of commissioned police personnel to duties such as clerical and records functions and collection of parking meter money which could be performed by civilian personnel. Some regional studies recommend a thorough study of personnel needs, personnel policies, compensation, and other pertinent factors to determine the action necessary to secure adequate staffing. The President's Commission made a similar recommendation to all cities.

*(9). Inadequate Criminal Justice Information*

No unified criminal justice reporting system exists in Texas. Although the Department of Public Safety is required by statute to collect certain information on crime and related activities, the submission of reports on crime and agency activities is voluntary. The regional plans and consultant studies cite a lack both of reporting and of uniformity in reporting and records systems. As a result, there is no valid statistical base for evaluation of the crime problem or the system's response to it. Although some police agencies have good individual reporting and records systems, they are not uniform throughout the state. Agency participation in the central collection of such data is voluntary, resulting in sporadic and fragmentary reporting.

The Criminal Justice Council has found a need for a criminal justice information system operated with a central computerized data depository with remote terminals to provide accessibility to all areas of the state. Regional studies and plans also have reported this need. Such a system would either store all necessary data for efficient system operation, management, and research in its data bank or have interface with other data banks where data are stored.

Concomitant with the operation of such a system will be the necessity for complete reporting of essential data and for uniformity in reporting crime and the system's response to it. It is generally believed that such a reporting system, requiring uniform reports from police, prosecutors, courts, correctional agencies, and probation and parole agencies, will necessitate statutory changes. A model crime and law enforcement reporting law should be proposed to the Legislature. CJC has begun a design study for implementing such an information system, which will be completed in late 1971.

*(10). Inadequate Adaptation of Technology*

The President's Commission reports that police service has lagged far behind other governmental and industry agencies in the adaptation of technology to its operation. This condition was clearly described by Dr. Alfred Blumstein, director of the Urban System Institute, Carnegie-Mellon University, and a member of the staff of the President's Commission, in a presentation to the 1969 annual conference of IACP. The following is a quotation from his paper:

To one who has spent most of his career dealing with military problems and with the associated high level of military technology, reviewing police technology is like a visit to another technological century. Police operations and practices have remained relatively immune from technological impact since the introduction of the automobile and radio, both of which came more than 50 years ago. Most departments would find the following a fair description of their operations:

Patrolmen stand unavailable on a street corner even though there may be an emergency nearby, simply because they have no portable radios. In contrast, many appliance repair companies now maintain continuous radio contact with their repairmen in the field.

A patrolman who leaves his car cannot call for help if he is attacked because he has no link to the car's radio.

Police radio channels in many large cities are heavily congested on Friday and Saturday nights, a time when other city channels go unused.

In confronting a crime suspect or an unruly citizen, a policeman is forced to choose between a billy and a pistol—the same choice was offered a century ago. Today, some might have a chemical spray.

Even though the police vehicle is the patrolman's office, restaurant and bus, its design differs only slightly from the car his wife uses to haul children and groceries, modified only with a bubble on top and a siren.

The ability to retrieve fingerprints from the ten-print file is little better today than when fingerprints were first introduced at the turn of the century.

All these examples and many others reflect opportunities where technology can and should be introduced. The money required to accomplish these advances across the nation is in the millions of dollars, not the billions involved in a space program. And, with the exception only of fingerprinting, the technology referred to does not require major engineering innovation and development. Rather, the technology is here and readily available. It is simply a matter of putting up the money, organizing the resources, and making the national commitment to introduce these increments of capability.

Dr. Blumstein went on to comment on several other aspects of the application of technology to police service. Paraphrased portions from his address with state and local references are contained below under appropriate subheads.

#### Crime Laboratory Services

According to reports in regional plans and answers to inquiries and surveys made by the staff, many police agencies in the state lack crime laboratory services. Three large cities operate crime laboratories that seem to have adequate capability. The Department of Public Safety operates a central headquarters crime laboratory and six regional labs. The regional laboratories have limited examination capability, and there is a large backlog of cases in the central lab due to the shortage of personnel and equipment and several of the regional laboratories are badly overloaded. A discretionary grant in 1970 and a 1971 action grant have eased the overload in the central laboratory. Because of the state's size, officers must travel long distances or lose valuable time mailing or shipping items to the state laboratories for examination. The need for prompt laboratory examination is especially acute in narcotics cases, where indictments cannot be returned until an analysis of the material is made. Several regional plans identified a serious need for regional crime laboratories located within driving distance of any point in the region.

#### Command, Control, and Communications

One major role for technology and law enforcement is in improving the

neural network of the police department, the means by which it gets information, makes decisions, and reacts. This is the command, control, and communications system. Here modern electronics provides opportunities for sensing and communicating, and the digital computer permits collection of large amounts of relevant information on crimes and on available resources, processing these extremely rapidly, and then getting the message out.

#### Communications

Almost all regional studies indicate a widespread inadequacy in interagency communication, usually caused by overloaded radio frequencies and complicated by obsolete equipment. This need will be resolved substantially with adoption of the statewide criminal justice information system and its accompanying system of communication. Additional regional teletype loops and expansion of existing loops are needed to serve the state criminal justice information system as a method of tactical communication as well as an interchangeable information network.

In mobile communications the lack of an orderly plan for each region and the state as a whole has produced severe problems. A statewide study of police mobile communication has been made to inventory existing systems, loads, capabilities, and spectrum utilization, to determine police mobile communication needs at agency, regional, and state levels and to design an optimum system. All studies and personal contacts have shown a pressing need for programs which will provide assistance for an extensive capital expenditure for equipment to implement the recommendations of the studies. This need is widespread and is just as pressing in rural as in metropolitan areas.

In addition to basic communication system, each police officer should carry a light portable radio at all times so that he can report information rapidly, call for help if he is in trouble, and be dispatched quickly to a nearby crime scene.

#### Police Vehicles

The patrolman's vehicle represents the principal item of capital investment used to support him in performing his duties. The police car should be equipped to help him to do a better job. As a minimum this would include tape recorded training lectures, evidence collection equipment, various nonlethal weapons, prisoner capture and transportation facilities, teleprinter and voice radio, comfort and protective devices, dictation equipment, and all ancillary materials he might need.

There is an added potential, of course, in getting off the ground into various kinds of airborne patrol vehicles like helicopters or fixed-wing aircraft. These are extremely effective for scanning a large territory, for tracking fast moving vehicles through traffic, and providing a perspective to the scene in a city that cannot be obtained on the ground.

#### Police Equipment

There is generally reported in the regional plans a shortage of routine police equipment in terms of mobile radio equipment, automobiles, and firearms. Texas Research League and IACP report in regional studies that a problem results from the nonuniformity of police equipment. Lack of uniformity causes the equipment in one agency to be incompatible with that in another and hinders mutual aid operations. They also report poor technical

specifications and small-lot purchasing, which result in poor performance and high costs. They report a need for regional development of specifications and regional purchasing to secure better equipment and effect economies. A model of a central purchasing plan should be developed in each region. Governing bodies of cities and counties need to assess critically the need for adequate police equipment in their jurisdictions and take effective action to supply such needs.

#### Other Technology

The discussion so far has only touched the surface of the many possible applications of technology. We have said almost nothing about television for airborne surveillance of major incidents, for remote training or for remote viewing of lineups, night vision devices, record keeping improvements, communication networks, fingerprint recognition techniques, facsimile transmission of photographs, fingerprints or other graphic information, burglary alarms sensors or portable robbery alarms, computer aids to detective investigation, or the many potential crime laboratory techniques. The possibilities are rich. The important need is for technical development, careful evaluation, wise selection, and sensitive adaptation to the needs of the department and its community.

#### Police Science

The discussion so far is focused principally on various kinds of devices and techniques that can be made available for use by police. The more pervasive and far-reaching role of science, however, will come less from the devices and much more from the understanding it can provide about crime and about how to control it.

Dr. Blumstein made two general comments in his address that are applicable to the state of technology and police science in general terms. In his introduction he stated:

With few exceptions, available technology can provide police the capability to do whatever they want to do. The important and difficult questions here are ones of how much of limited budgets to invest in various approaches, how much they would reduce crime, thereby, what counter-measures criminals might take, and what social values like privacy might be lost in the process.

In closing he summarized as follows:

It is clear that police departments across the nation can benefit in a major way from science and technology. It is also clear that the police community will have to take positive steps to generate that support. This will include identifying the needs, providing the opportunities for analysis and experimentation, providing the means for exercising intelligent technological control of the products and services delivered, and articulating to the governing body the need for funds. Only then will we see the kinds of advances and contributions that science and technology can provide to make police operations more effective, more efficient and more just.

All of these statements are completely applicable to police service in Texas as reflected by studies done by the Texas Research League, staff of IACP,

and from the regional plans. There is critical need for wider use of technology to increase the capability of police to apprehend a greater percentage of the perpetrators of crime and to increase the understanding of crime, how to control it and the criminal justice system response to crime. All of the applications of technology mentioned by Dr. Blumstein are badly needed in police service in Texas.

*(11). Inadequate Facilities*

Housing for police agencies varies from excellent to almost nonexistent. A majority of sheriffs' offices are located in court houses. Many of the police department buildings are old, decrepit, crowded, and totally inadequate. Growth of many departments where new headquarters have been built has resulted in serious overcrowding. New or renovated, well designed, properly located police department headquarters are needed in many locations for the proper operation of the police agencies.

*(12). State Aid to Local Police*

The state government does not, at present, make a large, direct contribution to strengthening the police at the local level. Bills were introduced in the 61st and 62nd Legislatures, but did not pass, for grants by the state to local police agencies for salaries assistance. Such a practice has long been followed in England. It is given credit for much of the efficiency of the English police system while still preserving local autonomy. The State of Louisiana also follows this practice. These bills, and opinions expressed by several persons interviewed, indicate a need for the state government to provide substantial financial assistance to local police agencies through the Commission on Law Enforcement Officer Standards and Education. The Commission should be authorized to establish standards for personnel (physical, character, education, training, etc.), staffing, equipment, organization, administration, records, and performance and make substantial grants equitably to all local agencies meeting the prescribed standards. Such a system would aid in strengthening police forces and would bring uniformity and coordination throughout the system while maintaining complete local autonomy. A thorough study of this approach to determine the extent of its value and applicability in Texas is needed. Such a study would serve as a basis for securing the necessary public and legislative support.

*(13). Inadequate Law*

*(a). Adjective (Code of Criminal Procedure).* Deficiencies in the *Code of Criminal Procedure* adversely affect the work of police. Many people believe revisions in the code are needed, among other things, to provide for the admissibility of oral confessions, allow the securing of a search warrant for evidence, permit police to "stop and frisk" under suspicious circumstances, and provide for authorization of wiretapping under strict judicial supervision similar to the federal law.

*(b). Substantive (Penal Code).* The inconsistencies, inadequacies, and complexities of the *Texas Penal Code* impede effective police work. Texas needs a reformed penal code patterned after the Model Penal Code which is simple and clear as to the conduct proscribed and penalties assessed and which provides assistance and protection to police through adequate provisions dealing with assault on a police officer, resisting arrest, making false reports to police agencies, and other related provisions.

## 2. General Statement of Priorities and Programs

The broad objectives in this category are to increase the capability of the police component of the criminal justice system to detect and apprehend more quickly a greater percentage of lawbreakers and to collect and present in court the most effective evidence. The purpose is to reduce crime through creation of an adequate deterrent. Hopefully, index crimes cleared by arrest can be raised from the 27 percent reported in 1970 to upwards of 30 percent, and ultimately to the optimum. England achieves clearance rates in excess of 35 percent and up to 45 percent on the same index crimes. In order to achieve any reduction in crime the fragmented and antiquated components of the criminal justice structure in Texas must be analyzed and restructured into a more workable system.

Performance objectives for police are:

1. To prevent crime effectively through strictly crime prevention measures.
2. To repress crime effectively through adequate police presence.
3. To suppress crime, including organized crime, to the maximum degree through creation of an adequate deterrent by:
  - a. Achieving a maximum police response time of three minutes to crimes in progress, imminent crimes, and major emergencies in every urban municipal jurisdiction.
  - b. Achieving a clearance rate by arrest on the total seven index crimes of at least 35 percent in every urban municipal jurisdiction and 50 percent in every rural jurisdiction.
  - c. Achieving a high arrest rate on all subjects involved in organized crime operations in each jurisdiction.
  - d. Achieving high filing rates (98 percent) with prosecutors, high indictment rates (95 percent) from grand juries, and high conviction rates (90 percent) from courts on arrests for all major offenses in every jurisdiction.
4. To make the maximum police contribution to the attainment and preservation of a state of peace and tranquillity in each jurisdiction, such a state being marked by the absence of high community tensions and violent civil disturbance.
5. To make maximum police use of a criminal justice information and communications system capable of providing promptly all data needed for effective operations by all agencies and to produce demographic data to guide planning, administration, and research.
6. To achieve a high level of public acceptance and support of police agencies and their programs in every community.

CJC will focus on six major approaches or objectives for improving the detection and apprehension of criminals: (a) optimum structure of the police component; (b) organizational and administrative efficiency in agencies; (c) operational efficiency--programs, tactics and techniques; (d) adequate staffing in agencies; (e) adequate equipment with expanded utilization of technology; (f) effective legal tools--substantive and adjective law.

### a. Optimum Structure of the Police Component

The recommendations of the President's Commission on Law Enforcement

and Administration of Justice most applicable to this area of emphasis are:

Each metropolitan area and each county should take action directed toward the pooling or consolidation of police services through the particular techniques that will provide the most satisfactory law enforcement service and protection at lowest possible cost.

In every metropolitan area the central city or the state should provide laboratory facilities for the routine needs of all the communities in the area. State or multistate laboratories and the FBI laboratory should continue to provide the necessary research to make available to all laboratories more sophisticated means of analysis.

States should assume responsibility for assuring that areawide records and communications needs are provided.

Specialized personnel from state or metropolitan departments should assist smaller departments in each metropolitan area on major investigations and in specialized law enforcement functions.

Fragmentation of the criminal justice system police component results in an inadequate police response to crime. To deal with this fragmentation which is produced by the statutory and constitutional basis of the system, a major study of the organization and operation of the police component will be conducted.

The priorities for each program in this category are contingent upon a comprehensive survey and analysis of the police component of the criminal justice system. This study as described will be a number one priority during the present era.

This study will be conducted by a commission of appropriate size (10 to 20 persons) appointed by the Governor. The members will be persons of stature and prominence in the state. A planning grant will be made to them to employ a small staff and retain competent consultants. Work products of the study will include at least the following:

An exhaustive study and report of crime, the existing structure, its operations, and deficiencies and problems related thereto.

A description and specifications of several alternative models of police organizations and operations with recommendations for one of them and the rationale for the recommendation.

Drafts of necessary revisions to be proposed to the Legislature to implement the proposed model.

A public information program to be implemented by the Criminal Justice Council to create public understanding of, and support for, the proposed constitutional and statutory changes.

This study will be begun in 1971 and completed in 1972 and will be presented to the Legislature in January of 1973. If enacted by the Legislature and approved by the voters, extensive funding will be needed in 1973 and succeeding years to implement the recommended changes and achieve extensive consolidation of police agencies.

Many staff and service operations could be performed much more efficiently in larger agencies or cooperatively. The proposed study would identify these areas.



This statewide study of the police component of the criminal justice system is needed to determine the most effective and desirable structure for the component. Constitutional, statutory, and local changes will be needed to implement the recommended structure.

The first complete county-wide consolidation of law enforcement was initiated with a grant to Hardeman County in 1971. To date it appears to be exceeding original expectations for a more efficient operation. Feasibility and design study grants were approved for Cass County and Collingsworth County for consolidated law enforcement operations that should begin by late 1971 or early 1972.

The 1971 Legislature passed legislation (H.B. 646) which enables agencies to contract with municipal, county, and state agencies for services which the agency is unable to perform for itself or where it feels more efficiency will result.

#### b. Organizational and Administrative Efficiency in Agencies

The recommendations of the President's Commission on Law Enforcement and Administration of Justice most applicable to this strategy are as follows:

Each state, through its commission on police standards, should provide financial and technical assistance to departments to conduct surveys and make recommendations for improvement and modernization of their *organization, management, and operations*.

Police departments must take every possible step to implement the guiding organizational principle of central control. Specialist staff units for such matters as planning, research, legal advice, and police personnel should include persons trained in a variety of disciplines and should be utilized to develop and improve the policies, operations, and administration of each police function.

Each municipality, and other jurisdiction responsible for law enforcement, should assess carefully the manpower needs of its police agency on the basis of *efficient use of all its personnel* and should provide the resources required to meet the need for increased personnel if such a need is found to exist.

Every department in a large or medium-sized city should organize key ranking staff and line personnel into an administrative board similar in function to a corporation's board of directors, whose duty would be to assist the chief and his staff units in developing, enunciating, and enforcing departmental policies and guidelines for the day-to-day activities of line personnel.

Every department, regardless of size, should have a comprehensive program for maintaining police integrity and every medium and large-sized department should have a well-manned internal investigation unit responsible only to the chief administrator. The unit should have both an investigative and preventive role in controlling dishonest, unethical, and offensive actions by police officers.

Police departments should develop and enunciate policies that give police personnel specific guidance for the common situations requiring exercise of police discretion. Policies should cover such matters, among

others, as the issuance of orders to citizens regarding their movements or activities, handling of minor disputes, safeguarding of the rights of free speech and free assembly, selection and use of investigative methods, and decision of whether to arrest in specific situations involving specific crimes.

A comprehensive regulation should be formulated by every chief administrator to reflect the basic policy that firearms may be used only when the officer believes his life or the life of another is in imminent danger, or when other reasonable means of apprehension have failed to prevent the escape of a felony suspect whom the officer believes presents a serious danger to others.

CJC already has taken action to deal with this problem through action grants, for professional surveys of the organization, administration, and operations of individual agencies. Seven grants have been made through 1971 for comprehensive surveys in police agencies in Waco, San Angelo, Galveston, Eagle Pass, Orange, Edinburg, and Rockport. By the end of the multi-year period CJC expects through action grants to have aided in conducting such surveys in every one of the central cities of the SMSA's, several large sheriffs' departments, and 15 or 20 smaller cities. Agencies are required to match these grants in cash. It is felt that after putting their money into such projects they will then implement the sound recommendations in terms of making the necessary reorganization, setting up new administrative policies and procedures, and making the needed improvements in operations. Grants will be made for implementation.

As a result of the surveys previously described and through the utilization of planning funds extensive coordination between agencies will be achieved in staff service areas such as purchasing records, communications, and other activities.

The administration of police agencies will be facilitated by the development of a model police guidance manual and the adoption of such a manual on a broad basis. This planning project was described under the category, "Upgrading Law Enforcement Personnel."

Until a comprehensive state study is completed to identify the critical problem areas of the system, each chief and sheriff must establish his own priorities in the use of staff. Organizational studies previously conducted and those presently underway will give some indications of the basic staffing deficiencies in agencies throughout the state.

One of the most pressing problems in staffing is the legal advice necessary to conduct the operations of a department.

To answer the need identified by the President's Commission, and by "Problems and Needs," for police legal advisors in medium and large police departments, action grants will be made available to all such cities (seven). Training of these persons will be assisted through application to IACP for attendance at its training course for police legal advisors. Only police legal advisor programs that conform substantially to the standard format as developed by the national association of these officers will be funded. One major department, Dallas, and two medium departments, Beaumont and Baytown, have appointed police legal advisors. It is expected that these advisors may be of two kinds: a qualified lawyer already in the police ranks who will be moved to this position or a civilian employed from outside as

special assistant to the chief or similar civilian position. When all of the large and medium cities have such programs operational, plans will be implemented for police legal advisors in smaller cities on full-time or part-time basis.

The police legal advisor is expected to give day-to-day advice to working officers on a case-by-case basis, instruct in the training schools on the subjects of law, participate in the writing of police manuals, improve the liaison of the police department with prosecutors' offices, and perform other services for the department. He will not perform any of the functions of the city attorney as those offices exist but will be the legal advisor to the police department. Other professional staff aides such as planners, statisticians, and psychiatrists are included in Program 72-D4.

c. Operational Efficiency--Programs,  
Tactics, Techniques

The recommendations of the President's Commission on Law Enforcement and Administration of Justice most applicable to this area of emphasis are:

Police departments should commence experimentation with a team policing concept that envisions those with patrol and investigative duties combining under unified command with flexible assignments to deal with the crime problems in a defined sector.

Each state, through its commission on police standards, should provide financial and technical assistance to departments to conduct surveys and make recommendations for improvement and modernization of their organization, management, and *operations*.

In every metropolitan area the central city or the state should provide laboratory facilities for the routine needs of all the communities in the area. State or multistate laboratories and the FBI laboratory should continue to provide the necessary research to make available to all laboratories more sophisticated means of analysis.

Specialized personnel from state or metropolitan departments should assist smaller departments in each metropolitan area in major investigations and in specialized law enforcement functions.

Studies exploring the detailed characteristics of crimes, arrests, and field investigation practices should be undertaken in large metropolitan police departments.

Police and fire callboxes should be designated "public emergency callboxes," should be better marked and lighted, and should be left unlocked.

Whenever practical, a single police telephone number should be established, at least within a metropolitan area, and eventually over the entire United States, comparable to the telephone company's long-distance information number.

(1). *General*

Each program component under this category will be studied as resources and personnel become available to correct problem areas. For example: The study for a "Criminalistics System for the State of Texas" by Joseph D.

Nicol established a design for attacking one major operational problem.

Projects will be encouraged to promote team policing and to develop team investigation procedures whereby specialized personnel from major departments can assist the smaller departments. Feasibility studies will begin in 1972 to identify critical problem areas.

Police and fire callboxes, if economically feasible, will be converted to readily accessible public telephones with a direct line to a public safety agency. Common numbers for all police services will be proposed to agencies.

All functional operations necessary to increase organizational capability will be the subject of study during the multi-year period.

## *(2). Tactics and Techniques*

This area of emphasis will be strongly affected by organization and administration, equipment and staff available, and technology. Primary emphasis, nevertheless, will be on new tactics, techniques, and procedures. Major emphasis will be given to the utilization of special tactics, such as special weapons and tactics (SWAT) teams, team policing strike forces, crime sensing and alerting systems, and other innovations.

A prime priority in this subcategory has been improving police response time through updating communications systems. A statewide study on communication facilities has been conducted and recommendations for improvement made. During 1971 implementation was begun and will be completed in approximately three years, if funds are available.

The long-term objective based on present information will be to have every police agency responding to crimes in progress and major emergencies within five minutes, working toward an ultimate goal of two minutes. This goal is long-range, and its achievement will relate to staffing as well as to the other factors here mentioned. A limited start on the reduction of police response time was made in 1971 through the funding of small amounts to a few local agencies to conduct studies in their own departments, seeking the reasons for slow response time. Such studies may be made either "in-house" or by use of consultants. Agencies first must have set up a system of reports and records including dispatching records to document their response time.

It is believed that response time can be sharply reduced by improving headquarters' communication with police officers. This improvement can be accomplished by providing personal radios so that even when an officer is out of the vehicle, he remains in constant contact with headquarters. Other reductions can be made in the command and communications centers.

The CJC staff is setting up a system of monitoring the development of new tactics, techniques, and procedures throughout the country. Close contact will be maintained with the National Institute, IACP, and other agencies that can furnish information in this area. At irregular intervals, the new developments will be digested, reproduced, and distributed to all the principal police agencies in the state to encourage their adoption and use. Such work already has been undertaken in the police legal advisor program.

It is the objective in this entire program to have all police agencies utilizing

the most effective tactics, techniques, and procedures by the end of the multi-year period.

Staff will develop study forms to conduct a number of studies in agencies of varying size which maintain a regular police patrol to determine their response time and to stimulate interest in reducing it.

### *(3). Criminal Justice Information*

All of the hardware, software, and communication lines involved in the Criminal Justice Information System will not achieve its purpose without adequate input from all components of the criminal justice system. To answer the needs for adequate information in the criminal justice field, CJC utilized planning funds for consultants to design a comprehensive system of criminal justice information with its related communications. This plan is described under the "Information and Communication" category. To make the plan effective, Texas will need uniform compulsory reporting from all agencies in all components of the criminal justice system. Action to produce such a system already has started. An eight-member executive committee of CJC has been created and it has appointed an operating technical committee of approximately 20 persons including police records and data processing persons, academic personnel from universities, court and corrections personnel, and others. Basically, this task force will produce the following:

The design of a uniform comprehensive criminal justice report and records system including recommended forms for each report and record.

A recommended statute establishing the model system requiring the reporting.

This task force is expected to complete the model statutes by late 1971, for presentation to the Legislature in January, 1973, and is expected to produce the design of the system by September 1, 1973. Planning funds were used in 1970 and 1971 for development of the project and action funds will be used in local agencies for implementation in 1973 and 1974.

#### d. Adequate Staffing in Agencies

The recommendations of the President's Commission on Law Enforcement and Administration of Justice most applicable to this area of emphasis are:

Each municipality, or jurisdiction responsible for law enforcement, should carefully assess the manpower needs of its police agency on the basis of efficient use of all its personnel and should provide the resources required to meet the need for increased personnel if such a need is found to exist.

Basic police functions, especially in large or medium-sized urban departments, should be divided among three kinds of officers, here termed the "community service officer," the "police officer," and the "police agent."

Police departments should recruit far more actively than they now do, with special attention to college campuses and inner city neighborhoods.

Specialist staff units for such matters as planning, research, legal advice, and police personnel should include persons trained in a variety of disciplines.

Each medium and large department should employ a skilled lawyer full-time as its legal advisor. Smaller departments should arrange for legal advice on a part-time basis.

In this area of emphasis, CJC feels that action funds are not now large enough to meet the staffing needs in regular agency programs. Also, there is a problem of public policy in such action. Rather than action grants, it is expected to take planning action to create an understanding by local governing agencies of the need for adequate staffing, and to build public support for adequate staffing. Limited staffing will be provided in Program 72-D3, "Professional Aides for Police," and 72-D5, "Special Units and Programs." Limited staffing also is provided for special units in the categories of "Prevention of Crime," "Reduction of Organized Crime," and "Improvement of Community Relations."

The City of Dallas is implementing a program on its own to relieve sworn officers of such duties as radio dispatching, jail duty, parking, and intersection control. The cities of Austin, Texarkana, and Waco have received grants for police community relations units in which they are using civilian community service officers. A civilian director heads the unit at Waco.

The CJC staff is designing a detailed annual inventory of criminal justice resources in the state, which will, of course, include personnel. Data from the inventory will be tabulated and produced at appropriate intervals by subjects, such as the level of police staffing. Various comparisons will be made, including population rates and area rates, all in relation to police budgets and tax basis. Such tabulations will be widely distributed with public information released to create widespread understanding of needs.

Action program 72-D1, "Management Analysis," will identify the needs for personnel in each agency surveyed. Such surveys as reported above also will identify the need for specialized staff, such as police legal advisors, psychiatrists, public administration specialists, technology specialists, and personnel administrators.

Perhaps the most effective method of solving understaffing in police agencies (and lack of equipment) is state aid for local police. Not only would such a program add materially to the resources of local agencies and enable them to make a more effective police response to crime, but it also would achieve minimum uniform standards for compensation, staffing, equipment, organization, administration, records, and performance. Crime in any location is the concern of all the people in the state and the resources of the state should be marshaled effectively for its control. It therefore is believed that state aid to local agencies offers an effective channel for marshaling state resources.

During 1972, the CJC staff will make a study of the feasibility of state aid to local police agencies. The study will involve a search of the constitution and statutes of the state, securing statutes and programs from other states that utilize such a program, and securing the statutes and program utilized in England, where it has proved highly effective.

Until a comprehensive state study is completed to identify the critical problem areas of the system, each chief and sheriff must establish his own

priorities in the use of staff. Organizational studies previously conducted and those presently underway will give some indications of the basic staffing deficiencies in agencies throughout the state.

e. Adequate Equipment with Expanded  
Adaptation of Technology

Recommendations of the President's Commission on Law Enforcement and Administration of Justice most applicable to this area of emphasis are:

Police service should make greater use of modern technology.

An experimental program to develop a computer-assisted command-and-control system should be established with Federal support.

Radio frequencies should be shared through the development of larger and more integrated police mobile radio networks.

The FCC should require metropolitan areas to submit coordinated requests for additional frequencies, with the manner in which action on a local level is coordinated left to the discretion of local governments.

Greater use should be made of multichannel radio trunks.

The FCC should develop plans for allocating portions of the TV spectrum to police use.

The Federal Government should assume the leadership in initiating portable-radio development programs and consider guaranteeing the sale of the first production lots of perhaps 20,000 units.

Police departments should undertake data collection and experimentation programs to develop appropriate statistical procedures for manpower allocation.

In general, CJC does not plan to use action funds for purchasing conventional equipment utilized in routine programs. Rather, it expects to use action grants as seed-money to stimulate local appropriating bodies to purchase and introduce the new technical equipment to increase the capability of their officers. Planning projects and the surveys funded in the action program should encourage local governing bodies to provide adequate conventional equipment already utilized in routine programs.

In 1972 CJC anticipates forming a police equipment task force of knowledgeable persons, from the disciplines as well as outside, to delineate the needs of police agencies in the field of equipment. It is anticipated that this study will prescribe the minimum amount of equipment which could be utilized efficiently by an agency of a given size. The CJC staff will coordinate this planning.

The field of mobile police communications presents a very special problem as described in "Problems and Needs." Because of the complexity of this problem it was felt that action funds could not be spent wisely until a comprehensive plan depicting needs and a design of a model system is produced. A study, utilizing planning funds and guided by a steering committee appointed by CJC, was completed in March, 1971. The Texas Chapter of APCO furnished most of the steering committee. Work products of the study incorporated in the final report included:

A detailed inventory of existing systems, spectrum availability and utilization, equipment, and capabilities by regions and the state.

A delineation of mobile police communication needs at the local, regional, and state levels through 1980.

In April, 1971, a contract was awarded to an engineering consulting firm to accomplish the following:

A design for an optimum police mobile communication system including equipment, frequencies, etc.

A design for implementation of the recommended system.

A design for spectrum management.

In 1971 programs were written and funds provided in Category K to assist local agencies in bringing their mobile police communications systems into conformity with the plan. Extensive funds will be needed in the next three years for implementation of the plan if grants are used to encourage local governing bodies to commit funds for better utilization of technology.

The lack of crime laboratory services has impeded good police work. The broad objective is to have high quality crime laboratory services available at a reasonable driving distance (100 miles) from every police agency in Texas.

A study was funded out of 1969 action funds to determine feasibility of providing a regional crime laboratory in the San Antonio area. A statewide study was completed to determine the need for laboratory services in all sections of the state and presented a design for providing those services.

The state headquarters laboratory has been expanded in 1970 and 1971 with the purchase of additional scientific equipment and added personnel.

In 1972, a major expansion will begin with the addition of regional laboratories at El Paso, Tyler, and McAllen. Six existing regional laboratories will be expanded to full chemical examination capabilities.

In five years, 14 regional laboratories will be in operation at strategic locations, enabling most police agencies to be within one hundred miles of a full-scale chemical laboratory. Toward the end of the five-year period, three of the regional laboratories' capabilities will be increased to include questioned document examinations and ballistics examinations.

By the end of the multi-year period, evidence technicians will be available out of each laboratory for technical investigative services to all law enforcement agencies.

f. Effective Legal Tools--Substantive and Adjective Law

In this area the President's Commission generally recommended law reform and specifically the following:

State legislatures should enact statutory provisions with respect to the authority of law enforcement officers to stop persons for brief questioning, including specifications of the circumstances and limitations under which stops are permissible.



The State Bar of Texas, through a *Penal Code* revision committee of distinguished jurists from over the state, has worked for five years in the preparation of a model penal code to present to the Legislature. Five police advisors, including one CJC staff member, assist the committee. This code is patterned after the Model Penal Code developed by the American Law Institute and utilizes the experience of all of the other states which have recently revised their penal codes. CJC made an award to the *Penal Code* Revision Committee of the State Bar to accelerate the study which was completed in 1970 and presented to the Legislature in January of 1971. The Legislature failed to act. The enactment of a model code by the Legislature will give the police agencies in the state extensive additional resources in the form of clear, enforceable penal statutes.

A serious need exists for revision of the adjective law, the *Code of Criminal Procedure*. The State Bar has a permanent committee for revision of the *Code of Criminal Procedure* and these needs are being submitted to it. The major associations of police agencies in the state have organized the Law Enforcement Legislative Council consisting of delegates from each of the associations, including the District Attorneys' Association. They will be asked to endorse, support, and work for the enactment of the needed amendments to the *Code of Criminal Procedure*.

Staff will continually work with the appropriate State Bar committees and appropriate law enforcement associations to determine needed revisions in both codes for presentation before each forthcoming Legislature.

In general, the multi-year objectives in this category call for establishing an adequate legal basis for structuring an effective police component and starting to set it up. All larger agencies will have modern organizational structures with efficient administration and operations. Each agency will be reasonably well staffed and the larger agencies will be utilizing specialists and professional aides extensively. Adequate conventional equipment will be provided by local action. All larger agencies will make widespread use of sophisticated technology. Adequate legal tools will be available in the form of a reformed, modern *Penal Code* and a revised *Code of Criminal Procedure*.

**TABLE XI**  
**Category D: Improvement of Detection and Apprehension of Criminals**

PROBLEMS	NEEDS OR OBJECTIVES	PLANNING PROJECTS	ACTION PROGRAMS
1. Fragmentation of police component	Optimum structure of police component	State study of the police component	D2 Police Consolidation
2. Defective organization and inefficient administration in agencies	Organizational and administrative efficiency in agencies	Local surveys - Action Program 71-D1 Criminal justice reports and records Police guidance manual	D1 Management Analysis
3. Limited use of staff operations	Organizational and administrative efficiency in agencies Operational efficiency - programs, tactics, and techniques in agencies	Annual inventory of crime and resources - staff Annual publication of analysis of inventory Staff monitoring of new developments in techniques, tactics and equipment with publication and dissemination	D3 Professional Aides for Police D5 Special Units and Programs K1 Information Systems

PROBLEMS	NEEDS OR OBJECTIVES	PLANNING PROJECTS	ACTION PROGRAMS
4. Ineffective operations in agencies: Low clearance rates Slow police response time Low prosecutor acceptance, indictment, and conviction rates Inadequate criminal intelligence Lack of evidence - technicians' services	Operational efficiency - programs, tactics, and techniques in agencies	Local surveys - Action Program 71-D1 Criminal justice reports and records study Staff monitoring of new developments in techniques, tactics and equipment with publication and dissemination	D1 Management Analysis D4 Technology D5 Special Units in Police Agencies K1 Communications and Information K2 Records and Reporting K3 Law Enforcement Radio Communications K4 Document Storage and Retrieval
5. Understaffing in police agencies	Adequate staffing in agencies	Annual inventory of crime and resources - staff Annual publication of analysis of inventory State aid for local police	D1 Management Analysis D3 Professional Aides for Police D5 Special Units and Programs
6. Inadequate criminal justice information	Operational efficiency - programs, tactics and techniques in agencies	Annual inventory of crime and resources study Annual publication of analysis of inventory Records task force Texas Criminal Justice Information System Center study SEARCH study Records and Reporting study	D4 Technology K1 Information Systems K2 Records and Reporting K3 Law Enforcement Radio Communications K4 Document Storage and Retrieval
7. Inadequate application of technology: Inadequate crime laboratory services Inadequate communications Inadequate use of other technical investigative and identification equipment	Adequate equipment with expanded utilization of technology	Staff monitoring of new developments in techniques, tactics and equipment with publication and dissemination Statewide crime laboratory study Statewide police mobile communications study Technology "brainstorming" project Police equipment task force	D4 Technology K1 Information Systems K2 Records and Reporting K3 Law Enforcement Radio Communications K4 Document Storage and Retrieval
8. Inadequate police facilities (housing)	Adequate housing for police agencies	None	L1 Construction of Law Enforcement Facilities
9. No state financial aid to local police	State subsidy to local police agencies	State aid to local police	None - Lack Legislation
10. Inadequate laws: Adjective law ( <i>Code of Criminal Procedure</i> ) Substantive law ( <i>Penal Code</i> )	Effective legal tools - substantive and adjective law	<i>Penal Code</i> revision project <i>Code of Criminal Procedure</i> revision	E5 Law Reform

a. Planning Projects

3. Multi-Year Financial Plan

Program Description Titles	1972	1973	1974	1975	1976
State study of the police component	\$ 125,000	\$ 50,000	\$ 25,000	\$ 25,000	\$ 25,000
Local surveys - action program 72-D1	-0-	-0-	-0-	-0-	-0-
Criminal justice reports and records study *					
Annual inventory of crime and resources - staff **					
Annual publication of analysis of inventory	10,000	10,000	10,000	10,000	10,000
Staff monitoring of new developments in techniques, tactics and equipment with publication and dissemination	15,000	10,000	10,000	10,000	10,000
Statewide crime laboratory study	-0-	-0-	20,000	-0-	-0-
Statewide police mobile communications study	10,000	10,000	10,000	10,000	10,000
Technology "brainstorming" project	2,500	2,000	2,000	2,000	2,500
Penal Code revision project ***					
Code of Criminal Procedure revision ****					
Police equipment task force	5,000	5,000	5,000	5,000	5,000
Police Guidance Manual	20,000	10,000	10,000	10,000	10,000
Police response time study	10,000	5,000	-0-	5,000	-0-
State aid for local police	20,000	5,000	5,000	5,000	5,000

These estimates do not include operational expenses of the SPA.

\*Shown in Information and Communications Category

\*\*Criminal Justice Council Staff

\*\*\*Shown in Improvement of Prosecution and Court Activities

\*\*\*\*Shown in Improvement of Prosecution and Court Activities

b. Action Programs

Program Description Titles	1972	1973	1974	1975	1976
Management Analysis	\$ 118,000	\$ 200,000	\$ 100,000	\$ 100,000	\$ 100,000
Police consolidation	250,000	1,500,000	2,000,000	2,000,000	2,000,000
Professional aides for police	75,000	200,000	160,000	160,000	160,000
Technology	985,000	5,000,000	5,000,000	5,000,000	5,000,000
Special units and programs	440,000	1,000,000	1,000,000	1,000,000	1,000,000

#### 4. Multi-Year Forecast of Accomplishments

##### a. Planning Projects

###### *(1). State-level Study of the Police Component*

This project will be finished by mid-year, 1972, and will produce several alternative models of the police component of the criminal justice system with a recommendation and rationale for one of the models. It will produce recommended constitutional and statutory changes to implement the recommendations. After its enactment by the Legislature, it will require extensive funding to implement police consolidation.

###### *(2). Organization, Administration, and Operations Surveys*

The program is largely a planning project, although funded out of action funds. By the end of the multi-year period 30 cities will have made complete surveys of their total organization, administration, and operations, and a like number will have conducted surveys of some aspect of operation such as police response time, police records, police communication, personnel administration, and salary surveys.

###### *(3). Criminal Justice Reports and Records Study*

This study is covered in the "Communication and Information" category. It will produce in 1971 a model statute providing compulsory reporting for all agencies in each component of the criminal justice system and by the end of 1972 a model criminal justice reports-and-records system, with specifications and suggested forms. When the statute is enacted and the forms adopted in a majority of the police agencies, Action Program 72-K2, "Reports and Records," will assist them in meeting the requirements of the statute.

###### *(4). Inventory of Criminal Justice System*

The CJC staff, in cooperation with law enforcement planners in each of the regions, will conduct annually an inventory of crime and criminal justice system resources and activities. This inventory will be conducted early in the year and will be reproduced and distributed widely. Specific studies on certain organizational aspects will be made at periodic intervals and distributed as appropriate.

###### *(5). Publication of Results*

CJC will publish annually an analysis of the inventories covered in (4).

###### *(6). Staff Monitoring*

The staff's monitoring of new developments in the field of improvement of detection and apprehension and in the technological field is an ongoing project. Materials and publications are being collected and at periodic intervals throughout the year pertinent data will be published and transmitted to every police agency in the state.

(7). *Statewide Crime Laboratory Study*

A survey of the need for crime laboratory services in each region produced a design for a system that will make crime laboratory service available within reasonable driving range (100 miles) of every police agency in the state. The study recommended that the system be state operated and supplemented by city-owned satellite laboratories.

(8). *Statewide Police Mobile Communication Study*

This study was begun in mid 1970, and was completed in March, 1971. It produced an inventory of mobile communication equipment and facilities in the state and determined state needs for mobile communication through 1980. Work begun in April, 1971, will produce a conceptual design of an optimum system for each region and for the state as a whole. This design will cover spectrum utilization, equipment specification, and channels. Detailed designs will produce a plan for spectrum utilization in the future, which will require extensive funding in Action Program 72-K3, "Law Enforcement Radio Communication," in subsequent years to upgrade all law enforcement radio communications in the multi-year period. Substantial discretionary funding will be necessary to implement the system completely in the metropolitan areas.

(9). *Technology "Brainstorming" Project*

This project was begun in 1971 and will be carried on annually in succeeding years. It is expected to identify additional technology needed by police agencies and to interest research and industrial groups, especially those concerned with aerospace technology, in development of needed technical equipment.

(10). *Penal Code Revision Project*

This project is covered in the category, "Improvement of Prosecution and Court Activities."

(11). *Code of Criminal Procedure Revision Projects*

This project is covered in the "Improvement of Prosecution and Court Activities" category.

(12). *Police Equipment Task Force*

A task force was started in 1971 and will produce by 1972, and biennially thereafter, specific recommendations for equipping police agencies of various sizes. The original report and each updated report will be transmitted widely to local governing bodies, and police agencies and will lead to extensive funding in Program 72-D4, "Technology."

(13). *Police Guidance Manual*

This project will start in 1973, after passage of a model penal code, and will be completed in 1973. It will be periodically updated. This project will produce a model manual for Texas police agencies in the areas of police

discretion, utilizing the New York and Philadelphia models as a guide. It will lead to funding in Action Program A4, "Law Enforcement Publications."

*(14). Police Response Time Study*

This study will be conducted by a consultant designated by CJC. It is anticipated that Action Program D1 will support the study in all the cities over 100,000 and that 20 to 30 smaller cities will conduct police response time studies in that program by the end of the multi-year period.

*(15). State Aid for Local Police*

This task force study, begun in 1972, will produce a recommendation to the Legislature for consideration in its 1973 session. In 1974 additional study and refinement will be made in preparation for additional legislative action in 1975. If the Legislature takes action it will provide direct financial assistance to local police agencies meeting prescribed standards.

Summary of Planning Projects

1972 Of high priority will be a comprehensive statewide study of the police component in the Texas criminal justice system. This study will establish priority areas in each of the planning projects listed. At least three comprehensive analyses will be made of local departments and the response time study will begin. Software will be developed for the statewide communication and information system. Legal publications will be produced, the police equipment task force will develop equipment criteria, and "brainstorming" sessions will be held to discuss new ideas in procedures and equipment. Annual inventory of crime and resources and publication for distribution to agencies will be made. Study will be conducted on state aid to local police and presented to 1973 Legislature.

1973 Ongoing projects will be continued. Completed studies will be evaluated and recommendations acted upon. A model penal code will be implemented if it passes the 1973 Legislature. A police guidance manual will be developed if the model penal code is passed by the Legislature in 1973.

New planning projects will be implemented, second- and third-year projects evaluated, and findings and recommendations acted upon. The police response time study will be completed and suggestions fed back to participating departments.

1974 Ongoing projects will be evaluated, action taken on findings and recommendations. Communication system will be conceptualized, modeled, and implemented resulting in an on-line computerized criminal investigation system.

1975 Projects will be evaluated, recommendations studied, and  
1976 implementation begun.

b. Action Programs

*(1). Management Analysis*

By the end of the multi-year period, this program will have been completed in the 30 cities with populations in excess of 50,000. It should lead to modern organization, effective administrative policies and procedures, and efficient operations programs throughout the agencies. Surveys of specific aspects of police operations such as police response time, records, personnel administration, and salaries will have aided some small departments and given additional aid to agencies that have had a complete survey earlier by the end of the multi-year period.

*(2). Computerization of Police Operations*

By the end of the multi-year period this program will have achieved complete computerization of police operations in the 10 largest cities, providing resource allocation, prediction of crimes and incidents, management information, and computerized command and control. Additionally, in these cities police records will be completely computerized to provide other management data in the form of summaries. Some 50 additional large sheriffs' offices and smaller cities will be utilizing the computer to some extent, particularly in producing routine summaries and providing management information.

*(3). Professional Aides for Police*

By the end of the multi-year period this program will have adequate police legal advisor service in the 10 largest cities. The 10 next smaller cities will have part-time legal advisor service. Part-time psychiatric assistance will be available and public administration specialists utilized in the four largest cities.

*(4). Technology*

By the end of the multi-year period this program will have provided technical investigative and identification equipment in every police agency in the state in cities of 20,000 or larger and in every sheriff's office with 10 or more deputies. The 20 cities of 100,000 will have such equipment as night viewing devices, video cameras and monitors, and polygraph instruments. In each of the 10 largest cities, electronic or other systems of detecting crimes and alerting police will be in operation in an average of 50 locations. In general, every county will have available technical equipment to investigate crimes and preserve evidence. Adequate identification equipment will be available for fingerprinting and mugging.

*(5). Special Units and Programs*

By the end of the multi-year period this program will have established and put in operation special units to deal with some particularly pressing crime problem in the 10 larger agencies and selected smaller agencies. These units will include such activities as burglary, robbery, theft, and narcotics.

*(6). Police Consolidation*

This program will have limited funding until 1973 because the major expenditures are not anticipated until the statewide study of the police component is completed and legislative action in January-June 1973 is completed. If the Legislature takes effective action, within a few years the

police components should be structured for complete coordination of police functions. Each agency should be of sufficient size and so organized, administered, staffed, and equipped that it can make an effective response to crime.

(7). *Other Action Programs*

Action Program 72-E2, in the category, "Prosecutors Aides and Assistance," is included here because of its tremendous importance to the improvement of detection and apprehension of criminals. This program should lead to recommendations in 1973 for the complete reformation of the *Penal Code* along the lines of the model penal code developed by the American Law Institute. Action Program 72-E12, for the revision of the *Code of Criminal Procedure*, should result in action by the Legislature in 1973 to allow the admissibility of oral confession as under the federal rule; provide for wiretapping with judicial control similar to the federal statute; allow the securing of search warrants for evidence under strict judicial control; permit subpoenas by courts of record to secure fingerprint evidence, hair, blood, and urine specimens; and provide for a stop-and-frisk statute, as well as other needed tools. Action Program 72-K2, in the category, "Information and Communication," is dealt with here because it is of great importance and represents a major problem and need in police service. This action program, by the end of the multi-year period, should have in operation in every police agency a uniform system of reports and records which adequately reflects the incidence of crime and the system's response to it. Action Program 72-K1, "Information Systems," although shown in the category, "Information and Communication," is included for discussion here because of the serious problem and need for it and its importance to the improvement of detection and apprehension of criminals. By the end of the multi-year period, the Texas Criminal Justice Information System should be fully implemented, with a central computerized switching system interfaced with related data banks. These data banks should have 400 to 500 remote terminals that can secure and provide the kind of data needed by police agencies for effective detection and apprehension of criminals.

Summary of Action Projects

1972 Partial and complete administrative studies will have been completed or begun in at least 15 departments with population near 50,000 or more. Major projects in the computerization of records and communications (see category K) will continue. Present professional aide projects for police will be completed and an evaluation of their effectiveness made. Equipment to individual departments for improving their technical capabilities will be stressed. A feasibility study for electronic detection of criminal acts will be conducted. Numerous innovative line and staff units will be funded. Police consolidation will continue on a limited basis until action by the Legislature in 1973.

Continue funding of eligible second- and third-year projects. Complete the state comprehensive study. It is anticipated that major cities will begin to develop comprehensive plans to update procedures and processes to conform to a statewide computer interface.



- 1973 Evaluate and implement new studies based upon terminating projects. Funds for police consolidation will be greatly increased to implement expected legislation. State laboratory expansion will continue in this second year. Greatly increased funding in technical equipment, technology, and systems.
- 1974 Continue evaluation of computerization studies. Consolidation of police services will continue and increased funding will be provided. Crime laboratory service third year expansion will be funded.
- 1975 - It is anticipated that studies being completed may furnish new direction in research. Continue programs of merit.

**E. IMPROVEMENT OF PROSECUTION AND COURT ACTIVITIES AND LAW REFORM**

a. Problems and Needs

1. Courts

The original structure of the system of courts was established by the Constitution of 1876, and the court system today is a system only because of definition and not because of design. For nearly 100 years, the Texas Legislature has made changes in the court system without thought of the ever increasing shortcomings of the structure. These changes have been made by the creation of new courts of general jurisdiction and special courts, by expanding jurisdiction of courts, and by diminishing jurisdiction of courts to meet the problems of the expanding urban population. The Texas court system is best described by Clifton McCleskey in *The Government and Politics of Texas*:

The Texas court system may seem very confusing unless we sacrifice some accuracy by over simplifying it. Furthermore, the judicial hierarchy can be understood only in terms of what the courts do. We see that some courts perform both trial and appellate functions, but not all courts exercise both civil and criminal jurisdiction. Finally, although the basic structure of the Texas court system is not overly complex, it has become complicated because of specialization in functions by the courts in urban areas.

Functions performed as a part of the total concept of the courts must be given consideration if we are to recognize the total problems that confront the courts. The critical problems of these functions include those mentioned in the following discussion.

The courts are characterized by autonomy with a definite absence of a court administrator system. There are nine "administrative judicial districts" with a presiding judge; there is also a Judicial Qualifications Commission. Each of these exercises limited administrative powers over the courts. The conscientious efforts of each do not constitute what is envisioned within a court administrator system.

Texas has three courts (the constitutional county court, municipal court, and justice of the peace court) which do not require the judge to be an attorney. In fact, even in the metropolitan areas, it is the exception rather than the rule that the judge is an attorney. The non-attorney judge has

neither legal education nor training, nor is he afforded any during his career as a judge of these courts. Yet he is called upon to make decisions on laws and to interpret and apply court decisions of law and fact situations which may render a serious and lasting detrimental effect on the person before him.

The constitutional county court is unique in that the judge has dual responsibilities as the judge presiding over the trial court and the chief administrator of the commissioners court, which supervises all county budget operations. The qualifications for each responsibility are not necessarily compatible. It should be noted that some counties, especially rural ones, have no attorneys residing within the counties, while others have too few attorneys even to fill the positions that require the person elected or appointed to be an attorney.

Two special statutory provisions provide for a referee or commissioners. Only Wichita County has the authority to appoint referees and the statute describes their qualifications, powers, and compensation. The Court of Criminal Appeals is given statutory authority to appoint two commissioners to serve the court. The 62nd Legislature has appropriated funds to pay their salaries. This is the first time the statutory provision has been utilized since 1966, when a constitutional revision increased the membership of the Court of Criminal Appeals from three judges to five.

Each court is called upon daily to make decisions regarding the future status of a person appearing before the court. To dispense justice as it is envisioned in the common term, all the human elements surrounding the alleged offense, from inception to the ultimate end, must be given consideration. Decisions must be based on the living person and not on a number or statistic recorded on a sheet of paper. The first decision to confront the court is the determination of personal bail, money bail, or no bail. The protection of society from persons who possess dangerous tendencies and are likely to inflict further harm if they are released after apprehension must be given serious consideration and review. Few courts are afforded the opportunity to request or require in the pre-trial or pre-hearing stage adequate reports on the individual which include psychiatric examination, psychological testing, medical examination, potential rehabilitative capabilities, and unique or special problems of the person charged with a criminal offense or a pending delinquency determination.

Sentencing, the final decision, has been referred to by many judges as the most difficult portion in the discharge of their responsibilities. If the court is to sentence the offender with the joint consideration of punishment and rehabilitation, the court must be afforded the information on which to make this determination.

A defendant and his counsel may discuss with the prosecuting attorney the disposition of his case and receive from the prosecuting attorney an agreement as to a particular recommendation to the court for a certain penalty. It would appear that a plea has been negotiated. Yet the procedure in Texas is that upon a plea of guilty or "nolo contendere," the court will inquire as to whether the state has a recommendation and, if it has, the court then may either follow it or completely disregard it. This comes after the inquiry by the court as to whether the defendant has been promised anything to induce a plea of guilty. Should the court assess a punishment in excess of the prosecuting attorney's recommendation, the defendant may not withdraw his plea of guilty or "nolo contendere" under any

circumstances but must accept the sentence of the court. He is denied the right to withdraw his plea within the limitations of the "negotiated plea" concept and proceed to trial for final adjudication of the matter.

The defendant is allowed to determine whether the jury or the judge assesses his punishment except in capital cases in which the death penalty is asked. Many factors enter into a just and proper determination of punishment other than the offense committed. If the judge assesses punishment and he is provided pre-sentence reports, he has before him the facts for a just and proper determination. This does not necessarily follow if a jury assesses punishment, since they are not allowed information contained in the pre-sentence report.

Jurors who are called upon to serve are, too often, not informed of the process of their selection in a particular case, nor as to an overview of what will occur during the trial. The juror is placed in the position of dispensing a just and proper punishment without adequate guidance and direction to enable him to understand his role and responsibilities as a juror. The juror should never be criticized for unreasonable punishment as he discharges his responsibilities to the best of his knowledge and understanding.

Prompt hearings are not the rule but the exception. The defendant now has the right to waive indictment in a noncapital felony case. This procedure will expedite the trial of felony cases. The delay in hearing is compounded further by the defendant, his counsel, or the prosecutor. Delays may result from an overload of cases pending before the court; lack of an adequate number of courts in a particular area; lack of an adequate number of prosecutors or investigative staff to prepare the cases for trial; lack of case screening before and after indictment or of uniform standard setting policies; and from the indiscriminate use of pre-trial and post-conviction motions and hearings. Other factors causing delays are the lack of interest in hearing traffic cases which are appealed, delays in transcribing trial proceedings so that a final appeal may be perfected and a final hearing can be set, and the feeling that every defendant is entitled to one motion for continuance or one time extension on his appeal, justifiable or not.

Each trial court in Texas is afforded an official court reporter for taking and transcribing the record of the trial from beginning to end. In metropolitan areas, even though there are numerous courts to try criminal offenses, there is also an unusually high rate of appeals upon conviction. As the number of trials increases, and the court reporter must be in the courtroom taking the transcript of the trial, so decreases the time available to the court reporter for transcribing the record within the statutory time limit. This, of course, results in delay in the final hearing before the appellate court.

Clerks assigned to the court by the district or county clerk or employed by the court itself have an overwhelming responsibility in the administration of the court's daily activities. The duties performed while the court is in session are only a portion of the clerk's total job responsibility and duty. A court which is in session during the majority of the working day leaves the clerk with little time to complete his duties which can be performed only when the court is not in session and usually in the clerk's office itself. The clerks and their assistants too often have relied upon the prototype established by their predecessors. Individual initiative has been displayed by some in functional modernization of the administration of their offices, but the lack

of concern by the several components within the criminal justice system has hampered even these efforts. No forum is available to acquaint either the clerks or their staffs with their duties, responsibilities, and liabilities, or to provide the opportunity to receive the benefit of the efforts of those who have modernized the functions of their offices.

No surveys have been made to determine the need for additional staff within a district or county clerk's office in order to establish criteria for an adequate clerical staff so that each court may function at an optimum daily pace. Nor has a survey been made to establish the need for new and sophisticated equipment in the district or county clerk's office to provide for improvement of recording and retrieval of information which the clerk is required by law to maintain.

Many courts, particularly in the metropolitan areas, have developed a uniform jury information questionnaire which is provided to each prospective juror, either in his notice by mail or upon his selection to serve. The questionnaire contains many fundamental questions, and the prospective juror's answers are made available to prosecution and defense before jury selection for the given trial begins. This procedure reduces the time necessary for individual interrogation.

The courts, and the various related functional areas, have held or attended seminars for their particular functions. Many have been highly successful but none has achieved an organized continuing basis from year to year to discuss new legislation and court decisions. Many are denied the opportunity to participate in national and state seminars because of lack of funds.

The brief and general overview of the courts and the related functions set forth in Part I, "Existing Criminal Justice Systems and Available Resources," and in Appendix A exemplifies the problems of the courts and those functions, within and without the courts' jurisdiction, that are discussed above.

These problems apply to the entire state. They increase on a disproportionate scale as the population of the court's jurisdiction increases. Texas has 23 standard metropolitan statistical areas which contain 39 of the 254 counties, with approximately 80 percent of all Texans living in these areas. While the rural areas may continue to dispense justice, the metropolitan areas are facing a total breakdown unless these problems are promptly rectified. The density of population in segments of the metropolitan areas results in an extremely high incidence of crime.

There is an urgent need for review and assessment of the present organizational and operational structure of the entire court system in Texas. A court system, unified if possible, must be so structured that it adequately meets the total need. It must not, when expanded or contracted, alter the basic statewide system. The functional needs in a unified court system study also must be considered. They must include the following discussions.

The need for a statewide court administrator system is demonstrated by the lack of guidelines available to those who must make the decisions affecting creation, location, and number of new courts; disproportionate dockets; overlapping and conflicting jurisdiction; and lack of uniform statewide administrative direction. The court administrator system must be one which encompasses all the courts within the state, with administrators also being

provided for the nine administrative judicial districts and the multidistrict counties in our metropolitan areas.

The judges who are not required to be attorneys need an opportunity for legal training and education to assist them in the execution of their duties. It is of critical importance that opportunities be made available with the most appropriate approach for meeting immediate and long-term needs.

Coexistent with the need for a unified court system is a need to review and assess present and prior statutory provisions of commissioners and referees and their present and past utilization. This review should determine the feasibility of structuring such assistance into our court system to effectuate immediate and long-term relief. A commissioner or referee, with the same qualifications required of judges of our highest trial court, could, under the direction of the trial judge, dispose of many time consuming administrative matters. Findings by the commissioner or referee would be forwarded to the trial judge with his recommendations for final determination. Commissioners or referees could be utilized to advantage in both metropolitan areas and rural judicial districts comprising several counties.

The need for pre-trial, pre-hearing, presentence, and predetermination reports is critical and must be resolved at the earliest possible date so that each trial court has access to the resources necessary for psychiatric examination, psychological testing, and medical examination.

The present procedure in pleas of guilty and nolo contendere demonstrate the need for Texas to adopt the "negotiated plea" as recommended by the American Bar Association.

There is a need to review the present law pertaining to punishment and to develop recommendations for the uniform assessment of realistic punishment by trial judges.

The need for prompt hearings and final determination has been recognized by all authorities of the criminal justice system. The factors which cause delay and the best ways to eliminate these deficiencies must be determined analytically and objectively. Immediate action must be taken to meet the problems where possible.

The statutes provide for deputy court reporters, but utilization by the courts has been hampered by lack of finances available from the given county. Deputy court reporters should be employed where justified to reduce delays in appeals.

There is a need to provide clerical personnel assigned to the courts or employed by the courts continuing legal and non-legal education and training and handbooks. Surveys need to be made to determine adequate staffing and equipment.

There is a need to develop and secure adoption of a uniform jury information form for use by every trial court.

Funding must be provided for seminars on a statewide, regional, or local basis, and for travel, subsistence, tuition, fees, books, materials, etc. for those attending seminars approved but not funded by CJC and conducted within and without the state.

b. General Statement of Priorities and Programs

The multi-year objective is to design and implement a unified court system that structurally, functionally, and territorially meets the needs of all the citizens in Texas. These functions, within and without the court's jurisdiction, must receive simultaneous consideration:

1. To design and implement a court administrator system which will have jurisdiction over all courts, with the possible exception of municipal courts.
2. To provide to the judges who are not required to be attorneys legal and non-legal education, training, and handbooks so they may better discharge the duties of their office. This will meet the deficiency during the interim period prior to the adoption of the unified court system.
3. To review and evaluate the use of commissioners or referees in the present court system or their use in the unified court system.
4. To provide diagnostic services to each trial court for pre-trial, pre-hearing, presentence, and predetermination reports which include psychiatric examination, psychological testing, medical examination, potential rehabilitative capabilities, and unique or special problems of each person charged with a criminal offense or pending a delinquency determination.
5. To implement in Texas the "negotiated plea" as recommended by the American Bar Association.
6. To provide for punishment to be assessed in criminal cases by the trial judge with the exception of capital cases where the death penalty is asked.
7. To determine the factors which contribute to the lack of a prompt hearing and final determination and, after this determination, to make recommendations which will cause hearings in Texas courts to conform to the timetable recommended by the President's Commission on Law Enforcement and Administration of Justice.
8. To determine the adequacy of the number of deputy court reporters in Texas and, where deficiencies exist, recommend changes to insure the adequate complement necessary for the taking and transcribing of records of the trial courts.
9. To provide continuing legal and non-legal education, training, and handbooks for clerical personnel assigned to the courts by the district or county clerk or employed by the court, and surveys for the establishment of adequate clerical personnel and modern equipment.
10. To design a uniform jury information questionnaire and have it adopted by all trial courts in Texas.
11. To provide funding for seminars implemented by the courts or the related functional areas on a statewide, regional, or local basis, and for travel subsistence, tuition, fees, books, materials, etc. for those attending seminars approved but not funded by CJC and conducted within and without the state.

The current status of the court system in Texas and those functions, in and out of the court's jurisdiction, which relate to the court's operation have been discussed in "Problems and Needs" and in Part I, *Existing Criminal Justice System and Available Resources*. They are demonstrated further by Appendix A.

The future direction of the state planning effort will be toward development and implementation of a unified court system which adequately meets the needs of every person in the state, regardless of the size or population of the county in which he resides.

Simultaneously, the state planning effort will be directed to those functions, in and out of the court's jurisdiction, which affect the operation of the court, especially the following:

1. To develop and present to the Legislature an adequate court administrator system.
2. To provide through action programs statewide, regional, and local seminars and the preparation, publication, and distribution of handbooks to the appropriate judges.
3. To review and evaluate the use of commissioners and referees in the short-term interim period for the present court system and in the long-term unified court system. Should the evaluation show that commissioners or referees can be utilized properly in the present court system, the short-term goal will be to present to the Legislature as soon as possible proposed amendments for the statutory authority of commissioners or referees. The long-term goal, if indicated by the evaluation, will be the inclusion of commissioners or referees in the unified court system.
4. To determine what diagnostic services are available, where they are located, and the limitations of each. This information will be disseminated to each trial court. In addition, action programs will assist in the establishment of diagnostic services on an area basis, from a single unit which provides all of the necessary services to the trial courts within that area.
5. To develop a program to win acceptance of the "negotiated plea" by all trial courts in Texas and present to the Legislature the necessary statutory changes.
6. To present to the Legislature the statutory changes necessary for assessment of punishment by the trial judge in all cases except where the death penalty has been asked.
7. To develop and conduct a statewide survey of the factors which contribute to the lack of prompt hearings and final determinations; upon verification and evaluation of the survey, to make recommendations on how to eliminate the particular deficiencies through action programs and legislative changes.
8. To survey the deputy court reporters in Texas as to their official workload for the court, their workload outside of their official duties to the court, and additional duties imposed by the court. The survey will serve as a basis for action programs to provide trial courts the necessary deputy court reporters. It also will establish criteria for recommendations of the duties, scope, and limitations of court reporters' job responsibilities.
9. To develop a uniform jury information questionnaire and to secure its adoption by all trial courts.
10. To provide funding for seminars for the judiciary and court related personnel on a statewide, regional, or local basis, and for travel, subsistence, tuition, fees, books, materials, etc. for those attending

seminars approved but not funded by CJC and conducted within and without the state.

The scope in realizing the multi-year objective of a unified court system will encompass those functions, within and without the courts' jurisdiction, which affect the courts' operations. The review and evaluation of the court system and its related functions will include, where applicable, the existing systems in Texas and the other 49 states, as well as the federal system.

In addition, the scope will include:

- a. The review and evaluation of the principles, effectiveness and acceptability of non-judicial statewide administrative or coordinating systems or boards in all states which may be adaptable to a court administrator system.
- b. Financial assistance in implementing or attending seminars and the preparation, publication, and distribution of handbooks for those judges who are not required to be attorneys.
- c. Alternate approaches other than commissioners or referees as used by other states also will be reviewed and evaluated.
- d. The gathering and dissemination of information pertinent to the diagnostic services available, their location, and limitations and financial assistance in the establishment of single unit diagnostic services on an area basis.
- e. A publication comparing the present system of "pleas of guilty" and the "negotiated plea" will be prepared and distributed to the proper criminal justice system personnel. The cooperation of the State Bar of Texas and the American Bar Association will be solicited in order that a joint effort may be made for the implementation of "negotiated pleas" in Texas.
- f. Financial assistance in implementing or attending seminars and the preparation, publication, and distribution of handbooks for clerks and their personnel.
- g. To survey the trial courts in Texas as to the utilization of a jury information questionnaire which adequately meets the needs of the trial courts.
- h. Financial assistance in implementing or attending seminars for all judges and related functional personnel not included above.

General improvement over the multi-year period is the ultimate objective of a unified court system with adequate support from those functions, within and without the courts' jurisdiction, which affect the court's operation. Included in the general improvements are:

1. Planning efforts which in their direction and scope will affect the future creation of courts in the interim period.
2. A court administrator system that will be pursued independently should the Legislature reject a unified court system.
3. The continued legal and non-legal education and training of all judges of courts which do not require the judge to be an attorney.
4. Evaluation of the use of commissioners or referees in both the present court system, in the interim, and the projected unified court system. If



the evaluation is favorable, proposed statutory authority will be presented to the Legislature at the earliest possible date.

5. The gathering and dissemination of information pertinent to available diagnostic services, their location, and limitation, and assistance in establishing single-unit diagnostic services on an area basis.

6. Implementation of the "negotiated plea."

7. Assessment of punishment in all cases by the trial judge where the death penalty has not been asked.

8. The initiation and implementation of recommendations at the earliest possible date to provide prompt hearings and final determinations.

9. An adequate complement of deputy court reporters where needed to take and transcribe trial records.

10. Continued legal and non-legal education and training of all clerks and their personnel.

**TABLE XII**  
**Category E: Improvement of Prosecution and Court Activities and Law Reform**

Problems	Needs or Objectives	Planning Projects	Action Programs
1. Delays in prompt hearing and final adjudication of cases	Optimum utilization of court personnel and technical equipment to insure speedy trials and final dispositions	(All planning projects in this category are included in action programs)	E1 Courts Aides and Assistance E5 Law Reform
2. Insufficient information for proper determination of pre-trial release and sentencing	Implementation of personal bail bond programs and diagnostic services		E1 Courts Aides and Assistance
3. Inadequate supportive staff for courts	Adequate clerks, court reporters and other supportive staff		E1 Courts Aides and Assistance
4. Lack of informational services for judges court related personnel concerning legal and non-legal matters pertinent to their duties	Distribution of handbooks to and participation in education programs by judges and court related personnel		E1 Courts Aides and Assistance
5. Lack of skilled career prosecutors	Attract capable young lawyers to a career in prosecution, implement continuing education for prosecutors, provide incentive pay to retain experienced prosecutors		E4 Criminal Justice Projects - Law Schools and Students E2 Prosecutor Aides and Assistance

PROBLEMS	NEEDS OR OBJECTIVES	PLANNING PROJECTS	ACTION PROGRAMS
6. Inefficient operation of prosecutors' offices	Optimum utilization of staff and technical equipment		E2 Prosecutor Aides and Assistance
7. Lack of uniform method of serving representation for indigent offenders	Implementation of public defender offices or legal assistance units providing investigative resources		E3 Defense Aides and Assistance
8. Outdated constitutional and statutory provisions on criminal law and procedures and the structure and jurisdiction of courts and related areas	Revision of constitutional and statutory provisions relating to criminal law and procedure and to courts, prosecution and related areas; public information programs to make citizens aware of the needed revisions		E5 Law Reform

11. Development of a uniform jury information questionnaire to meet the needs of all trial courts.

12. The continued legal and non-legal education and training of all judges and related functional personnel not included above.

c. Multi-Year Financial Plan

Action				
1972	1973	1974	1975	1976
\$2,200,000	\$4,400,000	\$6,600,000	\$8,800,000	\$11,000,000

d. Multi-Year Forecast of Accomplishments

*Past Progress*

1972 A written and graphic description of the courts, clerks, court reporters, and fees was completed in 1971.

A survey of the diagnostic services available, their locations, and particular limitations was completed.

The revised *Penal Code* contained a provision for judge sentencing. However, the *Penal Code* Revision Committee did not distribute copies of its work until the legislative session was well under way. Numerous objections to the revision were voiced at committee hearings. There was not sufficient time during the session to resolve these differences. As a result the *Penal Code* revision failed to pass the 62nd Legislature.

Senate Bill 116 was enacted, permitting the defendant to waive indictment in non-capital felony cases.

A task force from the District and County Clerks Association continued to work with the director of judicial processes and law reform to develop programs for improving clerical processes in the criminal justice systems.

A questionnaire relating to uniform jury information was prepared and distributed to all trial courts on the district and county court level. A report and copies of sample questionnaires were distributed.

A survey of the delays documented in cases which have been decided by the Court of Criminal Appeals was completed in 1971.

Two administrative assistants and supportive staff were provided the Court of Criminal Appeals to assist the court with the large number of petitions for writs of habeas corpus filed.

Two area-based single unit diagnostic services were established.

Funding enabled approximately 1150 judges and court-related persons to attend and participate in national, statewide, regional, or local seminars.

#### *Planned Progress*

A graphic and written digest will be completed of the court and court administrator systems, use of commissioners or referees, court diagnostic services, and deputy court reporters in Texas and the other 49 states and the federal system.

The State Bar of Texas and the American Bar Association will be given financial assistance to gain the acceptance and implementation of "negotiated pleas" in Texas.

A reassessment of objections to the revised *Penal Code*, especially as related to assessment of punishment by judges, will be made to determine what is necessary to meet these objections.

Support will be continued for the area-based single unit diagnostic services established in 1971. Funds will not be available through action programs to establish additional diagnostic service units in 1972. Since these services eventually will function as a component of multi-county correctional facilities, available future funding will be integrated with correctional programs.

A program will be developed through the trial judges, the judicial section, the State Bar of Texas, and local bar associations to obtain adoption and use of uniform jury information questionnaires by all trial courts. A survey will be conducted late in 1972 to determine the increase in use of a uniform questionnaire by trial courts in Texas.

Approximately 15 national, statewide, regional, and local seminars will be held or attended, with total attendance of 900.

Approximately 25 judges and clerks will participate in visitation and exchange projects to afford them the knowledge and experience of other courts and clerks offices.

It is anticipated that two handbooks containing operating procedures, forms, and pertinent statutory and constitutional provisions will be prepared in 1972 for all justices of the peace and district and county clerks.

Administrative assistants and supportive staff will be continued in the Court of Criminal Appeals. It is anticipated that four or five trial courts or administrative judicial districts will be provided the supportive staff necessary to expedite the disposition of matters before the courts.

Approximately three court management studies will be made in 1972 to determine the problems and needs of specific courts and to recommend solutions which may include additional staffing support, improved facilities and equipment, increases in compensation of all personnel, and the maximum utilization of all components of the criminal justice system which interface with the courts.

It is anticipated that one or two action grants will be funded in 1972 to implement recommended assistance to the courts encompassed by the management studies.

1973 Financial assistance will be continued to the State Bar of Texas and the American Bar Association to secure implementation of the "negotiated plea" in Texas at the earliest possible date.

Recommendations will be sought to secure total adoption and use by all trial courts of the jury information form.

Approximately 15 national, statewide, regional and local seminars will be held or attended with a total of 950 attending.

Visitation and exchange projects involving approximately 30 judges and clerks will be funded.

It is anticipated that the handbooks for justices of the peace and district and county clerks will have been distributed throughout Texas. Preparation will begin on a handbook for district judges in 1973. This handbook will cover normal operating procedures, forms, and statutory and case law applied daily by a district judge. The handbook will particularly benefit newly elected or appointed judges.

Support will be continued to the Court of Criminal Appeals to provide administrative assistants and supportive staff. It is anticipated that action grants will be made to four or five trial courts or administrative judicial districts for supportive staff in 1973.

It is anticipated that approximately four management studies will be made in 1973 to determine the problems and needs of specific courts and to recommend solutions which may include additional staffing support, improved facilities and equipment, increases in

compensation of all personnel, and maximum utilization of all components of the criminal justice system which interface with the courts.

It is anticipated that two or three action grants will be funded in 1973 to implement recommended assistance to the courts encompassed by the management studies.

- 1974 It is anticipated that the proposed alternatives for a unified court system and court administrator system and authorization of commissioners or referees will be completed, with a detailed analysis of each. The necessary statutory and constitutional revisions will be completed during this year. A defined public relations and information program will be designed and implemented prior to the submission of the recommendation to the Legislature in 1975.

Approximately 20 national, statewide, regional, or local seminars will be held or attended, with total attendance of 1,000.

It is anticipated that all handbooks considered heretofore will be in the process of preparation, publication, distribution, or revision. It is anticipated that one handbook for county court judges will be prepared and distributed.

It is anticipated that an action grant will be funded providing for participation of approximately 35 judges and clerks in visitation and exchange projects.

Supportive staff for the Court of Criminal Appeals will be continued. It is anticipated that supportive staff for six or seven trial courts or administrative judicial districts will be funded.

Approximately six management studies of specific courts will be made in 1974. The studies will determine the problems and needs of these courts and recommend solutions, such as additional staffing support, improved facilities and equipment, increases in compensation of personnel, and maximum utilization of all components of the criminal justice system which interface with the courts.

It is anticipated that four or five action grants will be funded in 1974 to implement recommended assistance to the courts encompassed by the studies.

- 1975 It is hoped that the Legislature will have passed the statutory recommendations and the necessary concurrent resolutions to implement the proposed changes in the courts and the functions which affect the courts' operation. Should the Legislature reject the proposed changes, a review and reassessment will be made to determine what is necessary to meet the objections.

Approximately 25 national, statewide, regional, or local seminars will be held or attended, with total attendance of 1,050.

It is anticipated that the distribution of handbooks and appropriate supplements to them will be continued. Grants for further

handbooks will be considered and made to a qualified agency, association, or person(s).

An action grant will be made to provide visitation and exchange projects for approximately 40 judges and clerks.

Support will be continued to the Court of Criminal Appeals to provide administrative assistants and supportive staff. It is anticipated that action grants will be made to provide supportive staff to eight or nine trial courts or administrative judicial districts in 1975.

Approximately six management studies will be made in 1975. These studies will determine the problems and needs of specific courts and recommend solutions such as additional staffing, improved facilities and equipment, increases in the compensation of all personnel, and maximum utilization of all components of the criminal justice system which interface with the courts.

It is anticipated that four or five action grants will be funded in 1975 to implement recommended assistance to the courts encompassed by these studies.

1976 It is anticipated that review and assessment of the proposed changes rejected by the Legislature in 1975 will have been completed and made available to prepare the necessary statutory and constitutional revisions which meet the objections raised during the 1975 session. A program of public education and information will be implemented to secure acceptance of the changes at the earliest possible date.

Approximately 25 national, statewide, regional, and local seminars will be held or attended, with total attendance of 1,100.

It is anticipated that distribution of handbooks and appropriate supplements will be continued. Grants for further handbooks will be made to a qualified agency, association or person(s), as determined by the needs of these requesting the preparation, publication, and distribution of handbooks.

Support will be provided to approximately 45 judges and clerks who will participate in visitation and exchange projects.

Supportive staff will be provided to the Court of Criminal Appeals, administrative judicial districts, and trial courts. It is anticipated that action grants will be made to provide supportive staff to eight or nine trial courts or administrative judicial districts in 1976.

Approximately six management studies of specific courts will be made in 1976. These studies will determine the problems and needs of these courts and recommend solutions such as additional staffing support, improved facilities and equipment, increases in the compensation of personnel, and maximum utilization of all components of the criminal justice system which interface with the courts.

It is anticipated that four or five action grants will be funded in 1976

to implement the recommended assistance to the courts encompassed by these studies.

a. Problems and Needs

2. Prosecution

The Constitution of Texas provides the framework for district and county attorneys and for legislative action as deemed necessary. From time to time the Legislature has seen fit to create new offices, expand existing offices, and diminish existing offices without regard to the total structure. It would be impossible to determine from the titles of prosecutors the scope of their jurisdictions, functions, roles, duties, and responsibilities.

Each district attorney has a base salary determined by the Legislature and in the most part paid from state funds. In many instances, this base salary is supplemented by the county or counties which the district attorney represents. The county attorney represents only a single county and his salary is determined by the commissioners court of that county. His staff and the salary for each, be it assistant, investigator, or secretary, are determined by the commissioners court. The salary of the district or county attorney has a direct relationship to the salary of assistants, investigators, and secretarial personnel.

Many assistant prosecutors use the position as a base for intensified training before entering private practice. The resulting turnover of assistant prosecutors tends to make the prosecutor's office a paid training base. The office, therefore, seldom receives full value for monies paid to assistants.

The low salaries of district and county attorneys and their staffs cause many to resort to private practice, which is not statutorily prohibited, to supplement their income. This outside practice encourages the belief that an adequate staff has been provided by the county commissioners court. While some commissioners courts have responded to the request of the district and county attorneys in staff and salaries, none has been able to meet all requests. It is extremely doubtful that any prosecutor's office in Texas has an adequate staff with salaries sufficient for the needs of its jurisdictional area. The county budgets suffer from the same dilemma as state and federal budgets. It is difficult to raise the revenues for expenditures required.

Many prosecutors in Texas are not afforded an experienced and knowledgeable investigative staff to work with other law enforcement officers in investigating crimes and gathering evidence for prosecution. While it is recognized that each individual county or district attorney does not necessarily need a fulltime investigator, he should have one at his disposal.

The elective process in Texas perpetuates a deficiency in experienced prosecutors. Too often the newly elected prosecutor has never had experience in a prosecutor's office. The assistants whom he hires are generally inexperienced. The expertise needed in the presentation of many cases, therefore, often is lacking.

A few prosecutors' offices, primarily in the metropolitan areas, have been able to convince their commissioners courts of the need for new and sophisticated equipment to place their operations on a par with today's business standards.

The prosecutors and the various related functional areas have held or attended seminars for their particular functions. Many have been highly successful, but none has been on an organized continuing basis from year to year for discussing new legislation and court decisions. Many are denied the opportunity to participate in national and state seminars for want of funds.

These problems are further discussed in Part I, "Existing Criminal Justice Systems and Available Resources," and Appendix A.

The problems apply to the entire state. They increase on a disproportionate scale as the population increases. Texas has 23 standard metropolitan statistical areas which contain 39 of the 254 counties. Approximately 80 percent of all Texans live in these standard metropolitan statistical areas. While the rural areas may continue to dispense justice, the metropolitan areas face a total breakdown unless these problems are quickly met and rectified. The density of population in segments within the metropolitan areas promotes and produces an extremely high incidence of crime.

This conglomeration of district and county attorneys' offices points to the need for an in-depth, analytical, objective, and subjective review and assessment of the current status of these offices. Recommendations developed from this review must be presented to the Legislature for its consideration at the earliest possible date.

The total staff requirements (assistants, investigators, and secretarial and clerical personnel) of each prosecutor's office, the compensation of all prosecutors and their staffs, and the new and sophisticated equipment requirements need to be reviewed. From such a review criteria could be developed for determining adequate staff, salaries, and equipment.

There is a definite need to provide a visitation and exchange program. A prosecutor, by visiting his brother prosecutor's office, could gain insight and knowledge of the operational function and develop expertise in the preparation and trial of cases.

Funding for seminars on a statewide, regional, or local basis must be provided. Further, funding must be provided for travel, subsistence, tuition, fees, books, and materials for those who desire to attend seminars approved but not funded by CJC.

#### b. General Statement of Priorities and Programs

The multi-year objective is to design and implement a uniform prosecution system in Texas. A concurrent objective is adequate compensation for prosecutors and their staffs. These offices must be provided with adequate staffs and with sophisticated equipment to enable them to perform at the optimum level.

Included in the multi-year objective are: (1) the establishment and continuation of visitation and exchange between prosecutors' offices to enhance their expertise in preparing and trying cases and in operational functions; (2) providing funding for statewide, regional, or local seminars implemented by the prosecutors or related functional areas, and for those who attend seminars not funded by CJC and not included in the above.



The current status of the prosecution system and the related problems has been discussed in Part I, "Existing Criminal Justice Systems and Available Resources," and in Appendix A.

The future direction of state planning efforts will be toward developing and presenting a unified prosecution system which adequately meets the needs of every citizen in the state. Concurrent with this will be: (1) determination and implementation of adequate staff and compensation for each prosecutor's office and sophisticated equipment to assure optimum performance of the respective offices; (2) encouragement of visitation and exchange, whereby a prosecutor and his assistants may visit a brother prosecutor's offices; (3) provision for funding by CJC for seminars on a statewide, regional, or local basis, and for transportation, subsistence, tuition, fees, books, materials, etc. for those attending seminars approved but not funded by CJC and conducted within and without the state.

The scope in realizing the multi-year objective will not be narrowly limited to prosecution. It also will include the relationship of the problems and needs of those components of the criminal justice system which affect the functions of the prosecution system. The scope also will include: (1) A review and evaluation of the staffing and compensation of all prosecutors and their staffs in Texas, the other 49 states, and the federal system; (2) publicizing the availability of action projects for visitation and exchange of prosecutors and their assistants (evaluation on a yearly basis will be made for appropriate changes to achieve full utilization of this project); (3) providing financial assistance in implementing or attending seminars and the preparation, publication and distribution of handbooks for all prosecutors and their assistants.

The general improvement planned over the multi-year period is the ultimate objective--a unified prosecution system. This system must necessarily be supported by: (1) adequate staffing and compensation of all prosecutors' offices and equipping all prosecutors' offices with sophisticated equipment; (2) implementation and continuation of visitation and exchange between prosecutors' offices; (3) continued legal and non-legal education and training of all prosecutors and their assistants.

c. Multi-Year Financial Plan

Action				
1972	1973	1974	1975	1976
\$1,565,000	\$4,000,000	\$6,000,000	\$8,000,000	\$10,000,000

d. Multi-Year Forecast of Accomplishments

*Past Progress*

1972 A written and graphic description of the prosecutors' offices and the fee systems applicable to them was completed in 1971. This study will indicate the need for legislative action to unify the prosecution system.

A prosecutor's office management survey was completed and a final report delivered in the summer of 1971. This report deals with staffing requirements, compensation of the prosecutor and his staff, space requirements and utilization, management systems, and use of new and sophisticated equipment within the office.

Six prosecutors' offices were funded for projects designed to improve internal operations and expedite the work flow within these offices.

One regional management survey encompassing nine counties was completed and the findings distributed to prosecutors' offices in the region. Two more management surveys were commenced and it is anticipated they will be completed in 1972.

Funding was made available to 430 prosecutors who attended national, statewide, regional and local seminars.

### *Planned Progress*

It is anticipated that a written and graphic digest of the prosecution systems in the other 49 states in the federal system will be completed.

Educational projects for prosecutors, including visitation and exchange projects and approximately 10 national, statewide, regional or local seminars will be held or attended with total participation of 500.

It is anticipated that the proposed legislative alternatives of a unified court system will be completed with a detailed analysis of each. The proposed compensation and staffing and equipment requirements for prosecutors and their staffs is expected to be integrated with the proposed unified system for presentation to the Legislature in 1973. A defined public relations and information program will be implemented prior to offering the proposed changes to the Legislature.

It is anticipated that management studies of prosecutors' offices will be conducted in six to eight metropolitan areas or judicial districts composed of more than one county. These studies will reveal the problems and needs of each office in the areas of operations, structuring of responsibility, staffing, facilities and equipment, compensation of personnel, and the effect of the components of the criminal justice system which interface with the prosecutor's office. Funding will be considered to implement recommended changes in these offices.

It is anticipated that eight to 12 prosecutors' offices will be funded for internal improvements, including additional prosecutors and supportive staff, career incentive pay increases to retain experienced prosecutors, and the utilization of sophisticated technical equipment.

The Texas District and County Attorneys Educational Foundation will prepare a prosecutor's handbook for distribution to every prosecutor in a district or county attorney's office in the state. The handbook will contain the elements of offenses, forms, and the

requisites for proving criminal cases. It will be particularly helpful to new prosecutors and will be easily adaptable to the routines of each office.

- 1973 It is hoped that the Legislature will have agreed with the proposed changes and will have passed them into law. Should the Legislature reject the proposed changes, in whole or in part, then a review and assessment will be commenced to determine what is necessary to meet the objections. The program of public relations and information will be continued until the next session of the Legislature in 1975 to strive for enactment of the proposed changes.

Educational projects for prosecutors will be funded, including visitation and exchange projects and approximately 15 national, statewide, regional and/or local seminars will be held or attended with a total participation of about 600.

It is anticipated that management studies of prosecutors' offices will be conducted in 1973 in eight to 10 metropolitan areas or judicial districts composed of more than one county. These studies will reveal the problems and needs of each office in the areas of operations, structuring of responsibility, staffing, compensation of all personnel, and the effect of the components of the criminal justice system which interface with the prosecutors' office. Funding will be considered to implement recommended changes in these offices.

It is anticipated that 10 to 12 prosecutors' offices will be funded for internal improvements including additional prosecutors and supportive staff, career incentive pay increases to retain experienced prosecutors, and utilization of new or improved technical equipment.

It is anticipated that the prosecutor's handbook will be printed and distributed throughout Texas in 1973. Necessary funding to provide supplements to the handbook will be continued.

- 1974 It is anticipated that the review and assessment of those proposed changes rejected by the Legislature will have been completed in 1973. Proposed statutory and constitutional changes will be drafted to meet the objections. Documentation to support the new proposed changes will be prepared for presentation to the Legislature in 1975.

Educational projects for prosecutors will be funded, including visitation and exchange projects and approximately 15 national, statewide, regional, or local seminars will be held with 650 participating.

It is anticipated that a prosecutors' handbook will be prepared and distributed to all municipal court prosecutors. The handbook will contain the elements of offenses, forms, and the requisites for proving a criminal case.

It is anticipated that management studies of an additional eight to 10 prosecutors' offices will be conducted and recommended changes will be considered for funding.

It is anticipated that 10 to 12 prosecutors' offices will be funded for

internal improvements including additional prosecutors and supportive staff, career incentive pay increases, and sophisticated equipment.

Funding will be provided to the attorney general's office, the Texas District and County Attorneys Association, and similar agencies which can provide reference and technical assistance to prosecutors.

- 1975 It is hoped that the Legislature will have agreed with the proposed changes and will have passed them into law. Should the Legislature reject these changes, in whole or in part, a review and assessment of the proposed statutory changes will be commenced to determine what is necessary to meet the objections. The program of public relations will be continued to strive for enactment of proposed changes at the earliest possible date.

Educational projects will be funded, including visitation and exchange projects and approximately 15 national, statewide, regional, or local seminars will be held with 700 participating.

Grants will be considered for the printing and distribution of other handbooks which will increase the effectiveness of prosecutors.

It is anticipated that management studies of an additional eight to 10 prosecutors' offices will be conducted and that funding will be available to implement recommended changes in these offices.

It is anticipated that 10 to 12 prosecutors' offices will be funded for internal improvements, including additional prosecutors and supportive staff, career incentive pay increases, and sophisticated technical equipment.

- 1976 It is anticipated that the review and assessment of those proposed changes rejected by the Legislature will have been completed in 1975 and proposed statutory and constitutional changes will be drafted to meet these objections. Documentation necessary to support the new proposed changes will be prepared for presentation to the Legislature in 1977.

Educational projects will be funded including visitation and exchange projects and approximately 20 national, statewide, regional, or local seminars will be held with 750 participating.

It is anticipated that management studies of an additional eight to 10 prosecutors' offices will be conducted in 1976 and that funding will be available to implement necessary changes.

It is anticipated that 10 to 12 prosecutors' offices will be funded for internal improvements including additional prosecutors and supportive staff, career incentive pay increases, and sophisticated technical equipment.

Funding will be considered for additional handbooks and for reference and technical assistance which can be provided to prosecutors throughout the state.

#### a. Problems and Needs

### 3. Defense

The appointment of counsel for an indigent defendant too often is only a few days before the trial and not immediately following apprehension. This does not allow the appointed counsel sufficient time for preparation unless he obtains a continuance. The fees received by the appointed counsel are from the county or counties of the judicial district. Determined by the Legislature, they are a mere pittance in comparison to fees normally received for preparation and trial of a case. Many lawyers therefore shun appointments and, when appointed, lack the incentive to prepare properly for trial. The Legislature took the first step in 1969 to meet the need for a public defender system. A local bill, affecting only Tarrant County (Fort Worth), was passed providing for public defenders to be appointed by the courts exercising criminal jurisdiction in that county. In the remaining 253 counties, the courts appoint members of the local bar to represent indigents as required by the decisions of the Supreme Court of the United States.

Neither the public defender statute nor the statutory provisions for appointment of counsel for indigent defendants provides adequate investigative resources, either in personnel or compensation. Many hours of the appointed attorney's time are spent in investigation which could be handled properly by one skilled in the mechanics and routines of investigation.

The long-term need can and must be met by statewide planning. Action programs must be developed to provide appointed counsel for indigent defendants, be it a public or private defender, with adequate compensation and investigative resources. The brief and general overview set forth in Part I, "Existing Criminal Justice Systems and Available Resources," and in Appendix A exemplifies the problems of representation of indigent defendants.

These problems apply to the entire state. They increase on a disproportionate scale as the population increases. Texas has 23 standard metropolitan statistical areas which contain 39 of the 254 counties with approximately 80 percent of all Texans living in these standard metropolitan statistical areas. The density of population in segments of the metropolitan areas produces an extremely high incidence of crime committed by those who are classified as indigents.

#### b. General Statement of Priorities and Programs

The multi-year objective is to assure the representation of every indigent defendant, whether adult or juvenile, by competent and experienced counsel supported by adequate resources for investigation.

The current status of the defense of indigents before the courts has been discussed in Part I, "*Existing Criminal Justice Systems and Available Resources*," and in Appendix A. The future direction of state planning efforts will be twofold. The efforts will explore alternate solutions to providing adequate compensation and investigative resources to counsel for indigents. Action will be initiated through the program description entitled "Defense Aides and Assistance."

The scope in achieving the ultimate multi-year objective of an adequate

system will not be limited to a review and evaluation of the conglomerate systems which exist in Texas, but also will include those systems in the other 49 states and the federal government. All publications related to this area will be reviewed and evaluated for incorporation in future planning and action programs.

The general improvement planned over the multi-year period is the ultimate objective: an adequate system which provides competent and experienced counsel for each indigent before the court with the counsel being provided adequate compensation and investigative resources.

c. Multi-Year Financial Plan

Action				
1972	1973	1974	1975	1976
\$140,000	\$750,000	\$1,250,000	\$1,750,000	\$2,250,000

d. Multi-Year Forecast of Accomplishments

*Past Progress*

1972 The director of judicial processes and law reform, who was designated vice chairman of the "Legal Services (Criminal)" Committee of the State Bar of Texas, has continued to work with the committee to determine the best means of providing counsel for indigent defendants. This committee will study and make recommendations to the Board of Directors concerning the advisability of advocating or opposing (1) the adoption of the public defender system as a means of providing counsel to indigents charged with criminal offenses, and (2) the adoption of the so-called "judicial" concept as a means of providing counsel to indigents in criminal matters. A task force of attorneys, who were formerly prosecutors and who are now appointed with frequency to represent indigents, was formed to assist with this study.

During the 1971 State Bar Convention a group of criminal law practitioners organized the Texas Criminal Defense Lawyers' Association. The objective of this group is the continued education of private practitioners in aspects of criminal law and the representation of indigent defendants.

A project of staff counsel for inmates of the Department of Corrections was initiated, affording the inmates professional legal assistance in securing post-conviction remedies. This practice also reduced the number of writs of habeas corpus originating in our prison system.

A juvenile public defender project which involves the use of law students to assist staff counsel was implemented in one metropolitan area.

## *Planned Progress*

It is anticipated that a written and graphic description of the conglomerate systems previously mentioned, as well as a brief narrative digest and description of the systems in Texas and the other 49 states and the federal system will be completed in 1972.

It is anticipated that action programs can be developed and implemented during 1972 through the Texas Criminal Defense Lawyer's Association and similar organizations.

Funding will be continued to provide staff counsel for inmates of the Department of Corrections.

Proposed legislative alternatives, if appropriate, will be drafted with a detailed analysis of each. The necessary statutory and concurrent resolutions for constitutional revisions will be prepared. A defined program of public relations and information will be completed and implemented prior to offering these proposed changes to the Legislature in 1973.

It is anticipated that one public defender office with supportive staff will be funded in a metropolitan area or combination of counties in 1972.

It is anticipated that one or two legal assistance agencies, staffed by attorneys, investigators, and non-professional personnel will be established in metropolitan areas to assist appointed defense attorneys to indigent cases.

Approximately eight national, statewide, regional, or local seminars will be held or attended by public defenders and new defense attorneys with 225 attending.

1973 It is hoped that the Legislature will have passed the recommendations into law, subject to any necessary constitutional amendments. Should the Legislature reject the proposed changes, in whole or in part, a review and assessment will be made to determine what is necessary to meet the objections. The program for public relations and information will be continued until the proposed changes are presented to the Legislature in 1975.

Funding will be continued for staff counsel for inmates of the Department of Corrections. It is hoped these services will be improved and expanded.

It is anticipated that one public defender office with supportive staff will be funded in a metropolitan area or combination of counties in 1973.

It is anticipated that one or two legal assistance agencies, staffed by attorneys, investigators, and non-professional personnel will be established in metropolitan areas to assist appointed defense attorneys in indigent cases.

Approximately eight national, statewide, regional, or local seminars

will be held or attended by public defenders and new defense attorneys with 225 attending.

- 1974 It is anticipated that the review and assessment of the changes rejected by the Legislature will have been completed in 1973 and available for drafting of new legislative proposals which meet the objections. It is anticipated that one public defender office with supportive staff will be funded in a metropolitan area or combination of counties in 1974.

It is anticipated that one or two legal assistance agencies, staffed by attorneys, investigators, and non-professional personnel will be established in metropolitan areas to assist appointed defense attorneys in indigent cases.

Approximately eight national, statewide, regional, or local seminars will be held or attended by public defenders and new defense attorneys with 225 attending.

It is anticipated that funding will be continued to provide legal services to inmates of the Department of Corrections.

- 1975 It is hoped that the Legislature will have passed recommendations into law, subject to necessary constitutional amendment. Should the Legislature reject the proposed changes, a review and assessment will be made to determine what is necessary to meet the objections. If necessary, the program for public relations and information will be continued.

It is anticipated that one public defender office with supportive staff will be funded in a metropolitan area or combination of counties in 1975.

It is anticipated that one or two legal assistance agencies, staffed by attorneys, investigators, and non-professional personnel will be established in metropolitan areas to assist appointed defense attorneys in indigent cases.

Approximately eight national, statewide, regional, or local seminars will be held or attended by public defenders and new defense attorneys with 225 attending.

Funding will be continued to provide legal services to inmates of TDC.

- 1976 It is anticipated that a review and assessment of the changes rejected by the Legislature will have been completed in 1975 and available for drafting of new legislative proposals which meet the objections.

Funding will be continued to provide improved legal services to inmates of the Department of Corrections.

It is anticipated that one public defender office with supportive staff will be funded in a metropolitan area or combination of counties in 1976.



It is anticipated that one or two legal assistance agencies, staffed by attorneys, investigators, and non-professional personnel will be established in metropolitan areas to assist appointed defense attorneys in indigent cases.

Approximately eight national, statewide, regional, or local seminars will be held or attended by public defenders and new defense attorneys with 225 attending.

In Texas, probation officers operate as an arm of the court in the discharge of their duties. The judicial processes section will work in close cooperation with post-sentence processes to achieve the necessary results and meet the problems and needs of adult and juvenile probation.

Please refer to the appropriate portions of the Plan discussing "Increase in Effectiveness of Corrections and Rehabilitation."

Mandatory reporting is statutorily required of the courts, clerks, and prosecuting attorneys; but the information requested is primarily statistical and fails to reflect the necessary comprehensive overview. It does not present the criminal history of the individuals who are or have been in the criminal justice system.

Judicial Processes will cooperate with the members of the Executive Committee Task Force on Criminal Justice Reports and Records to achieve the satisfactory uniform, mandatory reporting system, and reference is made to the appropriate portions of the Plan.

#### a. Problems and Needs

There are three ways to post "bail" in Texas. Each is statutorily defined and requires the giving by the accused of security for his appearance before the proper court to answer the accusations brought against him. These three ways include personal bond, cash bond, and a bail bond with sureties. Each has unique and individual problems.

Professional bail bondsmen are not new to Texas. The shortcomings of the Texas bail system generally are the same as those throughout in the United States, which are widely known and well documented.

The problems of the professional bail bondsmen and reform of laws to regulate them are not new to the Texas Legislature. Many efforts have been made, but to date no effective legislation has been enacted to regulate the professional bail bondsmen on a statewide basis. House Bill 1325, signed into law in 1971, permits a peace officer to take bail from a defendant accused of a misdemeanor. This was the most significant legislation on bail bonds enacted by the 62nd Legislature.

The professional bail bondsman is used by two general groups. One is made up of persons, not professional criminals, who are charged and have the ability to pay the premium necessary for a surety bail bond. The majority of this group is not financially able to post a "cash" bail bond. The other group may be called "professional" criminals. They consider the bail bond premium a cost of doing business. Their activities after the first arrest are

#### **4. Probation System**

#### **5. Uniform Mandatory Reporting System**

#### **6. Bail Bond Reform and Personal Bond**

designed to include this cost. These "professionals" have caused much public indignation, and it is not uncommon to hear public expression opposing the release of persons in this group after their first arrest.

Personal bonds were first provided by the Legislature in 1965. The statutory language provides "The Court before whom the case is pending may in its discretion release the defendant on his personal bond without sureties or other security." The problem that confronts each court in Texas is insufficiency of information on which to make this judgment. The court does not have the time available to inquire of each defendant as to his ties with the community, such as family, job, and criminal record.

Many accused offenders are indigent and unable to pay a professional bail bondsman his required fee for posting bond. The present practice of setting a bond amount on the offense thwarts the purpose of bond and causes many ill effects. Should personal bail bonds not be utilized by the court in proper cases, the problem is further compounded by the fact that grand juries in Texas do not meet daily. Since it is necessary that an indictment be returned by a grand jury prior to the trial of the offense, the accused must bide his time in the company of hardened criminals. All of these factors induce criminal recidivism.

While this is an undesired result in the rural communities, it is one that must be dealt with immediately in the metropolitan areas. The metropolitan areas have the high incidence of crime; the jails are overcrowded, forcing many persons to remain confined in close quarters for an excessive period pending trial.

From the instant there is a need for the determination of personal bail, bail, or no bail, there is a near total void of information available to the courts in the pretrial stage. Although the determination of the amount of bail should not be a matter of rote, it is fair to say that in too many instances it is. The facts and circumstances surrounding the offense must have a direct relationship on the type and amount of bail.

Even where the offense is bondable, serious consideration must be given to the protection of society from persons who possess dangerous tendencies and who are likely to inflict further harm upon release.

These needs must be met. Only through long-term planning and future action can we reform the laws regulating the professional bail bondsman. Knowledge and understanding of the cash bail bond must be communicated to everyone. Personal bond projects that provide competent and qualified staff to afford the courts the necessary factual information must be created, continued, and expanded. Each court must be afforded the necessary factual information for the determination of the type and amount of bail in each instance.

#### b. General Statement of Priorities and Programs

The multi-year objective is to design and implement legislation to regulate professional bail bondsmen and to encourage the use of cash bonds and expansion of the use of personal bonds.

The future direction of the state planning effort will be twofold: (1) The

planning effort will primarily devote its attention to the design and implementation of legislation for an adequate statewide bail bond regulatory law, and (2) action programs will consist of funding personal bond projects in the "Courts Aides and Assistance" program with preference given to metropolitan areas in the initial fundings.

The scope of the multi-year objective will not be limited to the review and evaluation of statutory proposals of bail bond reforms in Texas. It will include the review and evaluation of statutory authority of bail bond reforms in the other 49 states and the federal system. Personal bond projects included in the "Courts Aides and Assistance" program will be implemented in as many of the metropolitan areas as is feasible.

The general improvement planned over the multi-year period calls for enactment of legislation to provide an adequate statewide bail bond regulatory law and the complete utilization of personal bonds where deemed appropriate.

### c. Multi-Year Forecast of Accomplishments

#### *Past Progress*

1972 Three personal bond projects were implemented in metropolitan areas during 1971 and were funded under Program E-1, "Courts Aides and Assistance." These programs have alleviated crowded jail conditions in those areas. The bond forfeiture rate has been extremely low.

A comprehensive statewide bail bond regulation act was introduced in House Bill 462, but failed to pass the 62nd Legislature.

#### *Planned Progress*

It is anticipated that a written and graphic description of the prior proposed statutory regulation of bail bondsmen in Texas, the other states, and the federal system will be completed. It is anticipated that two or three personal bond projects included in the "Courts Aides and Assistance" program will be initiated, preferably in the metropolitan areas.

1973 A detailed analysis of proposed legislation regarding bail bond practices introduced during the legislative session will be completed. Proposed legislation for statewide bail bondsmen's regulation will be studied for presentation to the Legislature in 1975. It is anticipated that a minimum of two new personal bond projects under the "Courts Aides and Assistance" program will be implemented during this year.

1974 Necessary statutory provisions for statewide bail bondsmen's regulation will be drafted with a detailed analysis completed for offering to the Legislature in 1975. A defined program to promote public relations and information will be implemented before offering this legislation in 1975. It is anticipated that a minimum of two or more personal bond projects will be initiated in metropolitan areas.

1975 It is hoped that the Legislature will have passed the recommendations into law. Should the Legislature reject the proposals, in whole or in part, a review and assessment will be made to determine what is necessary to meet the objections. It is anticipated that, if appropriate, two or more new personal bond projects will be initiated. Preference will be given to metropolitan areas.

1976 A review and assessment of objections to proposed statutory changes will be completed and legislation will be drafted to meet these objections. A public relations and information program will be continued until this legislation is presented to the Legislature in 1977. It is anticipated that two or more new personal bond projects will be initiated.

## 7. Curriculum in Law Schools

### a. Problems and Needs

Through the efforts of many interested persons in law schools, the Coordinating Board of Senior Colleges of Texas, and other related schools and interested citizens, we have a solid, steady, and progressive improvement in the curriculum of our law schools which will provide many of the working tools for future prosecutors, defenders, and judges.

The law schools are taking various approaches to upgrading curricula. The criminal justice project at the University of Texas at Austin School of Law and similar projects at the other law schools are outstanding. Second- and third-year law students not only do classroom work but also spend their summer vacation months or their normal school months as active participants in the criminal justice system. Such programs will promote career prosecutors, defenders, and judges in the foreseeable future.

Texas needs criminal justice projects and internships in each law school. The total program should include summer internship programs in various agencies of the criminal justice system and employment during the summer of professors who teach criminal law or criminal procedure. The internships would be sponsored either by the law school or through employment by metropolitan prosecutors' offices. Those schools which presently have programs must receive financial support necessary to continue and expand them. New projects must be assisted financially to create such programs.

### b. General Statement of Priorities and Programs

The multi-year objective is to assist in the development of curricula in law schools in Texas which will provide a definite foundation for future judges, prosecutors, and defenders.

The future direction of the state planning efforts will be toward the funding of projects contained in the program description, "Criminal Justice Projects - Law Schools and Students."

The scope of the multi-year objective will include financial assistance to the law schools and metropolitan prosecutors' offices to establish or expand projects within the program description.

General improvement is planned over the multi-year period through continued financial support of these projects.

c. Multi-Year Financial Plan

Action				
1972	1973	1974	1975	1976
\$153,000	\$350,000	\$500,000	\$650,000	\$800,000

d. Multi-Year Forecast of Accomplishments

*Past Progress*

1972 During 1971 five projects were funded in this program area. Three projects involved the employment of law students in prosecutors' offices, two involved summer internships through law schools, and another the temporary exchange of jobs between a prosecutor in a metropolitan prosecutor's office and a law professor.

*Planned Progress*

It is anticipated that the five projects funded in 1971 will be continued.

Three to four law schools will be funded for seminar classes involving summer internships in the criminal justice system for approximately 60 mid-law and senior law students during 1972.

It is anticipated that eight to twelve prosecutors' offices and other criminal justice agencies will provide internships or employment for senior law students desiring to continue employment in the office or agency upon receiving their law licenses. These projects will involve approximately 60 senior law students.

It is anticipated that two to four metropolitan prosecutors' offices will provide internships for law school professors who teach criminal law courses, enabling them to learn the practical application of these courses to the preparation and trial of criminal cases. Approximately four law professors will participate in this project in 1972.

1973 It is anticipated that the projects funded in 1972 will be continued.

Three to four law schools will be funded for seminar classes involving summer internships in the criminal justice system for approximately 60 mid-law and senior law students during 1973.

It is anticipated that eight to twelve prosecutors' offices and other criminal justice agencies will provide internships or employment for senior law students desiring to continue employment in the office or agency upon receiving their law licenses. These projects will involve approximately 60 senior law students.

It is anticipated that three to six metropolitan prosecutors' offices will provide internships for law school professors who teach criminal law courses, enabling them to learn the practical application of these courses to the preparation and trial of criminal cases. Approximately five law professors will participate in this project in 1973.

- 1974 It is anticipated that the projects funded in 1973 will be continued. Four to five law schools will be funded for seminar classes involving summer internships in the criminal justice system for approximately 75 mid-law and senior law students during 1974.

It is anticipated that 12 to 14 prosecutors' offices and other criminal justice agencies will provide internships or employment for senior law students desiring to continue employment in the office or agency upon receiving their law licenses. These projects will involve approximately 75 senior law students.

It is anticipated that three to six metropolitan prosecutors' offices will provide internships for law school professors who teach criminal law courses, enabling them to learn the practical application of these courses to the preparation and trial of criminal cases. Approximately five law professors will participate in this project in 1974.

- 1975 It is anticipated that the projects funded in 1974 will be continued.

Four to five law schools will be funded for seminar classes involving summer internships in the criminal justice system for approximately 75 mid-law and senior law students during 1974.

It is anticipated that 12 to 14 prosecutors' offices and other criminal justice agencies will provide internships or employment for senior law students desiring to continue employment in the office or agency upon receiving their law licenses. These projects will involve approximately 75 senior law students.

It is anticipated that six to eight metropolitan prosecutors' offices will provide internships for law school professors who teach criminal law courses, enabling them to learn the practical application of these courses to the preparation and trial of criminal cases. Approximately six law professors will participate in this project in 1975.

- 1976 It is anticipated that the projects funded in 1975 will be continued.

Four to five law schools will be funded for seminar classes involving summer internships in the criminal justice system for approximately 75 mid-law and senior law students during 1976.

It is anticipated that 12 to 14 prosecutors' offices and other criminal justice agencies will provide internships or employment for senior law students desiring to continue employment in the office or agency upon receiving their law licenses. These projects will involve approximately 75 senior law students.

It is anticipated that six to eight metropolitan prosecutors' offices will provide internships for law school professors who teach criminal law courses, enabling them to learn the practical application of these

courses to the preparation and trial of criminal cases. Approximately six law professors will participate in this project in 1976.

a. Problems and Needs

8. Law Reform

The *Penal Code* Revision Committee of the State Bar of Texas completed its revision in November, 1970. Drafts of the proposed changes were not widely distributed until the legislative session had begun. Although the revision was presented to the Legislature in 1971, it failed to pass because of numerous objections. These objections must be studied and alternatives drafted for presentation to the Legislature in 1973. Necessary amendments to the *Code of Criminal Procedure* must be offered simultaneously. This approach will afford Texans a clear, concise, and understandable statement of penal sanctions.

Financial support is needed to complete the revision of the *Penal Code* and to assist committees of the State Bar and other agencies in providing carefully prepared proposals for improving the criminal justice system.

Concurrent with the need to encourage legislative change is the need for public information and community relations programs which will acquaint citizens with the necessity for the changes and assure their passage. In addition, community relations programs must be encouraged which will explain the role of judges and prosecutors to laymen. Active participation by judges and prosecutors in such programs will promote public support of law and order. Financial assistance is needed to promote such programs throughout the state.

These community relations programs are needed throughout the 254 counties in Texas. The need is critical and immediate in the metropolitan areas.

b. General Statement of Priorities and Programs

The multi-year objective is to assist in providing Texas with an adequate and current *Penal Code* and *Code of Criminal Procedure*. Further, to provide Texas with legislative changes to effect improvement of courts, prosecution, and defense within a unified court and prosecution system.

The current status of the *Penal Code* and the *Code of Criminal Procedure* revisions and other legislative changes has been discussed in the foregoing.

The future direction of the state planning efforts will be toward assisting financially the State of Texas and other agencies to continue revisions for maintaining adequate legislation for improving the entire criminal justice system.

The scope of the multi-year objective will include financial assistance.

The general improvement planned over the multi-year period is the financial assistance necessary to insure that adequate revisions are offered to the Legislature at the proper time.

c. Multi-Year Financial Plan

Action				
1972	1973	1974	1975	1976
\$170,000	\$350,000	\$500,000	\$650,000	\$800,000

d. Multi-Year Forecast of Accomplishments

*Past Progress*

1972 The *Penal Code* Revision Committee of the State Bar of Texas did not complete its work until November, 1970. As a result the complete text of the revision was not available until the legislative session was well under way. This left insufficient time to prepare a well defined program of public relations and information. Numerous objections to the revision were voiced during committee hearings and there was not sufficient time during the session to resolve these differences. As a result, the revision failed to pass the Legislature during 1971.

In 1971 three community relations projects were funded in our public school system. One project was statewide and involved the use of innovative materials and teaching methods to be used in the eighth grade relating to the legal system. Two projects were funded in metropolitan public school districts and involved the use of innovative teaching methods and lawyers and personnel employed in the criminal justice system. These projects were implemented with the assistance of the State Bar of Texas and local bar associations.

*Planned Progress*

Financial support will be made available to legislative interim committees studying proposed constitutional and statutory changes affecting the criminal justice system. In 1972 it is anticipated that support will be given to the House interim committee studying judicial reform, the Senate interim committee studying drug laws, and the joint House and Senate interim committee studying the *Penal Code*. These committees are expected to propose constitutional and statutory changes to the Legislature in 1973 which greatly will improve the existing laws and judicial structure. Objections to the *Penal Code* revision will be reviewed and assessed and the necessary changes made to meet these objections.

It is anticipated that financial assistance will be made available to the Civil Judicial Council to obtain pertinent information and statistics regarding the caseload of courts. This Council also will review and coordinate all proposed judicial reform legislation and make its findings available to the Legislature in 1973.

Community relations programs which promote a better understanding of the legal system and which are implemented through state and local bar associations will be studied and supported



to the fullest extent possible.

A well defined public relations and information program will be planned and implemented to secure acceptance of legislative reform before the Legislature meets in 1973.

1973 - It is anticipated that the Legislature will adopt the necessary  
1976 constitutional and statutory changes to meet the current and future needs of the criminal justice system. Should these changes fail to pass in 1973, support will be continued to state and local bar associations, legislative committees, the Civil Judicial Council, and other appropriate agencies in the next four years to secure necessary legislation.

Public relations programs will be continued to secure acceptance of the needed reforms.

Community relations programs which promote better understanding of the components of the criminal justice system will be encouraged. Support will be available for those programs which can reach all segments of the public.

## **F. INCREASE IN EFFECTIVENESS OF CORRECTIONS AND REHABILITATION**

The problems and needs of corrections in Texas are, with possibly one exception, not unlike those of most states. The Texas prison system, once notorious as one of the worst in the United States, has improved tremendously over the past 20 years and now is acknowledged to be one of the better-managed and more effective systems.

But the rest of the corrections system remains largely ignored and sadly deficient. There is no statewide probation system, and in the counties that have provided for probation this corrections alternative is weak and lacking in resources. The advantages of parole in both the state and local systems are not adequately realized.

Jails commonly are deplorable in almost every way possible. There are relatively few community-based programs. Corrections personnel in the state typically are lacking in numbers, education, and training. The relatively low compensation does not attract the kind of persons who are likely to accomplish notable improvements in the system.

Correctional programs primarily reflect commonly held opinions and there is little research or experimentation. Objectives of the corrections process also are compromised by judicial deficiencies, resulting in less than scientific sentencing. Too many offenders are committed to jails and prisons, where the expenses of holding and treating them are more burdensome to the taxpayers than would be some of the alternatives.

These are problems hardly unique in the United States, but in Texas they are complicated by the tremendous size of the state, the multiplicity of jurisdictions, a conservative tradition in law enforcement philosophy and the

### **1. Problems and Needs**

use of public funds, the state's high population, sharp cultural differences between regions, and a preoccupation with many other social problems incident to the state's mushrooming urbanism and relatively booming economy.

a. Problem – Inadequacy of Probation

From many different standpoints – economy, rehabilitation potential, sentencing consistency, the needs of individual offenders, etc. – the inadequacy of probation is only one of the state's ranking correctional problems, although it is difficult to state with assurance exactly where improvement should begin.

It is certain that the absence of probation in many parts of the state and the weaknesses of probation where it does exist are extremely expensive to taxpayers. In the short range, it results in far too many offenders being committed to jails and prisons, the most costly of all correctional alternatives. In the long range, it handicaps the correctional process in the most salvageable offenders, whose needs can be met more readily and economically in the community than in an institution. In short, probation as it now exists in Texas is not reducing crime significantly. However, this state of affairs cannot be blamed on the existing probation departments. Their caseloads are typically excessive, resulting in token supervision of and assistance to probationers and in an inability to make pre-sentence investigations and reports to aid the judges in making intelligent dispositions of convicted offenders. Salaries are poor, and make difficult the recruitment and retention of probation officers with desirable educational backgrounds. Officers are too few in numbers, not only in view of the potential workload, but even to make provision for adequate and periodic in-service training. Under the circumstances, innovation and experimentation are discouragingly difficult, and research is virtually impossible.

Legislation to authorize a statewide probation system was introduced in the 1971 Legislature but was not enacted. This failure was due partly to deficiencies in the draft bill that, among other things, would have locked a state system in on a single probation method – the team approach. In other ways the proposed bill did not provide for flexibility in the development of probation in a state with as diverse requirements as Texas.

*Needs*

1. Legislation to authorize a statewide system of probation for both felons and misdemeanants, either as a separate agency or through reorganization of the State Board of Pardons and Paroles. A statewide system would be in a better position to achieve and maintain desirable standards than a multiplicity of local systems.
2. Improvements in salaries. A minimum salary of \$10,000 should be sought for entry-level probation officers with bachelors' degrees.
3. Increases in the number of probation officers. Quantification here is largely dependent upon the establishment of additional probation departments and needed changes in the sentencing habits of the judges. However, sufficient numbers of officers should be authorized to reduce caseload averages to the area of 35–50, although the range may be considerably wider as experience may indicate in experimentation with differential and specialized caseloads. Also a factor in determining the

number of probation officers is the requirement or goal of providing pre-sentence reports to the courts on all convicted defendants. Provision should be made further for additional probation officers to relieve officers engaged in in-service training, for which an allowance of at least 40 hours annually per officer should be made.

b. Problem – Inadequacy of Jails

Although we have ranked the inadequacy of probation, in terms of missing opportunities, as a major deficiency of Texas corrections, it is unquestionably the jails that present the most scandalous problem. Again, Texas jails are no worse than those in most other states, but Texas has more of them than any other state. A 1970 survey conducted by the U.S. Bureau of the Census indicated that the state had 324 jails that customarily held persons for 48 hours or more, including 235 county jails, 60 jails in cities of under 25,000 population, and 30 jails in cities of more than 25,000 population.

The ratio of employees to prisoners was more disparate than in most other states. At the time of the census 210 jails were receiving juveniles, and all but one of these were holding juveniles for whom no preliminary hearing had been held. Also, 64 percent of the total inmate population had been arraigned and were awaiting trial, and 27 percent had not yet been arraigned or were being held for other authorities – in contrast to a national average of 52 percent for both categories combined. Of all of the jails, only seven had recreational facilities and only eight had any educational facilities, used or unused.

In a report to the Governor and the 62nd Legislature entitled, *Toward Urban Progress*, the Texas Urban Development Commission acknowledged the applicability to the state's jails of these generalizations concerning American jails:

“American county jails have been often described as the penal (they cannot properly be called correctional) institutions that have most successfully resisted change and reform. Most of them have been rated by inspectors as unfit for human habitation. Old and unsanitary buildings, poorly qualified and constantly changing personnel, intermingling of all types of prisoners – sick and well, old and young, hardened criminals and petty offenders – in overcrowded cell-blocks and ‘tanks,’ and the almost complete absence of even the most rudimentary rehabilitative programs constitute a scandalous state of affairs which will not be eliminated until the public is aroused to the point where it backs the efforts of the many sheriffs and jailers who are trying to correct bad conditions and practices, and insists that the others do so or be replaced.”

The commission recommended as a possible solution the establishment of regional correctional facilities that would have the advantages of allowing counties to pool their funds and resources to provide adequate facilities and rehabilitative programs operated by career personnel with adequate education, training, and pay.

The Senate Penal Servitude Interim Study Committee, in its report, *Penal Servitude and Parole*, dated December 19, 1970, made similar findings and recommendations.

In view of the data available on the conditions characterizing Texas jails, almost all of it disgraceful in nature, it might be said that this agency of criminal justice does more to create crime than to reduce or control it.

### *Needs*

1. Personnel improvements. Texas jails are not bad primarily because of poor physical structures, but because they are lacking in personnel, and the persons they have are lacking in education, training, and adequate compensation.
2. Regional jails. Neither the state nor the federal government will have sufficient funds in the foreseeable future to replace all Texas jails that should be replaced. An alternative is to build regional correctional centers, serving a number of counties and communities, where the necessary facilities, programs, and personnel complements can be brought together to make a meaningful and realistic effort to rehabilitate offenders locally.
3. Local facility improvements. In view of the state's geographic and population make-up, regional facilities are not the sole solution to the inadequate facilities problem. The jails in some communities are deteriorated so hopelessly that they must be replaced completely. In other instances, renovation can provide the additional space and improvements required to meet humanitarian standards and some measure of rehabilitative programming.

### c. Problem – Inadequacy of Parole

The excessive use of imprisonment in Texas, whereby too many men go to prison for lack of probation resources, is compounded by parole inadequacies which in the long run are more costly to the taxpayers than the changes needed to remove these inadequacies. Like any other parole system, the Texas Board of Pardons and Paroles is lacking in personnel and resources. As a result, although the national average of prisoners granted parole is 63 percent, in Texas this privilege is extended to only 39 percent of offenders.

It is not surprising, therefore, that the parole failure rate in Texas is only 12 percent, as compared to a national average failure rate of 27 percent, although many jurisdictions with high rates of parole also have parole success rates equal to or approaching that of Texas.

### *Needs*

1. Feasibility study. The Board of Pardons and Paroles should be given funds to make a study of the feasibility of expanding the use of parole in Texas, including the additional resources that would be needed and the potential savings in tax funds that could be achieved.
2. Additional resources. As a consequence of such a study the board should be given the funds needed to hire and train additional officers, and to provide additional services in the community – including education, vocational training, and employment placement – for persons under its jurisdiction.
3. Early release from supervision. Legislation should be enacted to authorize the board to release from further supervision those persons on parole who have demonstrated that their rehabilitation has been accomplished and that they are no longer in need of such services.

#### d. Problem – Lack of Community-Based Programs

The deplorable condition of the jails in almost all locations is further complicated by the almost total absence of community-based programs such as halfway houses, work release, diversion projects, job placement services, and other programs to avoid inexpedient use of incarceration. Texas Department of Corrections has only one unit that is used effectively for work release purposes, although it has authority to extend the program generally. (Thirty women from the Goree unit also are employed on a full-time regular basis at several state hospitals and special schools.)

Statutory authority also exists for work release programs in local jails, but this authority hardly has been used. Although the federal government has a range of community-based programs for offenders under its jurisdiction, these programs have not been emulated locally. Again, the result is an excessive use of jails and prisons, an excessive cost to the taxpayers, and a general failure to undertake the rehabilitation of the offender where it can be accomplished best – in the community.

#### *Needs*

1. Regional correctional facilities. These facilities, proposed herein as supplements for inadequate local jails, also could be used by TDC to extend its work release program to more inmates and more communities. This could be done by transfer of eligible inmates from TDC institutions to the regional centers, which under 1971 legislation would be operated by TDC under contractual arrangements with counties.
2. Halfway houses. These facilities are still in the experimental stage in this country, where they are used chiefly for inmates being released from prisons and major institutions and where they serve primarily as work release centers. However, they are being used increasingly as "halfway-in" houses, where selected offenders can begin their periods of probation. Many experts believe that this is the most promising use of the halfway house concept. Programs of this kind involving local courts and probation departments should receive funding.
3. Community treatment resources. Offenders diverted from court on probation or on parole may be equally in need of such available community treatment resources as education, vocational training, medical and psychiatric services, job placement and family counseling. These services – now almost completely lacking – should be made available to local probation departments or other community agencies dealing with offenders and ex-offenders through direct grants or through state agencies such as the Texas Rehabilitation Commission under Safe Streets Act funding.

#### e. Problem – Lack of Research

The diagnosis of offenders and the treatment of criminality are highly complex, involving a large number of variables. It is unduly simplistic to attribute an offender's rehabilitation to a halfway house experience, an educational experience, a vocational training experience, or single variables of this kind. It also is unduly simplistic to attribute his criminality to lack of education, a trade, a family, or other single factors. It is therefore beyond the capability of any single corrections project – jail, probation department, or prison – to make accurate diagnoses of criminal causation or to measure

the effectiveness of correctional programs within present resources. However, if corrections is to achieve any reasonable degree of efficiency in its role of reducing recidivism, it must be able to measure and to predict the results of given programs, and the development of this capability is, therefore, essential.

#### *Needs*

The development of a research and development capability in the Department of Corrections, Sam Houston State University at Huntsville, and in the Criminal Justice Council. The former could be used in connection with state programs, and the CJC capability for special projects involving management and planning. This capability is essential to intelligent corrections planning and development for future years. Also, use should be made of research findings made elsewhere in the nation, to avoid duplication of effort and unnecessary expense to the state.

#### f. Problem - Prison Improvements

While the prison system of the State of Texas has improved dramatically over the last 20 years, the number of prisoners continues to increase, creating a strain on existing facilities and programs. Also, techniques for adult education and vocational training are becoming increasingly complex and refined in the free community. These methods must be adopted and adjusted to fit the requirements of prison rehabilitative programs. In some instances, the services of the private sector may be engaged by contract to introduce new programs and to operate them either on a temporary or permanent basis. Industrial programs particularly must be modernized, if the employment experience in prison is to be comparable with that of free society and if prison industries are to be operated economically and efficiently.

#### *Needs*

1. Additional training resources.
2. Industrial modernization.

#### g. Problem - Lack of Equipment for Correctional Purposes

Correctional agencies of the state traditionally have operated with skimpy budgets that have made allowance for few if any purchases of needed specialized equipment. This may include security, housekeeping equipment, furniture for local jails, or closed circuit TV and matching teaching equipment for jails or major institutions. Even such basic features as inmate libraries are missing in almost all of the jails of the state, and little effort is made to eliminate the deficiency by arranging for access to local libraries with mobile services.

#### *Needs*

Funding program for correctional equipment, with priority given to equipment required for security purposes and rehabilitation programs, rather than automobiles and office equipment for personnel.

## 2. General Statement of Priorities and Programs

In a state that has so many correctional problems and needs, improvement must be initiated and pressed almost across the board, and it is not possible to formulate a precise order in which these events should take place. However, it is possible to classify these efforts into four different categories--personnel, facilities, programs, and research and development--but even these categories are closely related. Most Texas corrections components are so rudimentary or nonexistent that the field readily can use all of the federal financial assistance that possibly can be made available within the foreseeable future. In terms of the state's crime rate, it would seem appropriate to concentrate a special effort, with an emphasis on community-based correctional programs, in those large cities with the highest crime rates. Most crimes were committed by persons previously exposed to the penal process, a circumstance which underscores the grave need for a major effort to improve the effectiveness of corrections.

### a. Personnel Improvements

The most essential consideration involved in the development of an effective corrections system is the availability of adequate numbers of educated, well-trained, and adequately compensated personnel. However, in nearly all correctional systems this essential consideration never has been realized and, therefore, constitutes a major reason why corrections systems are so ineffective.

And the worst of all personnel situations prevails in that most visible disgrace of corrections, the local jail. To improve this situation an entire range of programs is required--an aggressive effort to improve the image of corrections and to recruit able young people, the creation of opportunities in the state's universities to prepare for a career in corrections, the development of basic and in-service training programs for all corrections personnel, the training of executive personnel to carry out their management responsibilities in an intelligent and informed manner, and the practice, through interdisciplinary seminars, meetings and groups, of minimizing the traditional parochialism of corrections by keeping a new generation of correctionaries in full touch with other areas of governmental, business, and social activity. The action programs that have been established to work toward these objectives include 71-E4, "Criminal Justice Projects-Students"; 71-F1, "Correctional Personnel"; 71-F2, "Training, Placement, and Specialized Units for Adult/Juvenile Probation and Parole; 71-F4, "Improvement of Corrections Organizational Practices"; and 71-L1, "Construction of Law Enforcement Facilities."

### b. Construction and Equipment

Requirement for the construction of new facilities in Texas, particularly to replace local jails, has grown to such proportion that only a beginning can be made with the limited financing likely to be available in the foreseeable future. In order to minimize this handicap, CJC will give priority to funding regional correctional centers that serve geographically convenient groupings of counties and communities.

Particular emphasis will be given to preliminary planning, to assure that unneeded facilities are not built and that the facilities that are built are no

larger than they must be. The preliminary planning will assure that in jurisdictions under consideration: (1) that reasonable use is being made of such alternatives to incarceration as referral and bail, diversion from court, fines, and probation; (2) that undue use of incarceration is minimized by realistic parole practices, work release, halfway houses, and similar programs; and (3) that special and separate provision, particularly in community-based programs, is being made for the care and treatment of alcohol and drug abusers.

Primary consideration in the design of new facilities will be provision for appropriate correctional treatment programs, with emphasis on using available community resources and agencies.

This construction program is intended to require intensive preliminary planning to bring about a minimum use of existing or contemplated facilities. Provision will be made for correctional programs to expedite as much as possible the release of offenders. These plans are predicated upon the correctional principle that the majority of offenders do not require incarceration and that in any event the community is a more appropriate setting for a correctional effort than the most modern institution.

To facilitate establishment of a regional correctional system, the 1971 Legislature authorized units of local government to contract with TDC for the construction, operation, and maintenance of such facilities. Use of this authority is intended to help achieve and maintain uniformly professional standards in all such facilities throughout the state.

It is contemplated that the development of a regional or local correctional facility will be funded by CJC in three phases: (1) preliminary planning to meet the requirements of Part E of the Safe Streets Act, (2) architectural design and program planning, and (3) construction. In connection with facility design, architects will be required to consult with the National Clearinghouse for Correctional Architecture at the University of Illinois at Urbana. However, the advice received at the clearinghouse is not binding, and can be adapted or eliminated partly or completely to meet special local requirements.

It is the intent of the guidelines developed for administration of Part E of the Omnibus Crime Act to encourage all possible innovation in program planning and architectural design, and this will be the policy of CJC.

In order to minimize costs, modular construction will be encouraged, as will the use of relocatable structures for elements of the institutional program likely to be modified, such as education, vocational training, and industrial activities.

In program planning particular emphasis will be given upon the involvement of other agencies such as Vocational Rehabilitation, Mental Health/Mental Retardation, private family counseling agencies, and Department of Labor manpower programs. Both programs and facility design will provide for work release programs involving offenders received directly from local courts and in transfer from the major institutions of TDC. CJC also will encourage use of the proposed centers as diagnostic units for local courts, with professional services drawn wherever possible from the local communities.

Short-term educational programs and vocational training will be planned for



inmates who must remain institutionalized for a significant period. It is not economically feasible to provide a range of vocational training opportunities at each correctional center. Therefore, it is contemplated that only two or three such activities will be established at each center. The inmate may be transferred to a center at which the appropriate type of training is available. When he is ready for work release following training, he can be transferred back to the center nearest his home community.

Under consideration for early funding of regional correctional center projects are the Dallas-Fort Worth area; the Houston-Galveston-Pasadena-Baytown area; the San Antonio area; southeast Texas, including Beaumont, Port Arthur, and Orange; and the Lower Rio Grande Valley, including Brownsville, Harlingen, Edinburg, and McAllen.

Because construction of new facilities is a long-range program and there currently is a critical need for improvement of Texas jails, CJC also will support jail renovation and improvement projects to establish space for correctional efforts and involve inmates in community-based programs.

In establishing new facilities and improving existing ones, a great deal of new equipment will be needed, ranging from office and security equipment to educational accouterments and industrial equipment.

Action programs to accomplish the foregoing programs will include 72-L2, "Planning New or Improved Correctional Facilities"; 72-L3, "Construction of Regional Correctional Facilities"; 72-L4, "Construction of State Facilities"; 72-L5, "Improvements to Existing Local Correctional Facilities."

### c. Rehabilitation Programs

As previously indicated, rehabilitation programs are scarce in Texas except in the Department of Corrections. Few community-based programs exist; probation is either weak or non-existent, and local jails are almost totally lacking in any rehabilitative effort. TDC, although it already has a wide range of programs, needs to increase them to accommodate the growing prisoner population.

Parole services also are limited, comprised of not much more than intermittent supervision.

An aggressive and broad-based effort must be made to minimize the state's heavy dependency on the costly use of incarceration in TDC. Use of local facilities for a variety of purposes which typically do not include rehabilitation, also should be curtailed. This, too, is a costly alternative and one which tends to deepen criminality rather than to mitigate it. Among the action programs established to meet these problems are 72-C3, "Vocational Education/Training-Potential Delinquents, Delinquents, and Young Adult Offenders"; 72-F5, "Adult Halfway Houses"; and 72-F6, "Improvement of Parole."

d. Research and Development

Inasmuch as any real effort to rehabilitate offenders in Texas outside the Department of Corrections is really in its infancy, the opportunity exists to begin the evaluation of the effectiveness of individual rehabilitation programs at the same time that they are initially established. Over a period of time this should enable the state to achieve the efficient corrections system, inasmuch as the ineffective programs can be weeded out as soon as they are identified and the state's available resources concentrated on those programs which can be demonstrated to work. For an effective evaluation effort, CJC has adopted the policy that project evaluation will be accomplished by third parties, in order to preserve objectivity. Also, it is intended that the evaluation method eventually will be in accord with a formula which can be adopted commonly by the criminal justice system in other states and by the federal government. At present, it is impossible to compare and evaluate evaluation data emanating from correctional projects, inasmuch as the criteria for success or failure varies widely from one project to another. It also is believed that fully satisfactory solutions to the problems of rehabilitation have not yet been found, and that a considerable amount of experimentation and study will be required for the indefinite future. The CJC long-range research program also will include studies of effective use of management information, and those correctional problems requiring remedial legislation. Such efforts will be funded under action program 72-F4, "Improvement of Corrections Organizational Practices."

3. Multi-Year Financial Plan

Multi-Year Financial Plan

Description Title	1972	1973	1974	1975	1976
Correctional personnel training & education	\$ 400,000	\$ 500,000	\$ 500,000	\$ 500,000	\$ 500,000
Probation/Improvements	2,000,000	3,000,000	3,000,000	3,000,000	3,000,000
Institutional Programs	1,050,000	2,000,000	2,500,000	2,500,000	2,500,000
Improvement of corrections organizational practices	200,000	400,000	500,000	500,000	500,000
Halfway Houses	50,000	150,000	200,000	200,000	200,000
Parole Improvements	200,000	400,000	600,000	750,000	750,000

4. Multi-Year Forecast of Accomplishments

1972 Four new regional probation departments and two metropolitan programs will be established for the diversion of young offenders from adult courts to community-based programs and services.

In-service training opportunities will be provided for 500 correctional persons, including jail, probation, and TDC personnel.

Three new vocational training projects will be established for younger offenders referred by adult courts in three metropolitan areas.

Fifty correctional interns will be financed, for distribution among probation departments, local correctional facilities, and TDC. Interdisciplinary and intradisciplinary seminars and meetings will be conducted for about 1,000 persons from jails, probation, and TDC.

Educational opportunities at several state colleges and universities, at both graduate and undergraduate levels, will be provided for 500 persons preparing for or already involved in corrections careers.

Two new adult probation offices will be established in counties now lacking such services.

Four new rehabilitation programs will be established in TDC, and as many as 20 to 30 in local correctional institutions.

A research department will be established in TDC, CJC, or both.

Halfway houses for adults will be established in two metropolitan areas.

Three new specialized units for adult probation offices will be established in communities now lacking such research and diagnostic resources.

A project to help develop improved legislation for establishing a statewide probation system will be funded.

Work will be continued on the construction of buildings at Sam Houston State University to house a continuing education center for correctional personnel.

Approximately 20 projects will be initiated to plan for the construction or improvement of local correctional facilities.

The construction of one new regional correctional center will be funded.

The construction of one new local detention center and one new adult center will be funded.

Approximately 50 projects will be carried out to improve existing jail and juvenile facilities.

One new facility will be acquired by purchase, in a metropolitan area, to house a local work release center.

About 200 grants will be made for the purchase of correctional equipment.

Five construction projects will be undertaken to provide space for additional vocational training and educational programs in the institutions of TDC. This level of activity will remain the same for each year through 1976. Also, under a direct LEAA technical assistance grant, CJC will develop national standards, goals and priorities for corrections, including probation, parole, jails, and major institutions.

1973 Continued support will be furnished to the four new regional probation departments established in 1972, and two additional departments will be funded. Programs for the diversion of younger offenders from the adult courts to community-based service

programs will be initiated in two additional cities.

In-service training opportunities will be provided for 750 corrections personnel.

The three VT projects started in 1972 will be continued in 1973, and two additional projects opened in two cities.

Fifty more correctional interns will be financed. Seminars and training meetings will be conducted for about 1,200 persons in corrections. This level of funding will be continued through 1976.

Educational opportunities for about 600 persons involved in or preparing for corrections careers will be funded. This level of funding will be continued through 1976.

The two adult probation offices funded in 1972 will continue to be supported, and one additional office will be initiated.

Five new rehabilitation programs will be inaugurated in TDC, and about 30 in local institutions.

A research program to evaluate the effectiveness of vocational training programs in state and local institutions will be initiated.

Continued support will be furnished the two halfway houses started in 1972, and one more will be initiated in 1973.

Continued support will be furnished the three new specialized units by probation offices funded in 1972, and one more will be initiated.

One project will be funded to study organizational practices in a county adult probation office, with a view toward establishing a model for other counties to follow.

Construction on the center for continuing education at Sam Houston State University will be in the final phase.

Approximately 30 projects will be initiated to plan for the construction or improvement of local correctional facilities, and this level of activity will remain about the same for each year through 1976.

The construction of two regional correctional facilities will be funded.

The construction of one additional local detention center and two new adult centers will be completed.

About 60 projects will be carried out to improve existing jail and juvenile facilities.

Two facilities will be acquired by purchases, to house local work release programs. This level of activity will be carried through for each year through 1976.

About 300 grants will be made for the purchase of corrections equipment, and this level of activity will remain the same for each year through 1976.

- 1974 Continued support will be given to the two new probation departments established in 1973, and four more additional departments will be started. Community-based employment placement and subsidized employment programs will be inaugurated in four metropolitan areas, preferably in cooperation with the Department of Labor manpower program.

In-service training opportunities will be provided for 1,000 persons in corrections.

The two vocational training programs initiated in 1973 will be given continuing support, and two more started.

The probation office initiated in 1972 will be given continuing support, one more will be started, and drawing accounts will be established for the four offices funded so far under this program for the purchase of service for clients.

The 35 rehabilitation programs funded in 1973 for TDC and local institutions will be given continued support, and 15 more initiated.

A research program to evaluate the effectiveness of work release and halfway house programs will be initiated, and the 1973 project for the evaluation of vocational training programs continued.

The halfway house initiated in 1973 will be given one more year of support, and more will be initiated. This level of activity will be continued for each year through 1976.

Four more specialized units for probation offices will be initiated in 1974, and this level of activity continued for each year through 1976.

One project will be funded to study organizational practices in a regional correctional center, with the objective of developing a model for adoption in these centers as they are constructed and completed.

The construction of three regional correctional centers will be accomplished.

The construction of one additional local detention facility and three new adult centers will be completed.

About 75 large and small projects for the improvement of existing jail and detention facilities will be funded, and this level of activity will be continued through 1975 and 1976.

- 1975 Four more regional probation departments will be funded, and continued support given to those already established under CJC funding which still require assistance. Family service centers will be added to the 14 departments so far given funding.

In-service training opportunities will be provided to about 1,250 persons in corrections.

Service purchase funds to support community educational programs, young adult offenders on probation or parole, or on study release will be established in five large metropolitan areas. The two VT programs initiated in 1974 will be given continued support.

The probation office initiated in 1974 will be given another year's support. Twenty probation departments will be allocated funds to organize, coordinate, and use public and private services available in the community which might be helpful in the rehabilitation of offenders. This level of support will be continued through 1976.

About 50 local facilities will be given funds and assisted in the development of in-house rehabilitation services.

A project will be initiated for the evaluation of court diversion projects, and the use of volunteers, paraprofessionals, and ex-offenders in these programs.

A project will be initiated for the study of pardon and parole operations, their possible improvement, and their effects on institutional populations and programs.

The construction of four additional regional correctional centers will be undertaken.

The construction of two new detention centers and two local adult centers will be funded.

1976 The 14 regional probation departments funded so far will be given additional funding to strengthen their effectiveness, including personnel and specialized programs to meet the requirements of their clients. Additional community-based programs as necessary to support the treatment objectives of these departments also will be funded.

About 1,500 correctional persons will be given basic and in-service training.

Service purchase funds will be made available to all probation departments to support offenders in the community, preferably at their homes or in personal non-institutional quarters, while they are engaged in educational and vocational training programs in public or commercial schools.

Approximately 75 local facilities will be given funds to establish or continue the improvement of rehabilitation programs.

A project will be initiated for an overall study of the various components of corrections in Texas to determine specific weaknesses and strengths, as a basis for further planning beyond 1976.

Three more regional correctional centers, two more local detention facilities and two more local adult facilities will be constructed.

TABLE XIII

Category F: Increase in Effectiveness of Corrections and Rehabilitation

Problems	Needs or Objectives	Planning Projects	Action Programs
1. Inadequacy of probation	A statewide system of probation Improvements in salaries Increases in the number of probation officers	Development of COG plans for regional probation departments	F2 Improvement of Probation
2. Inadequacy of jails	Personnel improvements Regional jails Local facility improvements	Establishment of TDC planning unit for regional jail planning	F1 Correctional Personnel Training and Education F3 Institutional Programs  F4 Improvement of Corrections Organizational Practices L2 Planning New or Improved Correctional Facilities L3 Construction of Regional Correctional Facilities L4 Construction of State Facilities L5 Improvements to Existing Local Correctional Facilities
3. Inadequacy of parole	Feasibility study of expanding use of parole Additional resources – personnel, additional services Early release from supervision	Proposed feasibility study of expansion of parole and implementing requirements	F1 Correctional Personnel Training and Education F6 Improvement of Parole F4 Improvement of Corrections Organizational Practices
4. Lack of community-based programs	Regional correctional facilities Halfway houses Community treatment resources	Preliminary planning of regional correctional centers with emphasis upon use of community resources alternatives to incarceration	F5 Adult Halfway Houses F2 Improvement of Probation F6 Improvement of Parole
5. Lack of research	Development of R & D capability in TDC, Sam Houston State University and CJC	Establishment of planning unit in TDC under contract with CJC	L2 Planning New or Improved Correctional Facilities
6. Prison improvements	Additional training resources Industrial modernization	Evaluation of work release and pre-release programs	F1 Correctional Personnel Training and Education F3 Institutional Programs  F4 Improvement of Corrections Organizational Practices L4 Construction of State Facilities
7. Lack of equipment	Funding program for equipment required for security and rehabilitation programs	Regional planning	F3 Institutional Programs (including equipment)

## G. REDUCTION OF ORGANIZED CRIME

### 1. Problems and Needs

#### a. General

Although specific activities of the national crime confederation have not been identified in Texas by police agencies generally, the President's Commission on Law Enforcement and Administration of Justice and other investigative bodies have identified national confederation members known to be active in the state. Additionally, intelligence indicates hundreds of bookie shop operations handling wagers on sporting events and other forms of crime known to be associated with the national confederation. Organized conspiracies of the "home grown" variety, such as auto theft rings, heroin importation groups, and prostitution rings, are identified by reliable intelligence. A part of the general problem of this existence of organized crime has been the inability of the components of the criminal justice system to deal with it effectively.

The fundamental need in relation to the problem is for the components to develop capability for dealing with it. Also needed is a widespread public understanding that will resist organized-crime's penetration and support the criminal justice system's efforts to eradicate it.

#### b. Specific

Many specific problems and needs could be enumerated but the following are considered to be the most pertinent:

1. Among agencies involved in the investigation and prosecution of organized crime, there is a general lack of knowledge of its actual extent and seriousness. This lack is even more pronounced among the public. A grave need exists for a clear definition and description of organized crime as it operates in Texas and the nation. Specific data are needed on the number and location of such conspiratorial groups in the state, their activities, and their specific significance to the public in terms of economic loss, governmental corruption, and other harms.
2. There is no statewide investigative agency in Texas with subpoena authority. Grand juries are limited to matters involving the county in which they are impaneled, and tend to confine themselves to narrow latitudes. A major need exists for a state body with investigative power and subpoena authority, such as a state grand jury, or a special commission, as recommended by the President's Commission.
3. Texas has no agency with statewide prosecution capability. The prosecution of crime is vested in local prosecutors. The attorney general does not have concurrent jurisdiction with them. The state needs statewide prosecution authority vested in an agency, probably the Attorney General's Office, to give it equal and concurrent authority with local prosecutors.
4. Statewide coordination of all agencies and programs has been lacking. Although DPS has statewide police investigative authority, its ability to coordinate police activity is limited and certainly does not extend to prosecutors. Full coordination of all agencies and programs involved in the investigation and prosecution of organized crime is urgently needed.
5. The members of many investigative and prosecutorial agencies in the



state have not developed the expertise needed to investigate and prosecute effectively the perpetrators of organized crime. The activities of organized crime reflect a highly complicated and refined confederacy, involving intricate corporate structures and complex financial operations. The assistance of technical specialists, such as economists, statisticians, and accountants, are needed to ensure adequate investigation and prosecution. A high level of capability needs to be developed throughout the criminal justice system for the investigation and prosecution of organized crime.

6. The general lack of public information concerning the extent and significance of organized crime in Texas is exemplified by the fact that thousands of otherwise good citizens patronize bookies who are known to be extensions of the national crime confederation. To enlarge this public understanding, a good public education program, dealing with the nature and extent of organized crime and effective methods for its control, is urgently needed.

7. Persons most conversant with the current *Penal Code* and the *Code of Criminal Procedure* generally agree that they are inadequate in some respects for dealing with organized crime. In the *Penal Code* the conspiracy statute is deficient, as there is no provision for extended sentencing of subjects convicted of organized crime. In addition, the perjury statute is too difficult to enforce. In a procedural law no provision is made for the utilization of electronic surveillance, and no general immunity statute exists as such. Accomplice testimony is extremely rigid. Numerous other sections are too restrictive for effective prosecution; for example, a search warrant may not be obtained to search for evidence.

Primary goals in organized-crime enforcement will be the containment, reduction, and prevention of organized crime in all forms at all locations in the state. In order to accomplish this broad objective the following lesser objectives or goals are identified:

1. To develop a precise detailed definition and description of organized crime as it exists in Texas and the United States.
2. To make the criminal justice system more effective in the control of organized crime.

Attainment of the second objective calls for upgrading personnel in the system, involving improved selection, training, administration, and compensation. It also will necessitate the provision of better physical resources, such as facilities, equipment, and materials. Statewide coordination of the law enforcement system will be necessary to work effectively against organized crime. Organized-crime intelligence capability at the local, state, and interstate levels will be necessary, with competent analysts assessing intelligence data, and with utilization of computer technology and other technical advances. Training for organized crime will be essential at all levels, recruit, in-service, and management. Exposing corruption at all levels of government will be strongly emphasized.

A major effort will be made to secure legislation to provide new statewide capabilities. Especially needed are statewide investigatory authority with subpoena power and statewide prosecution authority. The investigating body may be a statewide grand jury or an organized-crime prevention commission with subpoena power, as recommended by the President's Commission. The prosecution authority properly can be vested in the attorney general by giving his office full concurrent authority with local

## 2. General Statement of Priorities and Programs

prosecutors in organized-crime matters.

New statutory enactments will be pressed in the next Legislature to provide improved penal statutes and strengthened procedures. The proposed changes would provide for extended sentencing for offenses associated with organized crime and strengthening the conspiracy and perjury statutes. Procedural changes will be sought permitting electronic surveillance, an improved general immunity provision, and strengthening the use of accomplice testimony.

3. To make the public aware of the amount and significance of organized crime through an effective public education program.

A minimum of 40 to 60 full-time specialists will be needed for organized-crime control to assist police and prosecutors' offices in Texas. Several strike forces need to be created and much specialized organized-crime control equipment must be purchased. At least 2,000 persons per year should receive specialized organized-crime control training. No less than 25 Texas agencies and from five to seven near and adjoining states should be tied into an organized-crime intelligence-sharing network. The public should receive information about the nature and threat of organized crime.

These needs are based on very preliminary planning; they are tentative and subject to substantial revision by the Texas Organized Crime Prevention Council, whose responsibility will be to plan and set goals for organized-crime control.

During 1972 and four succeeding years, Texas will develop a coordinated statewide effort against organized crime, adopting the definition contained in the Act.

The state's efforts will be guided by the Organized Crime Prevention Council, established by executive order of Governor Preston Smith on March 7, 1970. The purposes of the council are:

To develop a comprehensive plan for the suppression of any organized crime existing in Texas now and to prevent its future encroachment in this state.

To coordinate the activities of all law enforcement and prosecuting agencies in the implementation of a comprehensive organized crime control program in the State of Texas.

The council is structured in accordance with the definition for a "state organized-crime prevention council," section 601(g) of the Act, and funds for its activities are provided from planning grant monies. The council should have a full-time director to coordinate its efforts with law enforcement, prosecution, and regulatory agencies.

Priorities established by the council for the next five years will have four major emphases:

1. During the five years a major regional and statewide capability for intelligence gathering, analysis, and dissemination will be developed.
2. The need for additional legislation and improved procedures for prosecuting organized criminals on a regional and statewide basis will be studied, and recommendations will be made to the Legislature.

3. The capabilities of existing police and prosecuting agencies will be strengthened by training and by adding personnel and equipment.

4. A major public education effort concerning organized crime will be undertaken. This educational program will be designed to acquaint the public with the dangers of organized crime and its methods of operation so that the public may better protect itself and provide the necessary public support for vigorous prosecution of organized crime.

During the next five years, Texas will attempt to join with nearby states in the development of a regional intelligence network. A discretionary grant will be sought from LEAA for this multi-state project as it develops. The program, titled "Organized Crime Intelligence Collection, Analysis, and Dissemination," will require greatly increased funding levels in the next five years. The organized-crime intelligence network envisioned will be designed to be fully compatible with projected capabilities of the Texas Criminal Justice Information System, and a merger of the two will be planned within the multi-year period.

Organized as a regional component for the collection, analysis, and dissemination of intelligence data on organized crime, a statewide capability will be developed. During FY 1971, DPS has developed a statewide organized-crime intelligence unit with a discretionary grant and additional block grant funds. In the next four years, this program will be funded at greater levels so that the intelligence gathering capabilities of state, cities, and counties will be enhanced and coordinated into a fully equipped statewide organized-crime intelligence network. It is planned to increase significantly the capabilities of state agencies responsible for organized-crime control, and police and prosecutors' agencies in major metropolitan areas and other sections of the state with organized crime problems.

Statewide investigatory and prosecution capabilities will be augmented by the development of from three to five "task forces" against organized crime. One such force presently is operating in Dallas under a discretionary grant. Amarillo and El Paso also have been funded for task forces, Wichita Falls for an intelligence unit. These groups are composed of representatives from state and local law enforcement and regulatory agencies with responsibilities in organized crime control. The "task forces" will work primarily in or near major cities in Texas. Plans are currently progressing for the formation of task forces in Houston, Fort Worth, and San Antonio.

During the multi-year period studies will be undertaken under the auspices of CJC and the Organized Crime Prevention Council to determine what changes, if any, should be recommended to the Legislature in the areas of additional state laws pertaining to organized crime and additional statewide prosecution capabilities. Changes will be sought to provide statewide investigative and prosecution authority, as well as electronic surveillance, general immunity, and improved perjury and conspiracy statutes, and extended sentencing.

An important objective is to increase the capability of police and prosecutors' agencies in major metropolitan areas and others with organized-crime problems. Equipment for which legal uses have been established, such as night vision, video, and audio surveillance instruments, will be purchased, as well as dictating devices to improve the efficiency of intelligence gathering units.

TABLE XIV

Category G: Reduction of Organized Crime

Problems	Needs or Objectives	Planning Projects	Action Programs
1. Lack of specific knowledge of the amount and seriousness of organized crime in Texas	Precise definition and description of organized crime as it exists in Texas and the nation. Specific data on the number of such conspiratorial groups in the state, their activities, and their significance to the citizenry	Organized crime research study	G1 Texas Organized Crime Prevention Council  G5 Organized-Crime Intelligence Collection
2. Lack of statewide investigative capability with subpoena authority	State body (state grand jury or state commission) with subpoena authority	Texas Organized Crime Prevention Council	No action program without legislation creating the agency
3. Lack of statewide prosecution capability on organized crime	Statewide prosecution authority (vested in an appropriate agency) concurrent with local prosecutors	Texas Organized Crime Prevention Council	No action program without legislation creating the agency
4. Lack of statewide coordination of all agencies and programs	Full coordination of all programs	Texas Organized Crime Prevention Council and its operating committee CJC staff	G1 Texas Organized Crime Prevention Council
5. Deficient capability in many agencies to investigate and prosecute organized crime effectively	Good capability in involved local and state agencies	Texas Organized Crime Prevention Council and its operating committee	G2 Organized Crime Control Units in Agencies or Regions  G3 Technical Equipment for Organized-Crime Control  G4 Training for Organized Crime Control
6. Lack of public information about amount and significance of organized crime	Good public education program on organized crime and how to control it	Texas Organized Crime Prevention Council and its operating committee	G6 Public Education About Organized Crime
7. Inadequate substantive and adjective law to deal adequately with organized crime	Good <i>Penal Code</i> and <i>Code of Criminal Procedure</i> to allow effective investigation, prosecution and punishment	Texas Organized Crime Prevention Council and its operating committee	E5 Law Reform

3. Multi-Year Financial Plan a. Planning Programs\*

Program Description Titles	1972	1973	1974	1975	1976
Director to crime prevention council to study inter & intrastate problems	\$ 40,000	\$ 45,000	\$ 50,000	\$ 60,000	

\*These estimates do not include operational expenses of the SPA.

b. Action Programs

Program Description Titles	1972	1973	1974	1975	1976
Organized crime prevention council	\$ 45,000	\$ 55,000	\$ 55,000	\$ 55,000	\$ 55,000
Organized-crime control units for law enforcement agencies	560,000	560,000	350,000	350,000	350,000
Technical equipment for organized crime control	12,000	100,000	100,000	100,000	75,000
Training for organized crime control	40,000	150,000	150,000	100,000	100,000
Organized crime intelligence collection	268,000	260,000	350,000	350,000	350,000
Public education about organized crime	100,000	150,000	100,000	75,000	100,000

The training of law enforcement personnel in organized-crime control will be directed at intelligence officers, criminal investigators, supervisors, planners, and administrators. Personnel added to control units under the organized-crime program will be eligible for specialized or advanced training.

Another priority is to have organized-crime units functioning within police or prosecutors' offices in major metropolitan areas and other sections of the state in which the Organized Crime Prevention Council feels organized crime exists. At least six of these units will be established. They will be composed of various specialties needed for effective organized-crime control, including attorneys, accountants, investigators, administration technicians, and intelligence analysts.

The multi-year plan will provide grants for organized-crime training schools, briefings, or seminars to be held by state agencies or local governments. The five-year objective for the program is to have all police officers, regulatory commission investigators, administrators, and prosecutors who can assist in the effort against organized crime adequately trained for effective performance.

CJC plans, over the next five years, to undertake several projects designed to acquaint the public especially those segments most directly affected, such as the business community with the dangers of organized crime.

Increased requirements in the next four years will raise the level of state expenditure. A great deal of private support, such as that of chambers of commerce, also is expected.

a. Planning Projects

(1). *Basic Research of Organized Crime in Texas*

High priority will be given to this project in 1972. It will be conducted by a group of professional consultants. The research will determine the extent of organized crime in the state and how it affects Texas socially, psychologically, legally, and politically. This information should help in formulating techniques for informing the public and winning the support essential to the success of any law enforcement effort.

**4. Multi-Year Forecast of Accomplishments**

*(2). Texas Organized Crime Prevention Council Planning*

This planning project is a continuing operation. The council will make periodic reports to the Governor and CJC on the extent of organized crime in Texas and the success of law enforcement efforts to control it. The council will make recommendations for improving these efforts.

To promote reduction of organized crime, the council, through its operating committee, established five planning subcommittees.

These subcommittees were delegated the responsibility of producing detailed plans and recommendations pertaining to personnel training and equipment, intelligence collection and dissemination, legal and legislative needs, police operations, and public education.

The plans and recommendations compiled by these subcommittees were adopted by the council August 23, 1971. The operating committee was instructed to proceed with implementation.

The subcommittee for personnel training and equipment submitted plans for three training schools to be conducted by DPS. These schools were conducted. As a result of their success, it is anticipated that they will be repeated in 1972. They are designed to assist in developing the needed capability to understand and control organized crime.

The subcommittee for intelligence collection and dissemination developed a plan for the centralized assimilation and the controlled dissemination of intelligence, which will be implemented under the special conditions to action grants in Program G-2, "Organized-Crime Control Units for Law Enforcement Agencies," and G-5, "Organized-Crime Intelligence Collection."

The legal and legislative subcommittee presented recommended legislation, including proposed laws on electronic surveillance, statewide investigative body with subpoena and contempt power, statewide prosecutorial power for the attorney general, and witness immunity. Drafts will be presented to the Legislature in 1973 under Action Program G-1, "Texas Organized-Crime Prevention Council."

The operations subcommittee is expected to present in 1972 a plan providing for coordination of law enforcement officers and prosecutors in the investigation and prosecution of perpetrators of organized crime. This operational plan will be evaluated by the council and, if feasible, will be adopted and implemented.

The public education subcommittee presented a plan that was approved and adopted for implementation in 1972 under Action Program G-6, "Public Education About Organized Crime."

b. Action Programs

*(1). Texas Organized Crime Prevention Council (G-1)*

By the end of the multi-year period, this program will have contributed to the accomplishment of tasks prescribed by the Governor's executive order. It contributes by employing a full-time person who coordinates the efforts of

organized-crime control units, conducts feasibility studies, and helps the council open communication channels with agencies which have information needed for investigating organized crime. This program coordinator will assist in establishing new organized-crime control units and in evaluating progress being made in reducing and controlling organized crime.

*(2). Organized Crime Control for Law Enforcement Agencies (G-2)*

It is expected that additional organized-crime control units will be established soon in Brownsville-McAllen-Harlingen area, Fort Worth, Houston, and San Antonio. During FY 1973, additional organized-crime control units are expected to be established at Austin, Baytown-Galveston-Pasadena area, Beaumont-Orange-Port Arthur area, Corpus Christi, Longview-Kilgore-Tyler area, and the Odessa-Midland-Big Spring area. By the end of the multi-year period, there should be 14 separate areas in the state with organized crime control units in full operation, funded by local governments.

*(3). Technical Equipment for Organized Crime Control (G-3)*

This program will not have additional funding until 1973 due to failure of the Legislature to legalize the use of this equipment. The Legislature does not meet again until 1973.

*(4). Training for Organized Crime Control (G-4)*

The training for organized-crime control has been limited to sending nine officers to a police seminar at Silver Springs, Maryland. However, DPS conducted three training schools in Austin which were attended by 290 police officers, judges, and prosecutors. This program is expected to be accelerated until at least 2,000 police officers receive training each year. By the end of the multi-year period, all police officers assigned to an organized-crime control unit will have received the training required to handle organized crime effectively.

*(5). Organized Crime Intelligence Collection (G-5)*

The only funding has been to the Organized Crime Unit Intelligence Service, DPS. This is a centralized organized-crime intelligence analysis unit that assimilates and disseminates intelligence produced by the organized-crime control units and intelligence units of local law enforcement agencies. This unit also has a statewide intelligence gathering capability. This unit is headquartered in Austin and has agents stationed in each metropolitan area with an organized-crime control unit and in other strategic areas.

By the end of the multi-year period, this unit will in its scope of operation include the assignment of agents to 14 metropolitan areas having organized-crime control units and the establishment of multi-state intelligence nets.

*(6). Public Education About Organized Crime (G-6)*

The Organized Crime Prevention Council has conducted extensive research on methods for reaching Texas citizens with information on the evils of organized crime. This planning will result in the professional production and dissemination of a series of 14-minute films covering various aspects of

organized crime. These films will be shown at schools, churches, service clubs, and civic organizations by a member of a law enforcement agency. Extracts from these films will be supplied television stations for use as public service features. The original scripts will be rewritten by a professional writer into a series of newspaper feature articles.

By the end of the multi-year period, it is calculated that the majority of the citizens of Texas will understand the cost and danger of organized crime when permitted to exist and operate in a community.

## H. PREVENTION AND CONTROL OF RIOTS AND CIVIL DISORDERS

### 1. Problems and Needs

#### a. General

The major problem is that great inequities exist in our society in the sharing of benefits and responsibilities. This imbalance is especially noticeable among certain minority groups who are repressed, frustrated, and denied full participation in the American way of life. A social revolution is resulting from it. In protesting what they see as a denial of their rights, some groups have participated in major civil disorders. Texas has had no major riot, but there have been several major confrontations which could have precipitated serious consequences. The criminal justice system currently lacks the badly needed capability to respond effectively to such mass violence. Freedom of expression must be protected, but the capability to deal properly with unlawful destruction must be developed.

#### b. Specific

##### *(1). Increased Urbanization*

Population in the state increased 16.9 percent from 1960 to 1970. As a rule, the major cities continued to grow at a faster rate than the state as a whole. Exceptions were Amarillo (7.9 percent), Beaumont (-2.7), Fort Worth (10.4), Lubbock (15.9), and San Antonio (11.3). The counties containing the larger cities more than doubled the overall growth rate for the state in the 10-year period. The suburban cities, as well as the major ones, contributed. Examples are Garland (111.5 percent), Irving (111.5), and Dallas County (39.5). See table on 1970 Texas population.

The 1970 census of counties with more than 100,000 population reveals that 85 percent to 99 percent of the people are urban dwellers, with the exception of those in Brazoria County, which has 61.3 percent. Overall, 79.7 percent of the total population lives in urban areas, 20.3 rural. The 1960 Census revealed a ratio of 75.1 urban and 24.9 rural.

##### *(2). Concentration in Urban Centers*

The high-density concentration of racial and ethnic minorities in urban centers yields the potential for major riots and civil disorders.

The 1970 census figures reveal a total population for the State of Texas of



11,196,730. Breakdown of racial and ethnic groups reveals the following:

White	7,815,518	69.8%
Black	1,419,677	12.6%
Mexican-American	1,881,051	16.8%
Other	80,484	.8%
Total	11,196,730	

(3). *Increased College and University Enrollments*

The following table depicts the tremendous increase in public supported schools.

1965 Enrollment	
Public Junior Colleges	— 52,654
Public Senior Colleges	— 171,393
Private Junior Colleges	— 4,565
Private Senior Colleges	— 55,641

1970 Enrollment	
Public Junior Colleges	— 123,127
Public Senior Colleges	— 238,197

TABLE XV

Texas City Population  
April 1, 1970  
Bureau of Census (Final)

50,000 Population & Over (27)	100,000 Population & Over (10)
Abilene — 89,653	Amarillo
**Amarillo — 127,010	Austin
Arlington — 90,643	Beaumont
*Austin — 251,808	Corpus Christi
**Beaumont — 115,919	Dallas
Brownsville — 52,522	El Paso
*Corpus Christi — 204,525	Fort Worth
*Dallas — 844,401	Houston
*El Paso — 322,261	Lubbock
*Fort Worth — 393,476	San Antonio
Galveston — 61,809	
Garland — 81,437	
Grand Prairie — 50,904	
*Houston — 1,232,802	
Irving — 97,260	
Laredo — 69,024	
**Lubbock — 149,101	
Mesquite — 55,136	
Midland — 59,463	

Odessa — 78,380	
Pasadena — 89,277	
Port Arthur — 57,371	
San Angelo — 63,884	
*San Antonio — 654,153	
Tyler — 57,770	
Waco — 95,326	
Wichita Falls — 97,564	
Anticipated 50,000 by 1973	Anticipated 100,000 by 1973
Richardson — 48,582	Arlington Irving Pasadena
Population of State of Texas: 11,196,730	
*Over 200,000 (7)	
**Over 100,000 (3)	
Over 50,000 (17)	

In many instances these colleges and universities are located in relatively small municipalities. Unrest and protest point up a grave need for school officials to plan with police the sequence of steps to be taken to insure order and prevent disruption of schools.

*(4). Inadequate Personnel, Organization, Training, and Planning*

In the departments of the large municipalities, training for riot duty has become an integral part of the program; however, there is a need to increase training at the supervisory and command level.

By their own assessment, many of the local police agencies are trained, while others are ill prepared to handle a major incident. All local agencies need to be fully organized, trained, and equipped to cope with civil disorder.

The two state agencies involved, DPS and the National Guard, are well organized, trained, and fairly well equipped to render rapid, effective assistance to local agencies in case of major disorder.

The annual one-week seminar on police-community relations at Texas A & M University should be continued and strengthened. Regional three-day seminars over the state are planned for 1972. Additional riot control training is needed for personnel in many smaller agencies.

Additional effort is necessary to develop regional and local plans which will integrate into the overall statewide plan.

Major police departments in the state have formal police-community relations programs, which can be given credit for relieving community tensions. Existing programs need strengthening in some cities, while others need formal programs. A broader understanding of police-community relations is needed among all police executives.

A model police-community relations program for cities of various sizes

should be prepared and made available to all police executives.

*(5). Inadequate Equipment*

The logistics of any away-from-base operations must be considered an important factor, dependent on proper planning. Equipment is needed in some areas, but assistance should be geared to potential need and, wherever possible, distributed for regional use.

There is a need for acquiring, jointly, communications equipment with message-switching capabilities and the necessary patch or interface to enable city and state units to operate together in a major riot.

The need for equipment in certain strategic locations is critical.

*(6). Need for Coordination of Agencies*

Better coordination and cooperation among all agencies involved needs to be developed – among state agencies, between state and local agencies, and among local agencies.

*(7). Increase in Militant Actions*

Increasing militancy is a serious problem often resulting in destructive anarchistic action with no rational alternative proposed for existing conditions. Striking out blindly at the “establishment,” usually the political power structure, brings confrontation with the police as the visible “establishment” representatives. The police need to be organized, trained, and equipped to deal coolly, rationally, and firmly with such confrontations. Society as a whole needs to make every reasonable effort to bring all elements into full participation in the benefits and responsibilities of our way of life.

The primary objective is to avoid all incidents of major civil disorder or riot within the state’s borders. Community relations will be heavily relied upon to reduce tension and help alleviate conditions spawning disorder. The secondary objective is to provide police agencies with the additional capability to deal promptly and effectively at the inception of any civil disorder which might arise. To accomplish these objectives major emphasis will be placed on planning, organizing, training, and equipping police. Particular emphasis will be assigned to regional planning for mutual aid in cooperation with the National Guard and the Department of Public Safety.

a. Planning

A program coordinator and assistant have been employed full time in this program. They make up the State Technical Assistance Unit funded by a discretionary grant. Major emphasis will be placed on updating and upgrading the state Plan, and on developing regional plans and individual agency plans where needed.

b. Organization

**2. General Statement of  
Priorities and Programs**

The state will be organized to take full advantage of mutual aid between individual agencies and the regions, and of assistance by DPS and the National Guard.

c. Training

In training for riot control and disorder prevention programs, it is estimated that 15 to 20 regional riot control plans will be developed and training programs conducted in 20 to 25 locations, covering at least 2,500 officers in the techniques of riot control.

The riot control seminars, briefings, and technical assistance program will be implemented through DPS and the Adjutant General. The program will provide briefing sessions and training seminars for approximately 500 police chiefs, supervisors, sheriffs, DPS personnel, and Adjutant General field personnel, as well as other public officials. Twenty briefings or training sessions are anticipated.

d. Equipment

During the year, riot control equipment for tactical operations, as well as rumor control centers, will be brought up to minimum standards in all of the major cities. Several selected smaller cities in critical locations will be recipients of grants, as will some regions where equipment will be pooled. Goal of the equipment program is to equip local governments for quick, effective, coordinated response to a potential disorder.

3. Multi-Year Financial Plan a. Planning Projects

Program Description Title	1972	1973	1974	1975	1976
Literature Collection and Distribution	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000

b. Action Programs

Program Description Title	1972	1973	1974	1975	1976
Planning, Training, and Equipment for Prevention and Control of Civil Disorders and Riots	\$130,000	\$200,000	\$200,000	\$200,000	\$300,000
Riot Control Seminars	30,000	40,000	40,000	40,000	40,000

**TABLE XV**  
**Category H: Prevention and Control of Riots and Civil Disorders**

Problem	Needs or Objectives	Planning Projects	Action Programs
1. Increased population in urban areas; increased concentration of racial, minority groups; increased college enrollments; therefore, greater possibility of community stress and disorders	Train, educate and equip law enforcement personnel to: a. plan preventive measures b. suppress disorders	State technical assistance unit	H1 Planning, Training and Equipment for Riot and Disorder Prevention and Control
2. Inadequate planning, organization and training	Develop regional and local plans of action. Coordinate state, regional and local plans. Adequate training at line, supervisory, and command levels.	State technical assistance units working with regions and agencies will develop comprehensive regional plans	H1 Planning, Training, and Equipment for Riot and Disorder Prevention and Control H2 Riot Control Seminars, Briefings and Technical Assistance A1 Peace Office Training I1 Police-Community Relations Units
3. Inadequate equipment in police agencies	Adequate equipment to utilize police resources promptly with maximum effectiveness to quell any incipient riot.	State technical assistance unit will establish criteria for equipment and maintain technical specifications.	H1 Planning, Training, and Equipment for Riot and Disorder Prevention and Control
4. Lack of full cooperation and coordination among all agencies	Increase the coordination and cooperation among state agencies, and between state and local agencies.	The state technical assistance unit will assist in developing 24 regional plans fully coordinating all local agencies and coordinating with the state agencies.	H2 Riot Control Seminars, Briefings, and Technical Assistance
E. Increase in militant actions	Better intelligence on militant actions.	Staff of the technical assistance unit will encourage the collection and dissemination of intelligence among law enforcement agencies.	H1 Planning, Training and Equipment for Riot and Disorder Prevention and Control

a. Planning Projects

(1). *Literature Collection and Distribution*

The CJC staff will collect information on new, innovative equipment and will develop specifications and guidelines for equipment purchases.

Monitoring new training methods, improved tactics, and techniques in operations and procedures will be a function of the CJC staff.

A distribution of information will be made to all police agencies and training academies.

(2). *Staff Planning and Assistance*

The State Technical Assistance Unit will update planning on a continuing basis and staff technical assistance will be available to local agencies upon request.

**4. Multi-Year Forecast of Accomplishments**

Regional seminars will be held throughout the state with particular emphasis in areas of potential civil disorders.

The Technical Assistance Unit will develop model plans of organization and operations and will assist with training curricula development.

#### Summary of Planning Programs

- 1972 Literature collection and distribution will be a continuing program throughout the multi-year period. As new tactics and techniques in operations are developed, statewide distribution will be made. Implementation will be accomplished through action programs. Staff planning and technical assistance will be available from the program coordinator and his assistant. Model plans for organization and operations will be available and, where necessary, outside consultants will be available through action grants. Regional seminars will be held to exchange ideas and to increase dissemination of information.
- 1973 The CJC staff will continue and expand planning projects to collect and disseminate all available information on new developments, training, equipment standards and specifications, model organizations, tactics, and procedures. Comprehensive plans for statewide response to cope with any civil disorder will be finalized. All regions with a potential for civil disorder or a riot will have adopted a model plan for cooperative and coordinated action.
- 1974 All ongoing programs will be continued with emphasis on upgrading and updating as new and innovative information and procedures become available. All police agencies in areas where a potential for civil disorder or riot exists will have a well-developed plan to cope with a situation at its inception.
- 1975— Meritorious programs will be continued and new and innovative  
1976 programs will be developed.

#### b. Action Programs

##### *(1). Planning, Training and Equipment for Prevention and Control of Civil Disorders and Riots*

By the end of calendar year 1974 this program will have provided complete plans of action to prevent and control civil disorders and riots on state, regional, and local levels. The training capabilities will be expanded to assure that all agencies serving an area of potential disorder will have highly trained units to prevent and control disorders. Mutual aid between agencies will be an integral part in disorder control. Each agency or combination of agencies will have the necessary equipment and supplies on hand to cope with a situation or equipment will be available in a regional pool, or from a state agency (DPS or National Guard). During calendar years 1975 and 1976, this program will continue to update planning, training, and acquisition of new and innovative equipment.

##### *(2). Seminars, Briefings, and Technical Assistance*

Throughout the multi-year period, this program will provide funds to hold

regional and statewide meetings of police officials. Mutual problems will be discussed and solutions sought through pooling of knowledge, technical assistance, and the limited use of consultants.

### Summary of Action Programs

- 1972 The goals of these action programs are to develop comprehensive plans for action in the prevention and control of civil disorders and riots on state, regional, and local levels, to expand training capabilities of DPS, the Adjutant General, and regional planning areas to give all officers an acceptable level of training to allow them to cope with situations involving civil disorder and riot control; to provide equipment grants to DPS, local agencies, and combinations of agencies on a need or potential need basis; and to conduct seminars and briefings on a state and regional level.
- 1973 Providing funds for all continuing programs, updating comprehensive plans, and continuing to assist with development of regional and local plans will be the principal objectives of the CJC staff. Funding of replacement and additional equipment will be part of the comprehensive program.
- 1974 Comprehensive plans will be finalized on state, regional, and local levels. These plans will include comprehensive plans for equipment and manpower availability in each area of the state with minimum response time.
- Personnel in all agencies will be trained to the extent that the agency can make immediate response to a civil disorder.
- Providing funding for replacement and additional equipment and continuing seminars, briefings, and technical assistance will be an integrated part of the comprehensive program.
- 1975— Updating comprehensive plans, continuing training, and providing  
1976 funds for equipment will be part of the ongoing comprehensive program. Seminars and briefings will continue to be held, and technical assistance will continue to be provided by the CJC staff.

## I. IMPROVEMENT OF COMMUNITY RELATIONS

### a. General

The process of social change has increased misunderstandings of law enforcement's role in social control. These misunderstandings result in part from massed populations, increased mobility, militancy, and the failure of the citizen and the law officer to identify with the community in which he lives and works. Part of the failure of the officer to identify with his community is a result of the insulating nature of police work, and of heavy demands for services of a nature not conducive to interpersonal relationships with citizens. In addition, the cultural heritage of the United States has been for its citizens to view authority with fear and distrust. These conditions have produced situations in which large, definable groups of people no

### 1. Problems and Needs

longer believe that the police are working for their good but rather see them as enemies. Enforcement officers must be aware of the dynamics of social change that can bring harmony or chaos to a community.

b. Specific

Of the many problem areas in the field of community relations, law enforcement needs to look to (1) psychological and sociological causes for interpersonal conflict, (2) social changes and militancy, and (3) relations and communications between police and the community (especially minority groups).

*(1). Psychological and Sociological Problems*

The individual officer, because of background, poor training, or lack of basic self-understanding, may create many additional problems for a law enforcement organization. A close introspection by the field officer is necessary before any approach to interpersonal relations can be successful.

Sociologically, many problems are created that law enforcement cannot rectify. Masses of people living in small areas and economic and cultural deprivations, for example, are conditions beyond the solution of the criminal justice system. The local law enforcement officer, if he recognizes and understands the problems, will function as a better officer.

*(2). Social Changes and Militancy*

The social unrest created by militant groups has resulted in confrontations that have drawn the police into situations of irreparable damage in the eyes of the community. Law enforcement agencies must direct attention to communication with these groups so that the police role in such confrontations is explicitly known to every citizen.

*(3). Police Relations with Minority Groups*

To resolve this problem there ultimately must be a reconciliation of values in the minds of individual officers. Training programs can be helpful; personnel policies and attitudes of a superior officer, however, will dictate how the officer on the street will perform when dealing with minorities.

In order to study and improve these problem areas, major departments in the state have formal police-community relations programs. These programs may have been influential in relieving community tensions to the extent that Texas has had no recent major civil disorder.

If there is to be a broader understanding of community problems, both the field officer and the executive must be committed to continuing training and education.

The necessary motorization of the police has prevented development of personal contacts with community members which the foot patrolman enjoyed. The motorized police officer has in many instances become the stranger in the community, to be distrusted and opposed. Because police have not been given the opportunity, or have not taken it, to participate in community problem solving, they do not meet and come to know



community leaders in non-enforcement contact. The lack of such participation inhibits contact and communication with minority group leaders and promotes distrust on both sides.

The President's Commission on Law Enforcement and Administration of Justice made the following recommendations in the field of police-community relations:

The police should formally participate in community planning in all cities.

Police departments in all large communities should have community-relations machinery consisting of a headquarters unit that plans and supervises the department's community relations programs. It also should have precinct units, responsible to the precinct commander, which carry out the programs. Community relations must be both a staff and a line function. Such machinery is a matter of the greatest importance in any community that has a substantial minority population.

In each police precinct in a minority-group neighborhood there should be a citizens' advisory committee that meets regularly with police officials. In the meeting the two groups should work out solutions to problems of conflict between the police and the community as a whole, including those elements which are critical or aggrieved.

Every jurisdiction should provide adequate procedures for full and fair processing of all citizen grievances and complaints about the conduct of any public officer or employee.

## 2. General Statement of Priorities and Programs

### a. General

#### (1). *Make Police Truly "People's Police"*

The first priority in this category is to make the police truly the "people's police," in which condition there is an organic union between the police and the community. Ideally, the public *will be* the police and the police the public. In such a situation the police will participate in, and give vital leadership to, the solution of community problems.

### b. Specific

#### (1). *Recruitment of Minority Group Officers*

It should be a high-priority objective of all departments in communities with a substantial minority population to recruit minority-group officers – and to deploy and promote them fairly. Every officer in each department should receive thorough grounding in community-relations subjects. His performance in the field of community relations should be periodically reviewed and evaluated. Police departments should recruit far more actively than they now do, with special attention to college campuses and *inner city neighborhoods*.

During the multi-year period, CJC plans to place emphasis on three aspects of police-community relations. All three will be directed toward the major

cities, and all will be aimed primarily at officers, young people, and racial minority groups. Those areas of emphasis include: (1) increasing the frequency and quality of interpersonal contacts and communications between citizens and police officers, (2) improvement of the ability of police agencies to respond to legitimate citizen grievances, and (3) increased police participation of inter-disciplinary community problem solving.

*(2). Improved Interpersonal Communications and Contacts*

The first major emphasis will be placed on increasing the frequency and the quality of interpersonal communication (i.e., non-violation and non-arrest contacts with citizens).

Police training envisioned under the "Police-Community Relations Units" program is considered to be an integral part of the "Peace Officer Training" program under the category of "Upgrading Law Enforcement Personnel." It is anticipated that every police officer working in a city of 50,000 or more will receive high quality training in police-community relations by the end of the multi-year period. Personnel in formal units will have received extensive advanced training, and all management and supervisory personnel in those cities will have received training. Training curricula are being developed and supervised by the Commission on Law Enforcement Officer Standards and Education.

The employment of off-duty police officers in "Civic and Recreational Programs" will be expanded and extended to 10 to 15 of the largest cities.

*(3). Adequate Response to Citizen Grievances*

A second major emphasis in the field of police-community relations will be on the improvement of the ability of police agencies to respond to legitimate citizen grievances. Three current programs are written to further this emphasis. The program titled "Citizen Complaint Processing" was designed to enable one city during FY 1971 to develop a model procedure for processing citizens' complaints. During the five succeeding years this program will enable five additional cities to experiment with citizen complaint procedures so that a diversity of models will be available. Models and their city's experiences with complaint processing will be fully documented and made available to other cities. It is believed that by the end of the multi-year period all cities over 50,000 will be using one of the models.

The program titled "Minority-Group Police Officer Recruitment" will produce effective projects in the 10 cities of 100,000 population and operate at the regional level in four or five regions for smaller cities.

*(4). Police Participation in Inter-Disciplinary Community Problem Solving*

In this area of emphasis reliance will be placed on the training programs and upon the formal, organized units in agencies to increase the desired police participation. Perhaps the greatest obstacle to their participation in such inter-disciplinary activities is the tendency of other disciplines and groups to ignore the police in their activities and planning. The emphasis will be to encourage the police to develop programs to show where their contribution and leadership can be vital. Meaningful participation by police will require education, sensitivity, and a dedication to community betterment.

The CJC staff and the Commission on Law Enforcement Officer Standards and Education will monitor literature and research in the field in order to incorporate new developments into operations and training. These agencies will confer periodically with the staff of Texas A & M University on the most effective program for the annual Institute of Police-Community Relations and the regional three-day seminars.

The commission has published the *Police-Community Relations Manual*, which is serving as training material and executive reference source. The CJC staff now is working with one city and a university in planning a sophisticated, two-year laboratory-type training program for all police personnel to utilize an LEAA discretionary grant.

One-day seminars of all police chiefs of cities over 50,000 are planned to develop broader understanding of such programs, their objectives, organization, administrative operations, and the training need. Such seminars are planned annually.

The staff of CJC and of the commission will monitor all formal programs and reproduce and distribute descriptions of effective programs, projects, and innovations.

a. Planning Projects\*

Program Description Titles	1972	1973	1974	1975	1976
Police-Community Relations Manual	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000
Monitoring, Library and Distribution**	2,000	2,000	2,000	2,000	2,000
Seminars and Conferences**	2,000	2,000	2,000	2,000	2,000

\*These estimates do not include operational expenses of the SPA.

\*\*Does not include staff time, salary, or expenses.

3. Multi-Year Financial Plan

b. Action Programs

Program Description Titles	1972	1973	1974	1975	1976
Police-Community Relations Units	\$415,000	\$450,000	\$450,000	\$450,000	\$450,000
Police Training for Police-Community Relations	(Funded in Peace Officer Training)				
Off-Duty Police Officers in Civic and Recreation Programs	20,000	60,000	60,000	60,000	60,000
Citizen Complaint Processing	20,000	20,000	20,000	20,000	20,000
Minority Group Police Officer Recruitment	20,000	50,000	50,000	50,000	50,000

#### 4. Multi-Year Forecast of Accomplishments

##### a. Planning Projects

###### (1). *Police - Community Relations Manual*

The *Police - Community Relations Manual*, produced by the Commission on Law Enforcement Officer Standards and Education, has been widely distributed. It will be updated each year and will serve to keep agencies abreast of new developments.

###### (2). *Monitoring, Library and Distribution*

The monitoring of development and collection of literature by the CJC staff and the Commission on Law Enforcement Officer Standards and Education and the periodic revision of the *Police - Community Relations Manual* will serve to keep agencies abreast of new developments.

Dissemination also will be accomplished through the program coordinator and his assistant and through seminars.

###### (3). *Seminars and Conferences*

Individual conferences with chiefs and the three-day seminars will provide input for planning and serve to disseminate information. Conferences with Texas A & M University staff will result in an improved program at the one-week annual institute.

Regional and large city conferences will be developed by the program coordinator.

##### Summary of Planning Projects

1972 This year's objective will be to update the *Community Relations Manual*, and to continue monitoring, collecting, and distributing information of interest to police agencies. Seminars and conferences will be held which will include, as a minimum, all cities of more than 50,000 population.

1973 To continue all ongoing projects, and to expand seminars and conferences to include all cities of 20,000 population and over, will be the principal aim of this year's activities.

1974 - To continue all ongoing projects, seminars, and conferences to  
1975 - include all cities of 5,000 population and over will be the chief  
1976 objective of these years' activities.

##### b. Action Projects

###### (1). *Police - Community Relations Units*

Although several of the major cities in Texas are credited with having effective police-community relations programs, reports indicate a need for refinement and improvement. Other large and medium-sized cities need to develop such programs. Planned in the 13 cities of near 100,000 population or more, and in several in the 50,000 to 100,000 population group, are full programs which will help establish better police relations with young people

and racial minority groups, and which will result in a general reduction of tensions.

It is the objective of the "Police - Community Relations Units" program to assist in establishment or improvement of community-relations units in each city of over 100,000 and some of 50,000 to 100,000 population in the next five years. Assuming the continued growth of middle-sized cities, this means that approximately 35 to 40 projects will be funded during fiscal year 1972 and the four succeeding years.

*(2). Police Training for Police - Community Relations*

Although specialized training, this project is considered an integral part of "Peace Officer Training" and is funded under that category.

*(3). Off-Duty Police Officers in Civic and Recreation Programs*

During the multi-year period, this project will be funded in most of the cities of 100,000 population and over. This project is beneficial because it allows the officers to project themselves into situations not related to enforcement.

*(4). Citizen Complaint Processing*

Every jurisdiction should provide adequate procedures for full and fair processing of all citizen grievances and complaints about the conduct of any public officer or employee.

In addition, police departments should develop and enunciate policies that give police personnel specific guidance for the common situations requiring exercise of police discretion. Policies should cover such matters as issuance of orders to citizens regarding their movements or activities, handling of minor disputes, safeguarding of the rights of free speech and free assembly, selection and use of investigative methods, and the decision of whether to arrest in specific situations involving specific crimes. As policies are developed, they will be collected and a police guidance manual will be prepared for wide distribution and adoption by individual agencies.

*(5). Minority Group Police Officer Recruitment*

This project will produce several full-scale recruiting efforts in minority groups, particularly in the larger cities and on a regional basis where there is a percentage of minority population of 10 to 20 percent.

#### Summary of Action Projects

1972 Continuing ongoing programs and evaluating pending programs will be this year's primary activities. Citizen complaint processing will be expanded to other major cities. Emphasis will be placed on getting off-duty officers involved in community programs. Police minority recruiting will be expanded to additional cities and into one region. Additional police-community relations units will be funded.

1973 This year's activities will be reevaluating the citizen-complaint processes and selecting the most successful models, and initiating

new programs. Supporting a new and innovative program leading to interpersonal and community relations models and emphasizing education received in the colleges will be extended activities. Additional police-community relations units and minority recruiting projects will be funded.

1974 - Continuing ongoing projects and adding police - community relations  
 1975 - units, minority recruitment and complaint processing units in local  
 1976 agencies will be the extent of activities for these years.

TABLE XVI

Category I: Improvement of Community Relations

Problem	Needs or Objectives	Planning Projects	Action Programs
1. Psychological and sociological problems	Police participation in interdisciplinary community problem solving	Technical assistance unit and CJC office	11 Police-Community Relations Units in Police Agencies 12 Minority Group Police Officer Recruitment
2. Social change and militancy	Improved interpersonal communication and contacts Adequate response to citizens grievances	Technical assistance unit and CJC office	11 Police-Community Relations Units in Police Agencies 12 Minority Group Police Officer Recruitment 13 Off-Duty Police in Civic or Recreational Programs 14 Citizen Complaints Processing
3. Police relations with minority groups	Police-community relations units in police agencies for improved interpersonal communications Police training for community relations Minority group police officer recruitment Adequate response to citizens' grievances	Technical assistance unit and CJC office	11 Police-Community Relations Units in Police Agencies 12 Minority Group Police Officer Recruitment 13 Off-Duty Police in Civic and Recreational Programs 14 Citizen Complaint Processing 15 Minority Group Police Officer Recruitment

J. RESEARCH AND DEVELOPMENT

1. Problems and Needs

While our society has undergone significant industrial, economic, social, and scientific changes, the overall response to crime has changed comparatively little. A review of the problems and needs in other categories of this plan indicates the aggregate criminal justice system problems and needs which can be largely resolved through basic research-and-development planning. To succeed in making lasting improvements, and to encourage a permanent awareness that changing causes and conditions demand corresponding changes in response, the criminal justice system continually must seek self-improvement. Research-and-development programs can provide comprehensive, innovative answers to some of the most pressing problems. Many of these problems are shrouded in traditional responses to crimes, while others have arisen as a result of the system's failure to take full advantage of proven tools and methods. These programs are designed to

assist criminal justice agencies in producing innovative improvements through basic research-and-development planning.

Based on the needs of the criminal justice system, the research-and-development planning programs which we anticipate and desire fall into three categories: equipment, information, and systems analysis.

Research into the development and applications of new equipment can provide criminal justice agencies with increased capability for operational functions. The purposes of such research will be to develop new equipment to meet specific needs or to apply existing technology (equipment and methods) to solve criminal justice problems and needs. Chief objective is to update criminal justice agencies with the tools of today and tomorrow.

Research also is required in the area of information or diagnostics of criminal justice problems and needs. Quoting from the *1969 Criminal Justice Plan for Texas*:

That part of the planning process involving the collection of data on resources and conditions, the digestion and evaluation of that data, the realization of the magnitude of problems and needs has revealed an even stronger need to expand and accelerate that very process.

In this regard, projects to study crime--its causes and effects--the behavior of individuals and evaluations of the response to these conditions will be actively sought. These research efforts will be designed to produce specific conclusions and recommendations for action-oriented programs. Evaluation of research proposals will be critical of those that seek merely to gather data with little concern for how those data can be used effectively.

Today's technology has far outstripped the system's ability to use it effectively. As a result, many criminal justice agencies and systems are operating under traditional methods, evolved over a long period. This lag has created a fertile field for applying systems analysis techniques to arrive at solutions by first determining objectives, then proposing, evaluating, and selecting the alternatives--keeping in mind that technology offers many possibilities. Research-and-development planning utilizing such techniques as systems analysis can, therefore, provide operational criminal justice agencies with significantly more effective environments.

In this functional category a great need exists to coordinate programs with the efforts outside the criminal justice system. Consideration of significant programs and projects in the field of criminal justice research and development must be tempered by the research-and-development efforts of local, state, and federal agencies. To utilize these research funds effectively it will be necessary to learn through the National Institute of Law Enforcement and Criminal Justice what specific projects are being contemplated and implemented over the nation and in the states.

Research efforts for state planning, to assimilate and analyze information on problems and needs and existing resources, will continue as one of the basic functions of the Office of Criminal Justice Planning. The facilities and resources available to this office through the regional councils and research-and-planning departments in the major metropolitan areas will be fully utilized.

## 2. General Statement of Priorities and Programs

### 3. Multi-Year Financial Plan

The program descriptions identified below are those which now can be adequately defined and documented for the immediate future. This list is not intended to be all inclusive or exclusive of research and development programs for future years, although they do form an adequate base for multi-year planning.

#### a. Planning Projects\*

Program Description Titles	1972	1973	1974	1975	1976
Studies of the criminal justice system	\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000

\*These estimates do not include operational expenses of the SPA.

#### b. Action Programs

Program Description Titles	1972	1973	1974	1975	1976
Research and development	\$400,000	\$600,000	\$800,000	\$600,000	\$600,000
Regional Council, City, and County Planning Units	125,000	200,000	200,000	150,000	100,000

### 4. Multi-Year Forecast of Accomplishments

As a result of planned research and development efforts and other programs identified in this plan, it is expected that three broad goals will be achieved. The adaptation of new equipment and its related techniques will have altered the environment in criminal justice operations. This change will bring new capabilities to law enforcement agencies for detection and apprehension of criminals; to prosecutory functions for development and use of evidence; to the courts for more efficient docket management and dispositions; to corrections and rehabilitation agencies for more efficient detention facilities and more effective rehabilitation programs. Information on specific equipment, tools and techniques, agencies in which they will be utilized, and numbers and types of equipment will not be available until more data are assimilated and analyzed as a result of planned efforts listed in the following.

The collection and use of data on resources and conditions within the state will be increased significantly not only for more effective planning, but also for better management of the criminal justice system and its component parts. Expanded efforts to begin immediately will seek the more complete and accurate quantitative data that have heretofore been difficult to obtain. In researching the criminal justice system, the information needs will be satisfied for three broad goals: (1) greater specificity and quantification of criminal justice problems and needs, particularly at the local level; (2) data relating to the existence, conditions, and responses of crime and its effects toward a more scientific, statistical base; and (3) inventory data on personnel, financial, equipment, and facility resources. With this information digested and analyzed, the state planning function will have more conclusive evidence upon which to base quantitatively specific planning goals and priorities.

Through more scientific management techniques--the application of systems



analyses, data processing, operations research, program modeling and simulation, and organizational theory—the means will be developed by which operational criminal justice agencies can function at an optimum level. Initially, systems will be designed or redesigned to incorporate principles of scientific management which, through these projects, will be tested and developed for application in similar agencies of other jurisdictions. An intermediate period should see the gradual acceptance and proliferation of such systems throughout the criminal justice field. Finally, in later stages these systems and techniques will become widely adopted, refined, and polished to provide a new dimension to management and operation of the criminal justice system.

Metropolitan planning agencies will be used to supplement, but not replace or duplicate, the activities of the regional councils in the major metropolitan areas of the state.

## K. IMPROVEMENT OF INFORMATION AND COMMUNICATIONS SYSTEMS

Although great strides have been made through the assistance of LEAA funds, especially in communications, there still are many information systems in Texas which are manually operated, fragmented, and decentralized. Some of the most common problems encountered are:

1. *Slow access* to source of stored information because of congestion and antiquated radio and teletype communications.
2. *Retrieval delays* because of difficulty in processing and disseminating large volumes of data manually.
3. *Duplication* of files because of the inadequacies or nonexistence of centralized data bases.
4. *Fragmented information* because of the lack of a uniform and mandatory reporting system.

The various criminal justice agencies seldom attempt to acquire comprehensive information from other agencies, or they rely solely on internal records which are parochial in nature. The development of these local agency files creates fragmentary records as far as a statewide information system is concerned. Only limited information is rapidly available to law enforcement officers. Although the actions of one criminal justice agency impacts heavily upon the activities of other agencies, it is difficult to trace a subject through the criminal justice system. It is impossible to determine rapidly the status of an offender in the criminal justice process, and the true rate of recidivism cannot be determined under the present system of reporting. Uniform criminal justice codes do not exist; development of these codes is mandatory if offenders are to be classified properly during their progress through the criminal justice system. A problem exists in determining where to inquire for information on criminal history; it is difficult to know if a complete history exists. Probation and parole agencies rarely know of police contact with a parolee or probationer if the event occurs outside the supervisory jurisdiction. Conversely, law enforcement agencies of remote jurisdictions are not likely to determine

### 1. Problems and Needs

with timeliness whether a subject is a parolee or probationer. The courts either must spend significant time developing information required to support bail and sentencing decisions or make the decisions without adequate background. As a result the process is slowed or the quality of decisions lowered.

The relationship between adult and juvenile sectors of the information system requires strengthening. Criminal behavior patterns tend to develop in the juvenile period and, although statistics identify juvenile crime as the majority of the total criminal activity, very few data are available, because most juvenile histories are fragmented in local law enforcement agencies and county court records.

In addition to DPS, 780 county and municipal departments are using approximately 8,000 radio transceivers to provide law enforcement services throughout the state. In the past, effective communications with neighboring departments has been emphasized at the expense of communications within individual departments. This priority system has resulted in heavy message traffic on low band frequencies with wait times of 30 seconds to two minutes. Delays of this magnitude can reduce the crime clearance rate significantly because of late arrivals at the scene of the crime. Another problem commonly reported by law enforcement departments is the lack of communications with other police departments where communications equipment includes teletype as well as radio. Since teletype is normally used to obtain data--such as stolen vehicles, stolen property, vehicle registration, and arrest records--from a central computer or from manual files, direct radio access from a patrol car to a communications center must include a terminal into the Texas Law Enforcement Net. A noticeable number of areas are beyond radio range of a dispatcher with a law enforcement terminal. Distances of more than 50 miles are assumed to be beyond radio range, although 30 miles would be a more realistic limit.

Texas urgently needs a statewide law enforcement radio frequency plan which will identify frequencies to be used in regions throughout the state. Approximately 200 additional base stations should be installed to improve dispatching services, and more than 7,000 mobile transceivers must be replaced to provide adequate law enforcement radio communication services.

In summary, there is a great need to computerize additional law enforcement data at the state level and to encourage automation of certain criminal justice information at the regional level. Both radio and landline communications must be updated to provide rapid access to the information systems as they are developed.

## **2. General Statement of Priorities and Programs**

The goal of improving communications and information systems of Texas criminal justice activities remains one of the highest priorities of CJC and the agencies of the criminal justice system.

Continual demands upon the criminal justice agencies have necessitated the search for new technology to meet the increasing demands for rapid accessibility and availability of information on local, regional, state, and national levels. Criminal justice agency functions have become more complex and dynamic, and require improvements not only in the criminal justice process, but also in management, planning, and control for more effective operations. It is apparent that emphasis must be placed on developing a

totally integrated information system, well grounded in communications, that will bring about the unity and integrity required for the criminal justice process. It must satisfy current and projected needs of law enforcement, prosecution, defense, courts, probation, corrections, pardons and paroles, and other state and local agencies having need for criminal justice information.

CJC has established a basic design and began implementation of the Texas Criminal Justice Information System. It will improve the performance of law enforcement and criminal justice agencies through efficient retrieval and exchange of information on a near real-time basis. It will be designed to provide law enforcement agencies with tools for detection and apprehension of a higher percentage of criminals, to speed significantly the judicial process, and to classify and rehabilitate more effectively the criminals assigned to a correctional agency. Law enforcement and criminal justice agencies will have access to specialized files through the DPS switching facility. Information available to criminal justice agencies will include driver's license and criminal history records, vehicle registration data, stolen property and stolen vehicles files, and wanted person files.

Implementation of the Texas Criminal Justice Information System is being accomplished in two phases. The first phase has significantly updated the law enforcement teletype system, with plans for further sophistication. Incremental automation of high benefit applications that are relatively inexpensive to implement has been initiated. During this first phase of implementation, the communications system has been improved to link all law enforcement teletype terminals and provide automatic message switching for the entire network. Terminals have been upgraded to transmit and receive 100 words per minute and to operate automatically through off-line preparation of messages. Updating of the system and installation of additional terminals is made possible through CJC grants for terminal and line costs. Small communities will be reluctant to participate unless continued CJC assistance can be expected or an alternative provided.

Additional objectives of phase one of the TCJIS implementation include:

1. Development of on-line retrieval and update of selected adult criminal histories.
2. Conversion of stolen vehicle and stolen property files to an on-line system.
3. Development of a wanted person subsystem.
4. Interface with the Motor Vehicle Division of the Texas Highway Department for access to data on vehicle registration.

Phase two of the TCJIS implementation will provide additional upgrading of communications equipment and access to the following data files:

1. Driver's license files of DPS expected to be completed by 1972, eventually to interface through the DPS automatic communications switching system.
2. Juvenile history files which will contain some information on juvenile offenders for agencies which have a need to know.
3. Subject-in-process files which track offenders through the criminal justice process from the time of their arrest until they are released. Each

record in the subject-in-process data base will reflect the history of each arrest and the current status of an offender while he is in the criminal justice process. The aggregate of these records will be used as a research and management tool to provide efficient criminal justice procedures and will provide information to all agencies in the field of law enforcement, courts, and corrections. A prototype subject-in-process system has been developed in Tarrant County by the NCTCOG. Creation of this data base is a time-consuming process, depending upon the cooperation of the various criminal justice agencies in the regions. Implementation of mandatory uniform reporting procedures would alleviate the problems of creating this unique and highly significant data base.

4. A master name index to indicate the information bases in which records of an offender can be found. It will serve to combine and coordinate information utilized throughout the total system.

**TABLE XVII**  
**Category K: Improvement of Information and Communications Systems**

Problems	Needs or Objectives	Planning Projects	Action Programs
1. Slow access to sources of stored information	Radio communication systems designed to minimize frequency congestion and provide fast, clear, and coordinated statewide radio coverage  Landline communication systems using new technology to expedite message traffic over high speed lines to provide immediate access to computerized data banks	Radio communications consultant to provide statewide law enforcement radio communications design  Staff effort to keep abreast of technical advances as they relate to criminal justice utilization	K3 Law Enforcement Radio Communications  K5 Landline Communications
2. Retrieval delays caused by manual methods of processing and disseminating large volumes of information	Automated methods to process, store, and retrieve various types of information including but not limited to methods which store images of original documents	Staff evaluation of existing methods and the adaptation for use by the criminal justice components	K1 Information Systems  K4 Document Storage and Retrieval
3. Duplication of files by agencies due to inadequacies and nonexistence of centralized data bases	Automated data bases maintained by responsible agencies with access through a centralized, automated index	Systems consultant to design and coordinate the development of regional courts' systems. Staff effort to insure state and local efforts are compatible	K1 Information Systems  K4 Document Storage and Retrieval
4. Fragmented and incomplete information caused by inconsistent reporting policies and procedures	State of Texas uniform and mandatory reporting system	Coordinated effort by the staff and other interested agencies to promote legislation required to set up a uniform reporting system	K2 Records and Reporting

Although an automatic teletype switching system was installed at DPS in September, 1970, it rapidly became outdated and a redundant system with increased capabilities was installed in September, 1971. Additional software

and hardware were required to expand the system's capability for handling other than five-level BAUDOT code used by the 28ASR teletype. Elimination of manual relay into the National Crime Information Center also involved additional programming.

Other high priority items under the "Communication and Information Systems" program are further expansion of local and regional information systems and improvement of radio communications for law enforcement personnel. During the five-year period covered by this plan, approximately 3,000 single-channel low-band law enforcement transceivers should be converted to multi-channel high-band. One thousand single-channel transceivers in the high-band should be changed to multi-channel operations, and approximately 2,000 single-channel low-band transceivers also should be replaced. In the metropolitan areas, conversion of an estimated 500 high-band transceivers to UHF is required, (exclusive of Dallas, Fort Worth, Houston, and San Antonio). Additionally, it is estimated that approximately 200 base stations should be added to the law enforcement radio network.

a. Planning Projects

Program Description Titles	1972	1973	1974	1975	1976
Support for systems development & implementation	\$ 300,000	\$ 300,000	\$ 300,000	\$ 200,000	\$ 200,000

b. Action Projects

Program Description Titles	1972	1973	1974	1975	1976
Information systems	\$2,400,000	\$3,000,000	\$3,000,000	\$3,000,000	\$2,000,000
Records and reporting	100,000	200,000	600,000	600,000	600,000
Law enforcement radio communications	2,550,000	5,000,000	5,000,000	1,000,000	500,000
Document storage and retrieval	400,000	1,000,000	1,000,000	1,000,000	1,000,000
Landline communications	1,100,000	2,000,000	2,000,000	500,000	500,000

c. Discretionary Projects

Program Description Titles	1972	1973	1974	1975	1976
Information systems	\$1,000,000	\$1,000,000	\$1,500,000	\$1,500,000	\$1,000,000
Law enforcement radio communications	2,500,000	2,000,000	1,000,000	1,000,000	500,000

The five-year goal of the communications and information systems program is to establish a statewide network consisting of a central communications switching system to interface local law enforcement agencies with state and national data files. Revamping of the law enforcement radio communications system will be accomplished and landline communications will be improved to permit real-time access to regional and state data files by both mobile and fixed law enforcement stations. Status of offenders who are in the criminal justice process also will be readily available to the courts and other criminal justice agencies.

1972 In 1972 specific accomplishments will include:

1. Continued implementation of Phase 1 of the Texas Criminal

3. Multi-Year Financial Plan

4. Multi-Year Forecast of Accomplishments

Justice Information System.

2. Accelerated conversion of criminal history records.
  3. Computer interface with state criminal histories.
  4. Implementation of approximately 50 percent of the Texas law enforcement radio communications system.
  5. Addition of approximately 50 terminals to the law enforcement communications system and conversion of approximately 25 percent of existing terminals to state-of-the-art devices.
  6. Design and development of additional information systems at the regional and local levels.
  7. Continuation of the Tarrant County subject-in-process prototype as an operational system (additional participation and expansion of the system within the Fort Worth-Dallas area is anticipated).
  8. Automation of document storage and retrieval procedures and improvement of criminal identification techniques at the Department of Public Safety.
  9. Installation of microfilm systems at approximately five agencies of local government.
  10. Definition of formats and procedures to establish a statewide uniform criminal justice reporting system.
  11. Implementation of an inmate tracking system at TDC.
- 1973 Implementation of the Texas Criminal Justice Information System will continue and additional regional and local information systems will be established. Further expansion and improvement of the law enforcement radio system will be emphasized and additional video terminals will be added to the landline communications system. Adequate landline communications coverage is expected to be completed by the latter part of the year. Expansion of the records and reporting system (subject-in-process applications) will be encouraged on a voluntary reporting basis.
- 1974 Additional improvement will be made to data terminal devices and automatic communications switching systems. Statewide uniform reporting procedures will be implemented in the latter part of 1974. Additional radio equipment will be provided for local law enforcement agencies. Improvement of document storage and retrieval systems will continue.
- 1975 Development and expansion of criminal justice information systems will continue with corresponding improvements in communications equipment and facilities.
- 1976 Continued support for communications equipment will be provided and automation of criminal justice information will be extended throughout the state.

## L. CONSTRUCTION OF PHYSICAL FACILITIES

### a. Municipal Law Enforcement Facilities

- (1). Inadequate headquarter operation space
- (2). Location in basement area with limited accessibility to citizen users as well as workers
- (3). Floor plans or arrangement of space not designed for efficient operation--located in several different buildings
- (4). Total lack of or inadequate sub-stations in large metropolitan cities
- (5). Hold-over jail facilities
  - (a). Inadequate incarceration in tank-type cells (multiple prisoners)
  - (b). Inadequate sanitary plumbing and facilities for basic needs (privacy, body hygiene, personal safety, recreation, feeding, etc.)
  - (c). Lack of or inadequate temporary juvenile holdover facilities
- (6). Failure of municipal governing bodies to keep pace with needs and requirements for adequate space
- (7). Lack of local funds and general citizenry support to purchase or construct necessary physical facilities

### b. County Law Enforcement Facilities

- (1). Inadequate space for operations
- (2). Lack of planning and arrangement for most efficient use of existing space
- (3). Inaccessibility by the citizen user and the worker
- (4). Available space not connected and in many instances in several buildings
- (5). Failure of county governing bodies to plan for and provide necessary space for operations
- (6). Failure of citizenry to support and insist that counties provide facilities

Housing for police agencies varies from excellent to almost nonexistent. A majority of sheriffs' offices are located in courthouses. Many of the police department buildings are old, crowded, and totally inadequate. New or renovated, well designed, properly located police department headquarters are needed in many locations for the proper operation of the police agencies.

CJC recognizes that the construction of facilities involves large expenditures and that only the finest facilities can contribute to the overall improvement of the criminal justice system. Because of the large financial requirements and the relative shortage of funds, ample consideration must be given to funding priorities.

Preference will be given to funding local physical facilities which are part of a larger operation program than the physical facility itself. Programs for regional facilities or for physical facilities serving more than one unit of local government shall be given funding preference over a strictly local project. To

## 1. Problems and Needs

## 2. General Statement of Priorities and Programs

aid in determining priorities CJC will consider the need of local government entities and their inability to fund such programs locally. Certain specifications will be required in applications, such as data concerning the tax rate of local government entities and the tax evaluation ratio in comparison to actual value.

Indications are that there has been little or no change in the basic operation of most jails in Texas during the last 100 years. Many of the older jails are unfit for human occupancy. Some are totally devoid of sanitary facilities. Most jails in Texas use the warehousing method of housing prisoners in tank-type facilities with little regard for the prisoner's privacy, physical condition, mental or emotional state, or prior criminal background. Few jails operate mandatory body hygiene programs and few provide adequate and secure facilities for the personal safety of the prisoner. Many jails are so crowded that bedding is insufficient for the number of prisoners. Often the young, the elderly, and the infirm are at the mercy of, or unduly influenced by, the more hardened prisoners. Most jail facilities in Texas should be either rebuilt or completely renovated to provide adequate facilities for the prisoner's basic sanitary and personal needs in an atmosphere conducive to rehabilitation.

The highest priority for correcting these problems will be the establishment of regional correctional facilities. Presently there is a lack of operating and construction funds for jails in counties and cities. Under the regional concept, financial and personnel resources can be pooled to provide adequate facilities and rehabilitation programs; career correctional positions can be established and individuals in these positions can receive adequate education, training, and pay.

Local juvenile detention facilities in the state are wholly inadequate. Few of the 254 counties have separate facilities for children charged in a delinquency petition with a felony or a misdemeanor, or for runaway children pending return to their own jurisdictions. Fewer than a dozen counties have detention facilities designated specifically for juveniles. In all others the county jail usually is the place where the juvenile offender is detained. Most jail facilities of the counties are inadequate, understaffed, and in no real position or condition to provide adequate care and supervision to children. While the statutes do not prohibit the placing of the child in jail, they do specify that he shall be separated from adult offenders. No jails have been constructed to provide an area especially for housing juvenile offenders.

It is readily obvious that the sparsely populated county could not afford to build a detention facility especially for juvenile offenders. Since regional detention facilities have been used successfully in other parts of the nation, however, consideration will be given to the use of multi-county districts to create and operate such facilities in this state.

**3. Multi-Year Financial Plan**

Program Description Titles	1972	1973	1974	1975	1976
Construction of law Enforcement facilities	\$ 5,000,000	\$ 7,000,000	\$10,000,000	\$10,000,000	\$10,000,000

**4. Multi-Year Forecast of Accomplishments**

During this five-year planning period, CJC will continue to assist financially the construction of a state-supported center for continuing education to provide graduate and post-graduate degree programs to all criminal justice personnel. It also will seek to assist the construction of facilities to house



correction and rehabilitation programs for state, regional, and local agencies, and law enforcement facilities for police operations.

There are, however, many unknowns which must be resolved to document sufficiently a year-by-year forecast. These relate to the need to develop further a more comprehensive statement of problems and needs in the major disciplines and among the multitude of agencies (the Legislature to convene in January, 1973, may provide input to this problem, as may congressional action now being considered). Documentation of a year-by-year forecast of accomplishments, therefore, is being postponed, pending legislative developments.

TABLE XVIII

Category L: Implementation of Construction Programs

Problems	Needs or Objectives	Planning Projects	Action Programs
1. Fragmentation; lack of correctional programs and functional facilities	Adequate planning before implementation of programs L3 - L4 - L5		L2. Planning New or Improved Correctional Facilities To Implement Programs L3 - L4 - L5
2. Local governments' inordinate financial burden of supporting complete detention and rehabilitation facilities	To provide adequate correctional facilities in suitable locations, to maximize rehabilitation and reduce the tax burden and cost to local governments	Planning provided for in L2	L3. Construction of Regional Facilities
3. Statewide fragmentation of training and educational concepts in the criminal justice area	To develop and implement standard procedure and operational guidelines, eliminate duplication of effort. To develop and implement standard curricula from the certificate level through the doctoral degree, and provide adequate physical plant	Development of architects' plans for construction by TDC and plans for operation and maintenance by Sam Houston	L4. Construction of State Facilities for Correctional Training and Education
4. Failure of existing local correctional facilities to meet acceptable standards for human habitation	Pilot projects to demonstrate to local units the feasibility of adequate low cost facilities, especially in the smaller isolated communities	Planning need minimal; capabilities of Program L1 should be considered in addition to consolidation of communications services	L5. Improvement in Existing Local Correctional Facilities



COURT ADMINISTRATOR

### III. THE ANNUAL ACTION PROGRAM

POCKET SCHEDULE

COUNTY  
PAROLE OFFICE



### III-A. UPGRADING LAW ENFORCEMENT PERSONNEL





### III. The Annual Action Program

#### Program Descriptions

##### A. UPGRADING LAW ENFORCEMENT PERSONNEL

##### 72-A1. Peace Officer Training

Long-term objective is to have every peace officer in the state adequately trained for his position. Immediate objective is to have each officer trained to a minimum level for his position. The current and long-range program objectives are shown in the table, "Summary of Police Training Plan." This program will cover training for the estimated 1800 recruits entering police service in 1972; management and supervisory training for command personnel; advanced training in various specialized phases of police work such as homicide investigation, fingerprinting, narcotics work, advanced criminal investigation, scientific aids, and police instruction, with heavy emphasis on community relations. In-service training will be provided to requesting police agencies for all training not previously offered by the agency. Basic training of 140 to 240 class hours will be given to a large portion of the 5,000 officers now working without certification or to those who have only the 140-hour minimum certification.

For ease of presentation this program is divided into three parts: (1) general training, (2) police academies, and (3) training equipment.

##### 1. General Training

*Objective* is to provide basic and intermediate training at local and regional academies or by contract with competent agencies, such as Southwestern Law Enforcement Institute at Southern Methodist University; Southern Police Institute, Louisville, Kentucky; Texas A & M University; Texas Department of Public Safety; University of Texas at Austin; and other locations. Advanced training, such as command level organization and management, will be consolidated into training establishments to serve the training needs on a statewide basis.

In-service training can be conducted by individual departments utilizing the extension service of Texas A & M University and in-service schools presented by DPS and the FBI.

*Implementation* of recruit training will be achieved through the 22 regional academies and the 21 operated in the larger police departments, sheriffs' offices, and DPS. Recruits will receive from 10 to 20 weeks (500 to 600 hours) of instruction by certified police instructors in courses approved by the Commission on Law Enforcement Officer Standards and Education. Most of the recruit officers from small departments will receive their basic training in 160- or 240-hour regional academy courses. In the North Central Texas State Planning Region recruits will receive a 10-week basic course of 350 hours or the 160-hour course at an academy operated by the North Central Texas Council of Governments. Various peace officers in specialized law enforcement functions such as the Forest Service, Parks and Wildlife, and campus security may receive basic and specialized courses at existing regional academies.

Consultants from the Commission on Law Enforcement Officer Standards and Education will establish comprehensive course standards and will assist

in coordinating efforts of regional academies as needed. Academies affiliated with junior colleges will receive priority considerations in developing viable and integrated training programs.

Training for recruits in the regional academies will be a continuing program in basic and in-service courses, because a majority of the sheriffs' offices and smaller police departments cannot operate their own training programs.

Other training projects include giving about 600 officers 20 two-week courses for first-line supervisors. Two one-week courses will be held for approximately 100 middle management persons. Six one-week laboratory-type workshops will be held for approximately 120 administrators. Special college-based experimental training programs will be held to provide for operational and training personnel.

Ten scholarships for \$1,600 each covering subsistence, tuition, fees, and materials will be provided for police management personnel to attend the three-month Southwestern Police Academy course, Southwestern Law Enforcement Institute, Southern Methodist University.

Twenty scholarships of \$400 each, covering subsistence, tuition, fees, and materials will be provided for first-echelon police supervisors to attend the one-month session of the School of Police Supervision, Southwestern Law Enforcement Institute.

Ten scholarships of \$1,200 each will be granted for tuition, fees, materials, and subsistence for police management personnel to attend the three-month course in police administration, Southern Police Institute, University of Louisville (Kentucky).

In addition, 70 grants may be made for sending police personnel, such as data processors, lab technicians, polygraph operators, narcotic officers, and other specialized persons for updated training in their fields.

Approximately 40 advanced courses, dealing with such subjects as fingerprinting, drug abuse, homicide investigation, advanced criminal investigation, police instruction, sheriff department operations, and community relations, will be conducted. Some of these will be regional and some statewide.

It is further expected that a majority of the officers not attending the recruit, management, or advanced courses described herein will be provided at least 40 hours of in-service training.

*Evaluation* will be based on a documentation of progress toward training every police officer in the state to an adequate level for his position. The documentation will contain information on such factors as: the number of recruits, a cost analysis of training projects, the administrative effort spent to develop curricula and training, and college credit received by each student. Grantee will compile a description of the curricula and syllabi used in the various training efforts. The number of agencies to which training equipment is made available and the number of persons receiving additional in-service training will be documented.

*Grants* will be made to applicants who can document need and performance qualifications. Grants will be made to the Commission on Law Enforcement



Officer Standards and Education, Texas A & M University, Southern Methodist University; to the Texas Police Association, DPS, regional councils for regional police academies and for special programs conducted in their regions, and cities and counties for police and sheriffs' departments. No more than 50 recipients are anticipated. The grants will range from \$500 to \$150,000.

## 2. Police Academies

*Objective* is to provide a training facility accessible to regions and to assist in upgrading major city academies in providing quality training for officers of all ranks. The training includes recruit, in-service, and specialized training as deemed necessary for a department. A secondary objective is to have a regional academy affiliated with a college in order to upgrade and improve both the training and the education programs.

*Implementation* will be through regional councils and local agencies, which may under special situations employ a training director and clerical personnel (full-time or otherwise). Priority for a full-time training director will go to regions who can justify the position by the volume of training to be conducted. High priority for a full-time director will go to regions who present a feasible plan to consolidate with adjoining regions. Priority for a part-time director will be given COG's which affiliate with an ongoing college program or with already established municipal academies.

*Evaluation* will be based on a documentation of progress toward training every police officer in the state to an adequate level for his position. The documentation will contain information on such factors as: the number of recruits, management personnel and technical personnel participating in training programs, and the units of training (by time, credits, etc.) received by each. Grantee will compile a description of instructional equipment used and of the curricula and syllabi used in the various training efforts. Training needs will be reviewed continually and, in regions with less than 500 officers, preliminary studies will be made toward consolidation of regional training facilities with an adjoining region, with a college, or with a major city academy.

*Grants* will be made only to regional councils and units of local government. Twenty to 25 recipients are anticipated. The grants are expected to range from \$10,000 to \$100,000.

## 3. Training Equipment

*Objective* is to increase the capabilities of law enforcement agencies to offer continuous in-service training.

*Implementation* will be accomplished through grants to units of local government or state agencies for purchasing equipment and materials such as projectors, library and reference books, films, and packaged programs for their police agencies.

Agencies desiring to purchase equipment must show a plan for its continual utilization. The equipment must increase the agencies' capabilities to train

their personnel. No equipment will be purchased to replace or add to existing conventional equipment.

Grants will be increased in the next five years to bring the training academies of the 10 major cities to top efficiency in terms of technology and teaching materials.

*Evaluation* will be based on documentation of progress toward training every police officer in the state to an adequate level for his position. The documentation will contain an evaluation of training equipment utilization by the grantee. An assessment of the units of training (by time, credits, etc.) received by each officer and an evaluation of impact of new technology on the training programs will be made.

*Grants* will be made to units of local government, combinations thereof, or state agencies which can demonstrate a need for the equipment and a plan for continual utilization.

Eight grants, ranging from \$5,000 to \$40,000, are anticipated.

#### *Special Guidelines for Training Programs*

1. No salaries of trainees, either regular or overtime, will be funded in any project, but they may be counted as matching funds.
2. In regional training programs neither transportation nor subsistence (meals and rooms) will be funded, but they may be counted as matching funds. Also, grants generally will be limited to a maximum of \$700 per 35- to 40-hour week for basic training and \$800 per 35- to 40-hour week for special courses.
3. In statewide courses (A & M, DPS, TPA, SMU, etc.) subsistence (\$16 per day maximum) will be funded but not transportation; transportation may be counted as matching contribution.
4. In out-of-state courses tuition, transportation, and subsistence (\$14 per day maximum) will be funded.
5. In all courses, instructional costs (tuition) will be funded.
6. When feasible, training above the 240-hour level should be phased into regular technical education programs and supported under LEEP funding. Assistance in funding minimesters to accommodate training needs will receive consideration. (A minimum of 48 hours of instruction is required for a credit course.)
7. All training funded in advanced supervision, organization, and management courses should be structured to receive college credit. No credit class shall be scheduled for less than 48 instructional hours.
8. All regional training programs shall be open to all local law enforcement officers on an equal basis. Special law enforcement officers may attend existing training programs on the same basis as local officers.
9. All regional training directors, curricula, instructors, materials, and

facilities must be approved by the Commission on Law Enforcement Officer Standards and Education.

*Combined Program Budget:*

Criminal Justice Council (Part C)	. . . . .	.\$ 850,000
State matching	. . . . .	.\$ 83,333
Local matching	. . . . .	.\$ 200,000
Total for program	. . . . .	.\$1,133,333

Ratio 75% Criminal Justice Council and 25% state/local.

For convenience, this program is divided into two parts: (1) general education and (2) education incentives.

**72-A2. Professional College Education**

1. General

*Objective* is to increase the number of police officers in service who hold academic degrees in police science or similar field of study. The objectives are to enroll 600 qualified graduating high school seniors, including police cadets, and 4,000 active police officers in junior and senior colleges and universities in programs leading to these degrees, and to improve basic law enforcement curriculum through empirical and applied research.

*Implementation* will be aided by two consultants of the Commission on Law Enforcement Officer Standards and Education who will be assigned to work full time in designated regions to assist the college coordinators in securing instructional materials, instructors, and other technical assistance. They also will work with eligible high schools to get them to teach police administration, a state-authorized subject. Additionally, the consultants will encourage junior and senior colleges and universities to offer degree programs in the criminal justice field. They will work with high schools and their vocational guidance counselors in recruiting qualified graduates to enroll in college police courses. Select colleges will be requested to initiate innovative programs and courses as models for improving law enforcement curricula, and to encourage programs that will help bring education and field operations closer together. Texas Education Agency will be requested to participate in the development of special programs.

Cities implementing cadet programs will recruit persons between 17 1/2 and 20 years of age who will work part time in the police departments and enroll in a college or university for a specified number of courses. Funds to assist a city in paying for salary and uniforms will be provided and tuition and fees paid where LEEP loans and grants are exhausted or not available.

This program will be continued and expanded until a sufficient number of associate or baccalaureate degree recipients are available to fill the vacancies for police officers and deputy sheriffs annually.

*Evaluation* will be based on documentation of an increase in police officers who hold baccalaureate degrees in fields related to law enforcement. For both managerial and evaluative reasons, the grantee will document the number of participating officers who have since been promoted or who have resigned to seek another position. Interviews will be conducted with both

administrators and participating officers to gain perceptions of the courses available. A description of the courses and syllabi of these courses will be compiled along with a statistical sketch of each participating officer.

*Grants* will include one to the Commission on Law Enforcement Officer Standards and Education, a state agency, for salaries, travel, and operational expenses for two consultants. Four or five grants will be made to cities for cadet programs.

*Special Restrictions:*

Cadets must work a minimum of 20 hours per week and carry at least eight semester hours. Colleges will be requested to apply for state and discretionary grants. Colleges will employ their own coordinators. Through the use of Part D funds, available under Title I of the Act, student loans will be offered. LEEP loans may be secured through Section 704 of the Act. Grants will range from \$10,000 to \$50,000.

## 2. Education Incentives

*Objective* is to assist cities and counties in encouraging their employed police and sheriff's officers to enroll in directly related law enforcement courses at accredited colleges by providing additional salary increments.

The long-term goal is for every police officer with general police responsibility to hold a baccalaureate degree in a law enforcement program. During 1972, 800 to 11,000 officers will receive incentive pay for completing law enforcement-related college work.

*Implementation* will be through cities or counties which will apply for grants to pay 50 percent of increased salary payments for men who have completed one year of college work and a specified period of acceptable service in the department. These periods will range from two to five years.

*Evaluation* will be based on documentation of an increase in police officers who hold baccalaureate degrees in fields related to law enforcement. For both managerial and evaluative reasons, the grantee will document the number of participating officers who have since been promoted or who have resigned to seek another position. Interviews will be conducted with both administrators and participating officers to gain perceptions of the courses available. A description of the courses and syllabi will be compiled along with a statistical sketch of each participating officer.

*Special Restrictions:*

*Salary Incentive* - Grantee will make one-half of the additional salary payments in cash. Men receiving the salary increment shall have completed at least one year of accredited law enforcement education. If a department wide effort is made to upgrade the educational qualifications, the two five-year restrictions may be waived.

*Combined Program Budget:*

Criminal Justice Council (Part C)	\$452,000
State matching	\$ 19,000
Local matching	\$131,667
Total for program	\$602,667

Ratio 75% Criminal Justice Council and 25% state/local.

Purpose is to improve the law enforcement component of the criminal justice system by upgrading personnel administration. The program will deal with any project related to the improvement of personnel policies and procedures, including constitutional and statutory authority, personnel qualifications, and personnel selection.

**72-A3. Personnel Administration Systems**

1. Personnel Qualifications

*Objective* is to improve the law enforcement personnel system. This will include improved police recruitment and selection, giving police agencies in Texas the capability to secure a sufficient number of quality police recruits to keep their departmental strength at authorized levels.

Long-term goal is to develop a statewide recruitment program to attract highly qualified applicants to police service.

*Implementation* will be by state agencies, units of local government, or combinations thereof through grants for consultants and for staffing, equipping, and operating recruiting units which expand the recruitment capabilities of police departments.

Preference will be given to the Commission on Law Enforcement Officers and Standards to subcontract for a statewide study to improve the system and to units of governments which can demonstrate a high level of police vacancies over several years and substantial previous efforts directed toward reducing those vacancies.

This program will pay costs of salaries, travel, per diem, equipment, and associated publication costs for expanded police recruitment efforts.

*Evaluation* will be based on documentation of success in attracting and retaining more highly qualified law enforcement officers. The documentation will include such factors as: the demographic, social, professional, and educational histories of current members of the department; a description of the current civil service structure and departmental regulations which affect both recruitment and advancement; a description of the changes made in these policies and the resulting effect on personnel administration. Changes in the rate of officer turnover and number of applicants will be documented and data enabling a cost analysis will be collected.

*Grants* may be made to state agencies, units of local government, or combinations thereof. It is anticipated that most grants will go to major cities; however, recruitment programs in which a number of departments agree to act together will be considered if the combined needs of the

departments warrant.

*Special Restrictions:*

Full-time salaries will not be paid for recruitment personnel in any unit of government, or combination of units, having less than 100,000 population.

2. Improved Police Selection

*Objective* is to upgrade the requirements for employment by law enforcement agencies. Current selection procedures will be refined through utilization of the findings of the study, "Psychological Assessment of Patrolman Qualifications in Relation to Field Performance," LEAA Project 046, and similar projects. Ultimate goal is for every police agency in Texas to utilize the most efficient methods of selecting personnel.

*Implementation* will be through select state agencies, cities, and counties using grants to design a new selection procedure and to purchase necessary materials for its implementation. Personnel from applicants' departments will be involved in the development of the procedure. Technical assistance may be acquired from large industries with major personnel departments or experts from universities. It is anticipated that during 1972 not more than four such grants will be made, one of which should be a part of a statewide study. If projects are successful in developing improved selection procedures, the program should be extended with additional CJC support.

*Evaluation* will be based on documentation of success in attracting and retaining more highly qualified law enforcement officers. Documentation will include such factors as: the demographic, social, professional, and educational histories of current members of the department, a description of the current civil service structure and departmental regulations which affect both recruitment and advancement, a description of the policy changes, and the resulting effect on personnel administration. Changes in the rate of officer turnover and number of applicants will be documented and data enabling a cost analysis will be collected.

*Grants* will be to the Commission on Law Enforcement Officer Standards and Education for subgrants to an approved consultant, cities and counties for their respective police and sheriffs' departments. It is anticipated that one statewide grant and not more than four to local agencies will be funded during 1972. The state grant will be approximately \$100,000, and local grants are expected to range from \$5,000 to \$25,000. Local grantees must have a personnel department with some expertise in personnel management activities.

3. Other Personnel Policies and Procedures

*Objective* is to upgrade personnel policies, procedures, and management techniques.

*Implementation* will be achieved by a priority system, beginning with a statewide comprehensive administrative analysis of the police component of the criminal justice system (cited in the D category). Either following or

concurrent with this study will be the in-depth studies of compensation and benefits, personnel qualifications, and other problem areas in personnel policies and procedures that will not be covered in depth in the statewide study.

Each project has its unique method of implementation.

A compensation-and-benefits study may run concurrently and relate to the statewide program. Due to the administrative structures of the state, it should be an independent study, to begin in 1972 and terminate one year later.

*Evaluation* will be based on documentation of success in attracting and retaining more highly qualified law enforcement officers. The information presented will document such factors as: the demographic, social, professional, and educational histories of current members of the department; a description of the current civil service structure and departmental regulations which affect both recruitment and advancement; a description of changes in these policies and the effect on personnel administration. Changes in the rate of officer turnover and number of applicants will be documented and data enabling cost analysis will be collected.

*Grants* will be awarded to the Commission on Law Enforcement Officer Standards and Education to subgrant to consultants or companies of demonstrated expertise in the respective fields.

*Special Restrictions:*

Contained in contractual arrangements.

*Combined Program Budget:*

Criminal Justice Council (Part C)	\$60,000
State matching	\$20,000
Total for program	\$80,000

Ratio 75% Criminal Justice Council and 25% state/local.

*Objective* is to make information available to all field law enforcement officers to keep them abreast of developments in the criminal justice field. Special emphasis will be on the statewide development of materials to promote uniform operational techniques among law enforcement agencies.

**72-A4. Law Enforcement Publications**

*Implementation* will be by DPS or other appropriate state agency which will employ a competent legal staff to review the *Handbook for Texas Law Enforcement Officers* for revisions and will publish and distribute 20,000 to 25,000 copies to law enforcement officers, justices of the peace, and prosecuting attorneys. The handbook covers such topics as laws of arrest, search and seizure, confessions, line-ups, disposition of prisoners, handling juvenile offenders, dealing with mentally disturbed persons, note taking, report writing, interviews and interrogations, case preparation, and criminal investigation. Additional publications will include legal periodicals as well as

penal and procedural laws. This program will be expanded in 1973 to begin preliminary work on model procedure manuals for each area covered under program 72-A3, "Personnel Administration Systems."

*Evaluation* will be based upon completion of an up-to-date revision of the *Handbook for Texas Law Enforcement Officers* and its distribution to all law enforcement officials. Substantial progress also will be demonstrated by making reference material such as legal periodicals, penal and procedural laws, and model procedure manuals more readily available to law enforcement officials.

*Grant* monies will go to one applicant for the handbook project. Units of state or local government or qualified individuals will be eligible for grants to develop other model procedural manuals.

*Special Restrictions:*

Any manual developed must be based upon recognized organizational principles and must conform to the general laws of the state.

*Budget:*

Criminal Justice Council (Part C)	. . . . .	\$20,000
State matching	. . . . .	\$ 6,667
Total for program	. . . . .	\$26,667

Ratio 75% Criminal Justice Council and 25% state/local.





### III-B. PREVENTION OF CRIME





**B. PREVENTION OF CRIME**

**72-B1. Public Education  
Units for Criminal  
Justice Agencies**

*Objective* is to establish criminal justice agency public education units in every part of Texas. It is estimated that from 25 to 30 separate units will be needed to accomplish this objective. A long-term goal is crime prevention through citizens' knowledge of personal and property crimes, ways to protect themselves from crime, methods of helping the police detect criminal activity, and the need for support of and participation in the criminal justice system.

*Implementation* will be by units of local government and combinations thereof to which grants will be made available for developing or improving special units for public education in criminal justice agencies.

The first year's objective is to add to or improve from four to six public education units in metropolitan areas.

Each grantee will be required to assume project costs within a reasonable period so that additional projects can be initiated.

*Evaluation* will be based on a documentation of the number of public education units developed or improved, the number of citizens reached by educational programs, and media employed. The grantee also should be alert to the collection of data showing a reduction in crimes committed as a result of citizens having learned to protect themselves from crimes against person or property. Documentation by the grantee of increased public support of the criminal justice system, such as an increase in the number of contacts with police by the public, also will indicate the success of the program.

*Grants* will be made to units of local government or regional councils. Preference will be given requests from metropolitan areas and to those with regional impact.

From 2 to 4 grants will be made during 1972, ranging from \$5,000 to \$20,000.

Salaries, travel, subsistence, equipment such as projectors and recorders, training materials, and other related expenses can be provided under this program.

*Budget:*

Criminal Justice Council (Part C)	. . . . .	\$50,000
Local matching	. . . . .	\$16,667
Total for program	. . . . .	\$66,667

Ratio 75% Criminal Justice Council and 25% state/local.

**72-B2. Public Contact  
with Police Agencies**

*Objective* is to facilitate public contact with police in seeking emergency help or reporting criminal acts or suspicious situations or persons. The goal is to reduce the average time required for citizens to contact police officers

when crimes are imminent or in progress. This program envisions establishment of a standardized police emergency telephone number (911) throughout Texas. In the current year four or five crime alert programs will be funded; five cities will survey their public police call facilities, and the standardized telephone number will be extended to four or five metropolitan areas.

*Implementation* will be through cities, counties, or combinations thereof, to which grants will be made for one or more of the following purposes: to implement programs designed to acquaint the public with police telephone numbers and to encourage the public to report suspicious acts or persons, such as the popular "crime stop" or "crime alert" programs; to study availability of telephone contact with the police in areas of high crime incidence and to implement programs to remedy deficiencies; to develop with telephone companies standardized police or emergency telephone numbers or procedures by which individuals may use pay telephones to place emergency calls without depositing coins; and to develop any other meritorious program to insure that police aid can be readily summoned when needed.

*Evaluation* will be based primarily on grantee's documentation of a reduction in the average time required for citizens to summon police aid. Progress toward this objective will be evidenced by an increase in the number of metropolitan areas which have implemented a standard police emergency telephone number. Grantee will compile a statistical description of contacts with the agency showing response times associated with current operating procedures as compared to those under the previous system.

*Grants* will be made to six to ten units of local government during this year, ranging from \$1,500 to \$15,000. Recipients will be distributed throughout Texas with the first effort being in metropolitan areas.

*Budget:*

Criminal Justice Council (Part C)	\$50,000
Local matching	\$16,667
Total for program	\$66,667

Ratio 75% Criminal Justice Council and 25% state/local.

**72-B3. Special Meritorious Programs**

*Objective* is to acquaint the public with functional techniques and methods of crime prevention, personal protection from criminals, ways to assist police in the detection of crime and the necessity of citizen support and participation in the criminal justice system. Goals are to develop 25 to 50 innovative and alternate approaches to crime prevention, through public information, education, and participation in police activities. (Drug prevention and abuse are excluded and will be funded under Program 72-B4.)

Approximately 15 projects will be funded by this program during 1972.

*Implementation* will be accomplished through grants for meritorious public education programs and innovative action programs for projects such as:

1. News media conferences and workshops to identify and resolve specific

problems in the role of the media in crime prevention.

2. The dissemination of public service films, tapes, and programs for communicating crime prevention methods to the public.

3. The organization of citizen crime commissions in major metropolitan areas (staffing subject to approval of CJC program staff).

4. Implementation of special programs that are judged to be meritorious by the CJC.

*Evaluation* will be based on a documentation of the number of crime prevention and public education programs implemented and the number of citizens reached by such programs. Grantee will document such factors as:

Changes in the number of crimes committed and identified as having occurred as a result of inadequate protection measures taken by the citizen.

Development of new materials and techniques for public education about crime prevention and control.

Increased public support of the criminal justice system.

Grantee will document the number of persons contacted by the project and the types of media employed. Interviews will be conducted with a sampling of individuals in the target group to gain feedback on the project content.

Citizens' crime commissions should show change in amount of crime, improved agency performance, and increased public support.

*Grants* will be available to units of local government, counties, or combinations thereof.

It is anticipated that several grants will be made, ranging from \$1,500 for crime prevention education programs to \$15,000 for statewide programs.

*Budget:*

Criminal Justice Council (Part C)	. . . . .	\$50,000
Local matching	. . . . .	\$16,667
Total for program	. . . . .	\$66,667

Ratio 75% Criminal Justice Council and 25% state/local.

*Objective* is to acquaint students within the public school system with the dangers of drug abuse. Goals are to participate in development of from 25 to 50 alternative approaches to crime prevention through public education, public information, or public participation in criminal justice activities and, with these programs, to reach every citizen of Texas.

**71-B4. Implementation of Drug Abuse Education Programs – State**

*Implementation* will be through the Texas Education Agency for developing public education programs. This program is designed to encourage innovative approaches to crime prevention and public education relative to drug abuse.

*Evaluation* shall contain two components, internal and external.

*Internal evaluation* will include a running analysis documenting changes since project implementation. The internal evaluation should include participants' written appraisal of the project's strengths, weaknesses, and benefits. Also required will be written documentation of the extent to which goals outlined in the original application were achieved. This information should be included in quarterly progress reports to CJC.

*External evaluation* components will be determined by the CJC staff after review of the project's methods and goals, on the basis of evaluation criteria included in the application and the special conditions attached to the notice of grant award. Costs of such evaluations should be considered for inclusion in the budget portion of the application. Consultation regarding cost factors and evaluation personnel selection will be made available by the CJC staff.

*Grants* will be available to state agencies.

*Special Restrictions:*

Plans for proposed projects must be submitted in detail to CJC for approval in advance of funding. It is anticipated, pending Council action, that funds will be limited to one application from TEA.

*Budget:*

Criminal Justice Council (Part C)	\$192,000
State matching	\$ 64,000
Total for program	\$256,000

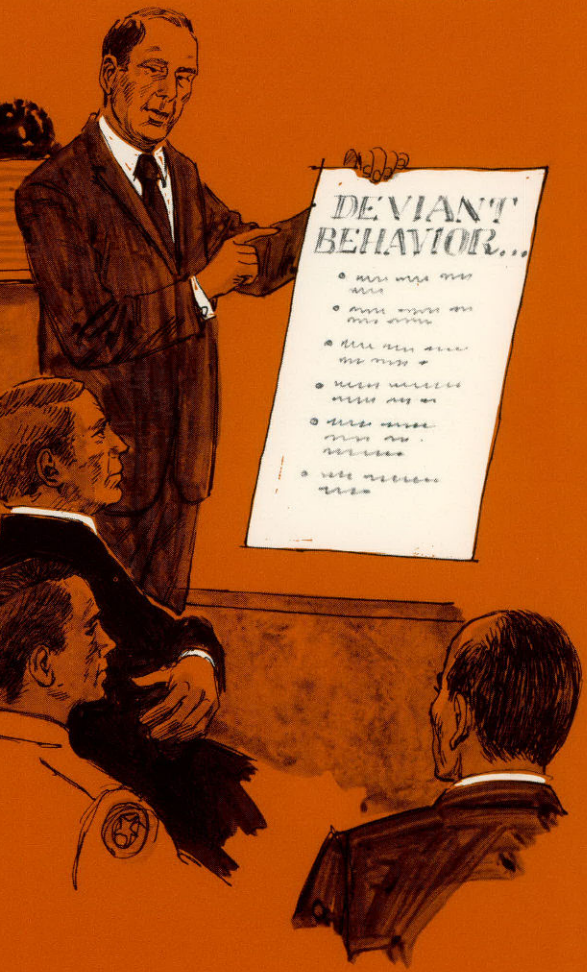
Ratio 75% Criminal Justice Council and 25% state/local.



### III-C. PREVENTION AND CONTROL OF JUVENILE DELINQUENCY



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## C. PREVENTION AND CONTROL OF JUVENILE DELINQUENCY

*Objectives* are the establishment of community service centers to direct offenders and persons inclined toward crime or delinquency away from courts and institutional systems; reduction of crime and delinquency through prevention of initial acts; mustering resources for community-based rehabilitation services for responsive offenders before and after conviction; and providing community service centers for the guidance and supervision of potential repeat offenders.

*Implementation* will be, if possible, through existing agencies with potential for multi-state, state, regional, and local involvement. Some projects may include non-residential programs while others may concentrate on residential services, or both types of services can be provided. Centers will be established in a number of cities, in cooperation with regional, state, or multi-state projects. Staff qualifications must meet accepted standards of training for persons in the "correctional" field, that is, a bachelor's degree in the social sciences and continued in-service training.

It is not anticipated that actual construction of residential facilities will be undertaken during the first or second year of a project, but the possibility of renovation of an existing facility to accomplish the desired goal may be contemplated.

*Evaluation* shall contain two components, internal and external.

*Internal evaluation* will include a running analysis documenting changes since project implementation. The internal evaluation should include participants' written appraisal of the project's strengths, weaknesses, and benefits. Also required will be written documentation of the extent to which goals outlined in the original application were achieved. This information should be included in quarterly progress reports to CJC.

*External evaluation* will be made by the CJC staff after review of the project's methods and goals, on the basis of evaluation criteria included in the application and the special conditions attached to the notice of grant award. Costs of such evaluations should be considered for inclusion in the budget portion of the application. Consultation regarding cost factors and evaluation personnel selection will be made available by the CJC staff.

### *Special Requirements:*

1. A rough draft of all applications will be submitted for CJC staff review and comments (anticipate a minimum of two-three weeks) before consideration will be given for formal processing of the application.
2. Project cannot contract for evaluation purposes without prior CJC approval.
3. Coordination through meetings with related CJC funded projects within the same locale should be reflected in quarterly progress reports.
4. Funding for purchase of equipment for non-correctional agencies will not be considered.

72-C1. Community Service Centers for Guidance and Supervision of Initial Pre-Conviction and Post-Conviction Youthful Offenders

Grants will be made to units of local government or regional councils. Units of government which can enter into sub-contracts with existing private agencies will be given favorable consideration. Interstate projects also will be eligible. It is anticipated that grantees and their sub-contractual agencies will meet special requirements. Two grants of \$20,000 are anticipated.

*Budget:*

Criminal Justice Council (Part C) . . . . .	\$150,000
Local matching . . . . .	\$ 50,000
Total for program . . . . .	\$200,000

Ratio 75% Criminal Justice Council and 25% state/local. CJC reserves the right to change the funding ratio should the project be continued beyond the first year.

**72-C2. Day Care Program  
for Delinquents**

*Objective* is to establish community-based programs that provide alternatives to traditional institutionalization. A community-based day-care program will restore the child and family to constructive living, introduce interaction to change attitudes, enhance positive peer and authority relationships, and improve self concept where feasible; keep families together; save money and institutional bed space; reduce stigma of institutionalization; make services more convenient for children in high delinquency areas; broaden the range of service, within the administrative framework of juvenile departments; increase opportunities for creative programs such as family counseling; and encourage successful subsidies to the county for placing young offenders in local programs instead of state institutions.

Goals are to provide services to 15 to 30 delinquent children in a treatment program that includes special and vocational education and group and individual counseling.

Secondary goal is to determine the validity of this concept in meeting the needs of an adjudicated delinquent and as an alternative to placing the child in a corrective institution. Involving the child's family in the program will eliminate the negative aspect of separating the child from the family during a period of institutionalization.

After a two- or three-year demonstration period, the implementing agency will be expected to assume total funding responsibility for the project.

*Implementation* will demonstrate the feasibility of substituting a community-based program for institutionalization. Such a demonstration program will embrace all community resources available for work with children, including full-time probation officers, special education teacher, family counselor, and office help as required.

*Evaluation* shall contain two components, internal and external.

*Internal evaluation* will include a running analysis documenting changes since project implementation. The internal evaluation should include participants' written appraisal of the project's strengths, weaknesses, and benefits. Also required will be written documentation of the extent to which goals outlined in the original application were achieved. This information should be

included in quarterly progress reports to CJC.

*External evaluation* will be made by the CJC staff after review of the project's methods and goals, on the basis of evaluation criteria included in the application and the special conditions attached to the notice of grant award. Costs of such evaluations should be considered for inclusion in the budget portion of the application. Consultation regarding cost factors and evaluation personnel selection will be made available by the CJC staff.

*Special Requirements:*

1. A rough draft of all applications will be submitted for CJC staff review and comments (anticipate a minimum of two-three weeks) before consideration will be given for formal processing of the application.
2. Project cannot contract for evaluation purposes without prior CJC approval.
3. Coordination through meetings with related CJC funded projects within the same locale should be reflected in quarterly progress reports.
4. Funding for purchase of equipment for non-correctional agencies will not be considered.

*Grants* will be made to units of local government or combinations thereof. Two grants of \$30,000 are anticipated.

*Budget:*

Criminal Justice Council (Part C) . . . . .	\$200,000
Local matching . . . . .	\$ 66,667
Total for program . . . . .	\$266,667

Ratio 75% Criminal Justice Council and 25% state/local. CJC reserves the right to change the funding ratio should the project be continued beyond the first year.

*Objective* is to provide assistance in the establishment of community-based programs that offer alternatives to institutionalization or confinement of potential delinquents, delinquents, and young adult offenders. Projects will encompass vocational training, job placement training, job placement, vocational evaluation and adjustment, personal social adjustment and continuing supervision to support skill training for continued employment. It is directed primarily to persons identified by the school systems in the community as non-achievers by normally accepted scholastic standards.

**72-C3. Vocational Education/Training-- Potential Delinquents, Delinquents, and Young Adult Offenders**

*Implementation* will be through juvenile and adult probation officers, youth services bureaus, interim homes, schools, state rehabilitation agencies, and similar agencies and institutions. Projects may provide for rehabilitation teams of counselors, psychologists, caseworkers, and necessary staff to receive referrals from juvenile and criminal courts, schools, law enforcement agencies, mental health and mental retardation centers, youth services bureaus, interim homes or similar institutions and agencies. Community schoolroom projects may provide instruction in various vocational skills for

groups of potential delinquents, delinquents or young adult offenders. In each project, local building and trades organizations, employers, school personnel, and personnel of state and federal agencies will be integrated into the project to provide maximum community participation and utilization of community resources. Funding will provide personnel, office and operational equipment, and operational costs. It is anticipated that five to six projects will be funded in standard metropolitan statistical areas during 1972.

*Evaluation* shall contain two components, internal and external.

*Internal evaluation* will include a running analysis documenting changes since project implementation. The internal evaluation should include participants' written appraisal of the project's strengths, weaknesses, and benefits. Also required will be written documentation of the extent to which goals outlined in the original application were achieved. This information should be included in quarterly progress reports to CJC.

*External evaluation* will be made by the CJC staff after review of the project's methods and goals, on the basis of evaluation criteria included in the application and the special conditions attached to the notice of grant award. Costs of such evaluations should be considered for inclusion in the budget portion of the application. Consultation regarding cost factors and evaluation personnel selection will be made available by the CJC staff.

*Special Requirements:*

1. A rough draft of all applications will be submitted for CJC staff review and comments (anticipate a minimum of two-three weeks) before consideration will be given for formal processing of the application.
2. Project cannot contract for evaluation purposes without prior CJC approval.
3. Coordination through meetings with related CJC funded projects within the same locale should be reflected in quarterly progress reports.
4. Funding for purchase of equipment for non-correctional agencies will not be considered.

*Grants* will be available to the Texas Rehabilitation Commission. Preference will be given to metropolitan areas and projects indicating the broadest community involvement and active participation. Grants are expected to range from \$25,000 to \$45,000. Grant applications must show written commitment and support of all persons in the project.

*Budget:*

Criminal Justice Council (Part C) . . . . .	\$150,000
State matching . . . . .	\$ 50,000
Total for program . . . . .	\$200,000

Ratio 75% Criminal Justice Council and 25% state/local.

72-C4. Correctional Personnel, Aides and Assistance

*Objective* is to provide assistance to: (a) career-oriented students in the corrections field attending an accredited college or university that requires an internship as part of the degree curriculum; (b) probation, parole, and correctional personnel to upgrade their qualifications and techniques; (c) colleges and universities for establishing a laboratory for research and development in the science of human behavior as it pertains to corrections; (d) continue support to previous commitments in regional or community based detention facilities and programs.

*Implementation* will be achieved by participation of correctional personnel at all levels, including auxiliary personnel, in projects including one or more of the following:

1. Internship programs in accredited colleges or universities as part of the degree curriculum for training those considering juvenile correctional work. Undergraduate students will be assigned to a 12-week internship in a police department, juvenile court, or related juvenile agency to gain practical experience within a behavioral or social science degree curriculum.
2. Continuing in-service training for chief probation and parole officers, their assistants, and related correctional personnel at all levels through participation in seminars, workshops, conferences, and training institutes. These projects, on a statewide, regional, or local basis, will provide contemporary theory and practices in criminology and corrections, techniques in improving correctional services, and related learning experiences to upgrade both academic and practical qualifications of correctional personnel. It is anticipated that these programs will use the experience and expertise of practitioners in the field, from the newest recruit to the seasoned practitioner. Programs will last from three days to one week. Applicants must provide the estimated number of participants, the curriculum to be presented, and the persons who will participate as instructors, lecturers, or panelists. Long-range research projects will continue on an intensive basis during calendar year 1972.
3. Ongoing research projects and experimental action projects through colleges, universities, and practitioners in corrections. It is anticipated that several state and private institutions of higher learning, in cooperation with practitioners such as judges, probation and parole officers, and correctional personnel will participate in several varied research projects.
4. Preparation, printing, and distribution of a handbook that includes normally accepted operating procedures, and statutory and constitutional limitations and liabilities. The book will be helpful to judges, prosecutors, administrators, professional field personnel, and auxiliary personnel.
5. Refresher courses in the accepted fields of social work, psychology, and related disciplines for training and personnel development.
6. Specialized training to auxiliary personnel, to include use of indigenous group members, such as persons with a delinquent background, who may prove more effective for certain purposes than highly trained personnel. These persons could perform important tasks needed for deep changes in personality or attitude of the offender. Training opportunities will be made available for them to acquire skills and techniques for becoming positively identified in the team concept of treatment.

7. Stipends will be provided for visitation of other agencies to exchange knowledge, experience, and information with other persons in corrections. Correctional personnel experienced in handling unique situations will be available to help others needing assistance. Applications (informal) must state the purpose, place, dates, and agreement by all parties.

8. For continued support only, consideration will be given to regional or community-based detention facilities and programs.

*Evaluation* shall contain two components, internal and external.

*Internal evaluation* will include a running analysis documenting changes since project implementation. The internal evaluation should include participants' written appraisal of the project's strengths, weaknesses, and benefits. Also required will be written documentation of the extent to which goals outlined in the original application were achieved. This information should be included in quarterly progress reports to CJC.

*External evaluation* will be made by the CJC staff after review of the project's methods and goals, on the basis of evaluation criteria included in the application and the special conditions attached to the notice of grant award. Costs of such evaluations should be considered for inclusion in the budget portion of the application. Consultation regarding cost factors and evaluation personnel selection will be made available by the CJC staff.

*Special Requirements:*

1. A rough draft of all applications will be submitted for CJC staff review and comments (anticipate a minimum of two-three weeks) before consideration will be given for formal processing of the application.
2. Project cannot contract for evaluation purposes without prior CJC approval.
3. Coordination through meetings with related CJC funded projects within the same locale should be reflected in quarterly progress reports.
4. Funding for purchase of equipment for non-correctional agencies will not be considered.

*Grants* will be made through units of local governments, colleges and universities, and combinations thereof.

Local: Number and cost of projects will be determined by CJC staff upon review of the preliminary applications.

State: It is anticipated that two projects will be funded in the amount of \$25,000 for state grantees.

*Budget:*

Criminal Justice Council (Part C) . . . . .	\$345,000
State matching . . . . .	\$ 16,667
Local matching . . . . .	\$ 98,333
Total for program . . . . .	\$460,000

Ratio 75% Criminal Justice Council, 25% state/local for the first year. CJC reserves the right to change the funding ratio should the project extend beyond the first year.

*Objective* is to establish up to 10 community or regional projects for detection and treatment of juvenile delinquency. Short-range goals will be to encompass statewide models ranging from individual metropolitan cities to multi-county or single county areas. Long-range goals will be determined by feasibility studies.

#### 72-C5. Youth Services Bureaus (YSB)

*Implementation* will continue to be through pilot programs in several areas, which will demonstrate feasibility. These pilot projects will cooperate with established community agencies offering services to children and youth. Youth services bureaus will be established with the understanding that the local government units will absorb the cost of their operation on expiration of the federal-state assistance program. It is of utmost importance that all existing agencies working with youth be intimately involved in planning and development of the YSB program. These projects will operate as autonomous, non-profit organizations controlled by a board of directors representative of citizens in the community or region. YSB staff preferably will be college-trained and experienced in the social-science field. Serious consideration should be given to persons with well-rounded professional experience.

Primary thrust of this program will be long-range coordination of youth resources to meet the needs of potentially and adjudged delinquent or criminal young persons of ages 10 to 25. Immediate 24-hour services will be offered to divert young persons who have committed non-criminal or minor criminal offenses away from the juvenile or criminal justice system.

The youth services bureau calls for total community effort involving police, probation, schools, social service agencies, citizenry, and young persons themselves. The operational process will include client problem identification; limited short-term individual or group counseling; referral services, resource identification, maintenance, modification, and development; comprehensive follow-up; and documented results.

A sophisticated systematic record keeping system will be developed immediately for YSB clientele. External evaluation models will be sent to applicants for immediate implementation on approval of grant awards. This system, though comprehensive, should be kept simple to free staff from red tape and excessive paper work. Furthermore, this record-keeping system will document needs of young people that require expansion of some community services on development of others. The YSB will provide factual research, advice, support, alternate goals, and short- and long-range priorities. It will motivate youth serving institutions to reorient their priorities from system needs to youth needs. Applicants will include budget allowances for annual external evaluations and reproduction costs of the evaluation documents. Internal evaluations will be a continuing process and will be reflected in quarterly progress reports. Minimum evaluation criteria will include written documentation of the following:

1. Accounting for all referrals to the YSB which will include the method, source, and reasons for referral;

2. Concise descriptions demonstrating significant differential effects of referrals;
3. Characteristics of all referrals analyzed biannually and compared to a profile of randomly selected young persons within police and probation department files;
4. The delinquency rate (include separately the school drop-out rate) within the area served by the bureau and amount, frequency, and type of officially recognized delinquent behavior;
5. Brief descriptions and supporting documents demonstrating the type and extent of major citizen, youth, and agency involvement and achievements in maintaining, modifying, or developing resources as a result of YSB initiative;
6. Concise follow-up descriptions of clients' progress up to five years of YSB contact. (This process will not be practical in all cases).

*Special Requirements:*

1. Project cannot contract for evaluation purposes without prior CJC approval.
2. Project will agree to supply specific information from their follow-up process to the CJC office five years beyond the termination of CJC funding (reports are to be submitted annually--criteria requirements will be provided during the project period).
3. Project must apply for a state charter designating the YSB as a non-profit organization.
4. Funding for purchase of equipment for non-correctional agencies will not be considered.

*Grants* will be made through units of local governments and combinations thereof. The funding range and period of funding will vary according to the areas covered.

*Budget:*

Criminal Justice Council (Part C) . . . . .	\$500,000
Local matching . . . . .	\$166,667
Total for program . . . . .	\$666,667

Ratio 75% Criminal Justice Council, 25% state/local. CJC reserves the right to change the funding ratio should the project be continued beyond the first year.

**72-C6. Delinquency Prevention--Academic and Social Adjustment Program**

*Objective* is early detection of potentially delinquent behavior and referral of the child and his family, through proper channels, to appropriate resources to forestall delinquent behavior. Such projects will serve children in junior high grades of the public school system who manifest antisocial behavior.

Project activities will include identification of those exhibiting antisocial



behavior and referral for counseling, psychological testing, psychiatric treatment, and related special services. Accomplishments in the first year will establish a well-rounded system of school referrals to proper sources for needed services. It is not anticipated that state assistance to projects will extend beyond a two-year period. Thereafter, the school systems will accept responsibility for project continuation.

Project records must document that at least 75 percent of the young people receiving services have had direct contact in the past with police or probation departments as a result of their behavior.

*Implementation* is proposed by establishing such a program in public schools on a systemwide basis. This would require additional well-trained personnel, such as special education teachers, social workers, and media curriculum specialists.

*Evaluation* shall contain two components, internal and external.

*Internal evaluation* will include a running analysis documenting changes since the project implementation. The internal evaluation should include participants' written appraisal of the project's strengths, weaknesses, and benefits. Also required will be written documentation of the extent to which goals outlined in the original application were achieved. This information should be included in quarterly progress reports to CJC.

*External evaluation* will be made by the CJC staff after review of the project's methods and goals, on the basis of evaluation criteria included in the application and the special conditions attached to the notice of grant award. Costs of such evaluations should be considered for inclusion in the budget portion of the application. Consultation regarding cost factors and evaluation personnel selection will be made available by the CJC staff.

*Special Requirements:*

1. A rough draft of all applications will be submitted for CJC staff review and comments (anticipate a minimum of two-three weeks) before consideration will be given for formal processing of the application.
2. Project cannot contract for evaluation purposes without prior CJC approval.
3. Coordination through meetings with related CJC funded projects within the same locale should be reflected in quarterly progress reports.
4. Funding for purchase of equipment for non-correctional agencies will not be considered.

*Grants* will be made to public school systems and units of local government or a combination thereof.

*Budget:*

Criminal Justice Council (Part C) . . . . .	\$350,000
Local matching . . . . .	\$116,667
Total for program . . . . .	\$466,667

Ratio 75% Criminal Justice Council and 25% state/local.

**72-C7. Comprehensive Treatment Center for Drug Abuse**

*Objective* is to establish on a multicounty or regional basis a comprehensive treatment center for the individual abusing narcotic and non-narcotic drugs and to offer counseling and education to his immediate family. The first step will include short-term detoxification in a local hospital before moving into a therapeutic community center. Here group therapy, individual therapy, and vocational and academic education will be provided. Academic education also will be given the participants' children. Job placement will be an integral part of the program. It is anticipated that these programs will be funded for two years with financial assistance from CJC. Future funding will become the responsibility of state or local government.

*Implementation* will be accomplished by funding a project to provide a research and treatment facility for work with the drug abuser and his family. Facilities will marshal all available community resources, i.e., medical teams for research, treatment, and overall direction; education facilities, social and biological research, and law enforcement agencies. The facilities should include centers with a halfway house program, if possible, located near a medical center. The center would offer treatment on an inpatient and outpatient basis.

*Evaluation* shall contain two components, internal and external.

*Internal evaluation* will include a running analysis documenting changes since project implementation. The internal evaluation should include participants' written appraisal of the project's strengths, weaknesses, and benefits. Also required will be written documentation of the extent to which goals outlined in the original application were achieved. This information should be included in quarterly progress reports to CJC.

*External evaluation* will be made by the CJC staff after review of the project's methods and goals, on the basis of evaluation criteria included in the application and the special conditions attached to the notice of grant award. Costs of such evaluations should be considered for inclusion in the budget portion of the application. Consultation regarding cost factors and evaluation personnel selection will be made available by the CJC staff.

*Special Requirements:*

1. A rough draft of all applications will be submitted for CJC staff review and comments (anticipate a minimum of two-three weeks) before consideration will be given for formal processing of the application.
2. Project cannot contract for evaluation purposes without prior CJC approval.
3. Coordination through meetings with related CJC funded projects within the same locale should be reflected in quarterly progress reports.
4. Funding for purchase of equipment for non-correctional agencies will not be considered.
5. Any grantee using a methadone maintenance program will follow the policy statement of the Bureau of Prisons with reference to parolees, and

statements of general policy and interpretation in Food and Drug Administration Title 21 recorded in the Federal Register. The grantee must obtain an "investigational exemption for a new drug (IND)" number from the Food and Drug Administration and the Bureau of Narcotics and Dangerous Drugs.

Grants will be funded to units of local government or a combination of units meeting the general conditions. Projects funded must be under the control or direction of the juvenile and criminal trial courts.

Funding consideration for purchase of equipment for non-correctional agencies will not be allowed.

*Budget:*

Criminal Justice Council (Part C) . . . . .	\$300,000
State matching . . . . .	\$100,000
Local matching . . . . .	\$400,000

Ratio 75% Criminal Justice Council and 25% state/local.

*Objective* is to create an interim home to provide a treatment mechanism for cases involving emotional conflicts between a child and his parents, indicating temporary removal (less than five months) of the child from the unfavorable home environment while professional help is given both the parents and the child. This concept will be considered as an alternative to commitment to an institution. Comprehensive follow-up programs will be instituted by the interim home staff after the child has returned home.

72-C8. Interim Homes

Project records will reflect documentation of all young persons who have had direct contact with the police or probation departments before, during, and after project intervention.

*Implementation* will be achieved by establishing a pilot program each year of the multi-year plan. Project implementation will require the cooperation of established community agencies offering services to children. The unit of local government will absorb the total project operation cost upon expiration of state assistance.

*Evaluation* shall contain two components, internal and external.

*Internal evaluation* will include a running analysis documenting changes since project implementation. The internal evaluation should include participants' written appraisal of the project's strengths, weaknesses, and benefits. Also required will be written documentation of the extent to which goals outlined in the original application were achieved. This information should be included in quarterly progress reports to CJC.

*External evaluation* will be made by the CJC staff after review of the project's methods and goals, on the basis of evaluation criteria included in the application and the special conditions attached to the notice of grant award. Costs of such evaluations should be considered for inclusion in the budget portion of the application. Consultation regarding cost factors and evaluation personnel selection will be made available by the CJC staff.

*Special Requirements:*

1. A rough draft of all applications will be submitted for CJC staff review and comments (anticipate a minimum of two-three weeks) before consideration will be given for formal processing of the application.
2. Project cannot contract for evaluation purposes without prior CJC approval.
3. Coordination through meetings with related CJC funded projects within the same locale should be reflected in quarterly progress reports.
4. Funding for purchase of equipment for non-correctional agencies will not be considered.

*Grants* will be made to units of local government and combinations thereof. It is anticipated that one application for approximately \$70,000 will be funded.

*Budget:*

Criminal Justice Council (Part C) . . . . .	\$200,000
Local matching . . . . .	\$ 66,667
Total for program . . . . .	\$266,667

Ratio 75% Criminal Justice Council and 25% state/local. The CJC reserves the right to change the funding ratio should the project be continued beyond the first year.

### III-D. IMPROVEMENT OF DETECTION AND APPREHENSION OF CRIMINALS





**D. IMPROVEMENT OF DETECTION AND APPREHENSION OF CRIMINALS**

**72-D1. Management Analysis**

*Objective* is to have police agency surveys made which will result in establishing and implementing models for organization, management, and operations. The surveys also would produce models for handling records, personnel administration, and crime laboratory functions.

Long-term goal is to have a comprehensive survey, followed by periodic updating, made in all police agencies in cities of 25,000 or more and counties whose sheriff's department consists of more than 50 persons.

*Implementation* will be through state agencies, cities, and counties, which will contract with consultants to conduct the surveys of police and sheriffs' departments and recommend improvement. At the conclusion of the studies, grants may be made to implement the recommendations.

*Evaluation* will be based on grantee's documentation of improvements in organization, administration, and operations resulting from the survey. Documentation will include such factors as: steps taken to provide implementation of survey recommendations; potential savings indicated by the survey, particularly as compared to actual savings after implementation; and efficiency increase in department operations resulting from the recommendations.

*Grants* will be made to state agencies and to five or six local agencies for FY 1972. Grants will range from \$10,000 to \$50,000.

*Special Restrictions:*

Comprehensive surveys will require cash match. Partial survey or implementation grants may be made with in-kind match. All studies and recommendations must be reduced to writing and reports submitted to CJC.

Each agency receiving a grant under this program must agree to participate in FBI uniform crime reporting and DPS crime reporting.

*Budget:*

Criminal Justice Council (Part C)	\$118,000
State matching	\$ 6,000
Local matching	\$ 33,333
Total for program	\$157,333

Ratio 75% Criminal Justice Council and 25% state/local.

**72-D2. Police Consolidation**

*Objective* is to consolidate law enforcement functions, procedures, and equipment usage. Whole or partial coordinative concepts in records, communications, and other common services will be encouraged. Consolidation of services between county and local agencies will be given priority. (Contractual arrangement between agencies to perform law enforcement is a part of this program). Feasibility and design studies will be encouraged prior to implementation of any consolidation.

*Implementation* will be through units of government. Preference will be given governmental units which are able to demonstrate that such coordination will result in increased efficiency.

*Evaluation* will be based on grantee's documentation of improvement of police operations resulting from consolidation. The documentation will include such factors as: savings realized as a result of consolidation, particularly in terms of the cost of police services per resident; quantity and quality of police services available to each consolidating agency as a result of consolidation; other measures of increased operating efficiency, such as police response time and percentage of cases in which a conviction is obtained.

*Grants* will be made to units of local government or combinations thereof. It is anticipated that most grants will go to county and regional governments.

*Special Restrictions:*

Consolidations must conform to state and local statutory authority. Total expenditures of each agency for law enforcement must not be reduced during the grant period.

Each agency receiving a grant under this program agrees to participate in FBI uniform crime reporting and DPS crime reporting.

*Budget:*

Criminal Justice Council (Part C)	\$250,000
Local matching	\$ 83,333
Total for program	\$333,333

Ratio 75% Criminal Justice Council and 25% state/local.

**72-D3. Professional Aides  
for Police**

*Objective* is to clear more crimes by arrest and secure convictions in a greater percentage of cases. This program is designed to increase the quantity and availability of legal advice to police officers; to improve the quality of instruction on legal subjects in police training programs; to increase the quantity and quality of input on legal matters in police manuals; and to improve liaison of the police department with prosecutors' offices. The long-range goal is to have full-time legal advisors available to the police department in all cities of at least 200,000, and part-time legal advisors in all cities of 50,000 or more (some exceptions for smaller cities), as a means of increasing the number of investigations resulting in the filing of charges and improving the conviction rate. Other professional staff aides, such as planners, statisticians, and psychiatrists are included.

*Implementation* will be through medium-sized, large, and selected smaller cities, or combinations of these, which will employ a lawyer as legal advisor to the police department. Preferably, the advisor will be a civilian employee. Supportive services will be provided. The legal advisor will advise police officers on a case-to-case basis, assist in writing police manuals and instructing in police training schools, and maintain close liaison with prosecutors' offices, as well as performing other legal duties for the police department.



*Evaluation* will be based on the improvement in police operations which the grantee can demonstrate as a result of the professional aide's services. Documentation will include such data as legal resources available to the department prior to project implementation, a description of the course areas and syllabi associated with training programs, statistical summaries of the number of contacts made with legal counsels, type of counsel needed and types of cases involved. Grantee will demonstrate how needs for legal services have been fulfilled by the project.

*Grants* will be made to medium-sized, large cities, and selected smaller cities or combination of cities. It is anticipated that not more than seven cities will apply. Grants will range from \$10,000 to \$15,000.

*Special Restrictions:*

Professional academic qualifications generally will be required. Cash match usually will be necessary.

Each agency receiving a grant agrees to participate in the FBI uniform crime reporting and DPS crime reporting.

*Budget:*

Criminal Justice Council (Part C)	\$ 75,000
Local matching	\$ 25,000
Total for program	\$100,000

Ratio 75% Criminal Justice Council and 25% state/local.

This program includes three subsections: technical equipment, crime sensing-alerting systems, and crime laboratories.

**72-D4. Technology**

1. Technical Equipment

*Objective* is to facilitate police operations through acquisition and use of technical equipment. Improvements to be sought include reduction of police response time and extend to routine operations. Increased police capability is anticipated through the use of technical equipment, such as dictating devices, videocameras and other photographic equipment, identification equipment, necessary support devices, microfilm or videotape record systems, optical scanners, and radio scrambling devices.

Police report time may be reduced by the use of dictating/transcribing equipment. Emphasis will be placed on acquiring equipment which adds capability.

Personal radio transceivers will be covered as part of a program to reduce police response time, or of a special program to deal with a particular problem. Studies will be conducted to determine methods of reducing police response time to crimes in progress through greater utilization of technology. The short-term goal is to increase the capability of 60 police departments and sheriffs' offices to detect crime, apprehend and identify criminals, and record case data. This increased capability will be brought about by the increased use of technology and application of technical equipment. The

long-term goal is to have each police agency in the state making full use of technology in its investigation, identification, communication, and records procedures.

*Implementation* will be through regions, units of local government, or combinations thereof.

*Evaluation* will be based on grantee's documentation of increased capability in crime detection, apprehension and identification of criminals, and the recording of case data. Documentation will include: police response time; time spent in routine administrative operations, such as report filing and record retrieval; the assimilation of more detailed information on reported crimes; reduction in department operating costs; increase in the percentage of cases in which convictions are obtained.

*Grants* will be made to regional councils and 20 to 50 cities and counties for their police departments and sheriffs' offices. Each unit of local government must show the capability of utilizing the equipment effectively. The grants will range from \$2,000 to \$80,000; \$20,000 will be used to fund studies in three to five cities to determine methods of reducing police response time through improved procedures and technical equipment.

*Special Restrictions:*

Conventional equipment already in use in routine programs is not included. Grantees will be required to show full utilization of the equipment during the life of the grant; local match must be in cash.

Each agency receiving a grant under this program agrees to participate in the FBI uniform crime reporting and DPS crime reporting.

*Budget:*

Criminal Justice Council (Part C)	\$150,000
Local matching	\$ 50,000

2. Crime Sensing--Alerting Systems

*Objective* is to alert police agencies to attempted crimes or crimes in progress. It is anticipated that cities with this program can reduce burglaries in certain types of businesses by 20 percent. Long-range goal is to reduce burglary by improving the ability of the police to catch burglars in the act. It is expected that two cities will be funded this year to inaugurate such programs.

*Implementation* will be through cities utilizing grants to purchase technical surveillance equipment. This equipment may include on-premise sensors and required support equipment. Sensing points should be movable without great expense or effort. If the demonstration projects prove effective, such projects will be established in at least six more cities.

*Evaluation* will be based on grantee's documentation of the system's success in preventing crimes by alerting police to attempted crimes or crimes in progress. Documentation will include such factors as: police response time, apprehension rate for crimes in progress, and reduction in burglaries.

Grants will be only to cities with the capability of handling technical equipment. It is anticipated that not more than five eligible applicants will apply for grants. Grants will range from \$2,000 to \$10,000.

*Special Restrictions:*

Salaries for equipment operators will not be paid from CJC funds but may be counted as in-kind match.

Each agency receiving a grant under this program agrees to participate in the FBI uniform crime reporting and DPS crime reporting.

*Budget:*

Criminal Justice Council (Part C)	\$20,000
Local matching	\$ 6,667

3. Crime Laboratories

*Objective* is to assist existing crime laboratories in expanding capabilities by purchasing additional equipment and hiring additional personnel. Goal is to increase the capability of three local laboratories and seven DPS laboratories. Long-range goal is to have a comprehensive crime laboratory within driving range (100 miles) of every police agency and mobile crime laboratories in regions where the need can be documented.

Evidence technicians and equipment for gathering evidence are included.

*Implementation* will be achieved by grants to units of local government currently operating a crime laboratory and DPS for one or more of the following purposes: recruitment programs on college campuses for securing additional trained chemists and toxicologists; hiring additional trained persons where it can be demonstrated that additional personnel will improve and expand laboratory services; purchasing technical equipment designed to expand the capabilities of existing crime laboratories; and acquisition of facilities.

*Evaluation* will be based on grantee's documentation of increased capability for obtaining more complete evidence of a crime and more accurate identification of the criminal. Documentation will reflect such improvements as: an increase in application of laboratory work to cases, greater sophistication in types of laboratory analyses, in the percentage of crimes cleared by arrest on which laboratory work has been performed, the percentage of convictions obtained in cases to which laboratory work has been applied, and laboratory processing time.

*Grants* will be made to cities and counties which operate or fund crime laboratories and to the DPS.

It is estimated that from two to five grants ranging from \$5,000 to \$150,000 will be made this year.

*Special Restrictions:*

Equipment purchased must increase the capabilities of existing crime

laboratories. Grants for the purchase of equipment require the local or state match to be in cash. Continuation grants for personnel hired by this program generally will not be made for more than one year and the maximum is two years. After that period, local or state funding must pay the salaries.

Each agency receiving a grant under this program must agree to participate in the FBI uniform crime reporting and DPS crime reporting.

*Budget:*

Criminal Justice Council (Part C)	\$815,000
State matching	\$261,667
Local matching	\$ 10,000

*Combined Program Budget:*

Criminal Justice Council (Part C)	\$. 985,000
State matching	\$. 261,667
Local matching	\$. 66,667
Total for program	\$. \$1,313,334

**72-D5. Special Units and Programs**

*Objective* is to improve the capability of police agencies to prevent and solve crimes. The program is designed to establish in police agencies specialized units and programs to deal with potentially acute crime problems. Specialized staff units, such as those dealing with staff inspection, internal security, or criminal justice monitoring (to determine effectiveness of the criminal justice system) also may be added.

*Implementation* will be achieved through four to nine police agencies or combinations of local governments. Grants may cover personnel, office equipment, investigative equipment (not automobiles or firearms) and operational costs.

*Evaluation* will be based on grantee's documentation of a reduction in crime or an improvement in the clearance of crimes by arrest resulting from the operations of the special unit. Documentation will include such factors as: reduction of crimes, identification of specific target areas, the percentage of convictions in cases which have been investigated by the special unit, time lapse between offense report and arrest.

*Grants* will go to state agencies, cities, counties, or combinations of local government. Ten to fourteen recipients are anticipated. The grants will range from \$5,000 to \$240,000.

*Special Restrictions:*

The governmental unit must be large enough to support a specialized criminal investigation unit, or be one of Texas' model cities. The city must show that an aggravated crime problem exists and propose an acceptable organizational structure to support such a unit.

Each agency receiving a grant under this program agrees to participate in FBI uniform crime reporting and DPS crime reporting.

*Budget:*

Criminal Justice Council (Part C)	. . . . .	\$ 940,000
State matching	. . . . .	\$ 80,000
Local matching	. . . . .	\$ 233,333
Total for program	. . . . .	\$1,253,333

Ratio 75% Criminal Justice Council and 25% state/local.

4. Funding for purchase of equipment for non-correctional agencies will not be considered.

*Grants* will be made to units of local government or regional councils. Units of government which can enter into sub-contracts with existing private agencies will be given favorable consideration. Interstate projects also will be eligible. It is anticipated that grantees and their sub-contractual agencies will meet special requirements. Two grants of \$20,000 are anticipated.

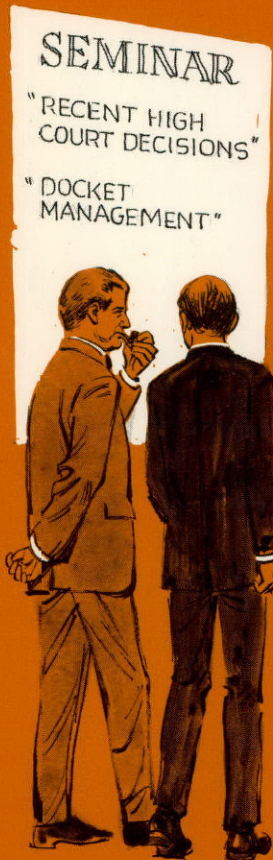
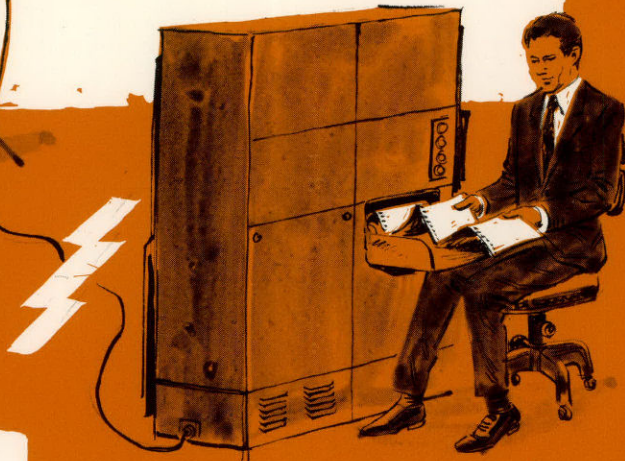
*Budget:*

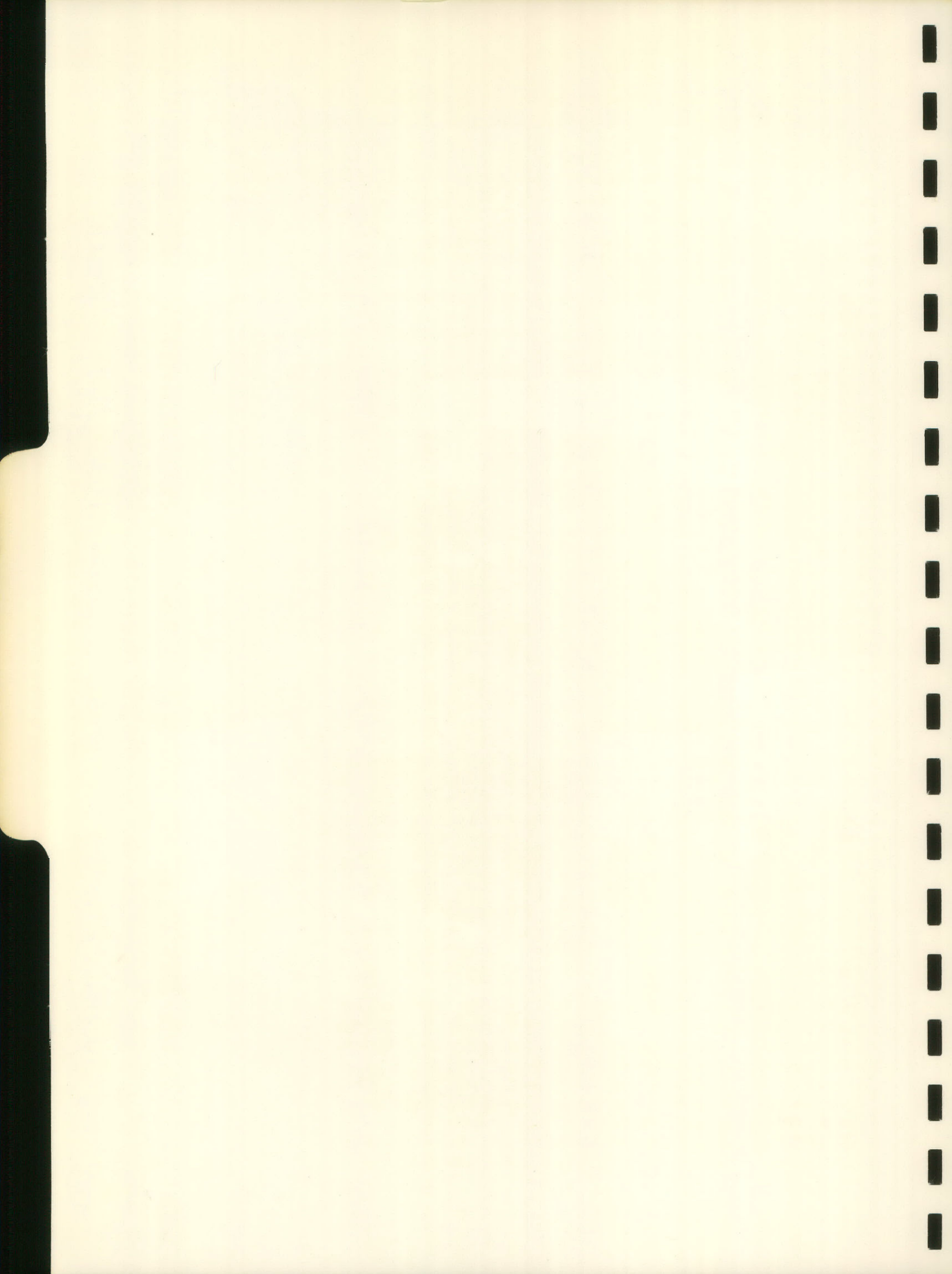
Criminal Justice Council	. . . . .	\$150,000
Local matching	. . . . .	\$ 50,000
Total for program	. . . . .	\$200,000

Ratio 75% Criminal Justice Council and 25% state/local.



# III-E. IMPROVEMENT OF PROSECUTION AND COURT ACTIVITIES AND LAW REFORM







## E. IMPROVEMENT OF PROSECUTION AND COURT ACTIVITIES AND LAW REFORM

### 72-E1. Courts Aides and Assistance

Long-term objective is to provide assistance to the approximately 2,000 trial and appellate courts which have criminal and/or juvenile jurisdiction, the clerks which serve them, and the functional services which directly affect these courts. Assistance is to develop and sustain the processing and disposition of criminal and/or juvenile matters in a time frame commensurate with recommended standards. Assistance will be provided in three general categories: (1) education and training, (2) managerial and administrative, and (3) informational services. It is anticipated that more than 1,000 courts, judges, clerks, and court related personnel, within and without the criminal justice system, will participate. Projects funded anticipate an increase of 15 percent to 20 percent in effectiveness of case processing and disposition. Presented below are the three general categories. These are presented in the conceptual and contextual mode for illustration and direction and not limitation since variations and combinations of the projects and categories may best serve particular jurisdictions and projects.

#### *Education and Training*

*Objective* is to provide continuing legal and non-legal education and training for judges and clerks to aid them in the processing and disposition of all matters under their jurisdiction. This category will provide newly elected or appointed judges and clerks, as well as those who have not heretofore participated in educational and training programs, an opportunity to secure a basic educational and training program. It will further provide to those who have had such basic programs the opportunity to participate in advanced or specialized education and training programs.

*Implementation* will be by the participation of judges and clerks in projects which include one or more of the following:

1. Seminars on a statewide, regional, or local basis that provide continuing legal and non-legal education and training. These seminars are for the primary benefit of the courts and clerks but may include personnel within and without the criminal justice system where the program content provides a basis for their participation. These projects contemplate seminars of three days to one week's duration or the equivalent, should the seminar be held in successive sessions on a scheduled basis. The seminar content may be directed to the basic, advanced, or specialized concepts. These projects contemplate a minimum during 1972 of two statewide seminars for 200 district and/or county judges with criminal jurisdiction, four to six regional seminars for 750 justices of the peace, one statewide seminar for 100 judges with juvenile jurisdiction, and four to six regional seminars for 100 clerks.

*Special Requirements:* Applications must provide the estimated number of participants, the proposed curriculum, method of presentation, and the proposed persons or type of persons who will participate as instructors, lecturers, panelists, and/or moderators.

2. Stipends will be provided for national, regional (national basis), statewide, regional, or local seminars, conferences, or task forces not funded by the CJC. The seminars, conferences, and task forces contemplated are to provide legal and non-legal education and training, development of programs

for legal and non-legal education and training, or a better understanding of the role of the judges and/or clerks. Judges and clerks may request and have authorized other personnel to attend for the benefit of the courts and clerks' offices, where program content supports it. Stipends will provide for travel, subsistence, tuition, fees, books, materials, etc. It is anticipated that one grant will be made and that 150 judges, clerks, and related personnel will participate in this project.

*Special Requirements:* Requests to participate shall be by letter and shall state, where applicable, the purpose, place, dates, implementing agency or sponsor, curriculum, and sponsor's or implementing agency's costs.

Transportation is limited to auto at 10 cents per mile or coach air fare, whichever is cheaper. Lodging and food (subsistence) and other expenses must be directly related to the seminars, conferences, or task forces.

3. Stipends will be provided to judges and clerks on a visitation or exchange basis for the assimilation of knowledge, experience, and information from other courts and clerks' offices. This project will further the in-service training of judges and clerks in the methods used by others in routine and unique matters. It will provide additional knowledge in operational procedures and budget preparation and justification. Visitation and exchange to metropolitan areas both in state and out of state, are contemplated. It is anticipated that one grant will be made and that approximately 25 judges and clerks will participate in this project.

*Special Requirements:* Requests to participate shall be by letter and shall state the purpose, place, dates, and agreement by all parties.

Transportation is limited to auto at 10 cents per mile or coach air fare, whichever is cheaper. Lodging and food (subsistence) must be directly related to the exchange or visitation.

4. Support will be given for the preparation, printing, and distribution of handbooks, for the various levels of judges and clerks. The scope of the handbooks contemplates the normal operating procedure, forms, and statutory and constitutional requirements, limitations, and liabilities. The content and structure design will be for the newly elected or appointed person and provide a reference for the daily operation of their responsibility. Preference will be given to the preparation, printing, and distribution of handbooks for the approximately 900 justices of the peace and the approximately 300 district and county clerks. It is anticipated that two handbooks will be prepared in 1972.

#### *Managerial and Administrative*

*Objective* is to provide for well planned management projects for the trial courts in metropolitan areas, administrative judicial districts, judicial districts or combinations of these. Support will be provided for personnel such as judges, administrators and staffs, clerical personnel, deputy court reporters, briefing attorneys, etc. Technical equipment, such as electronic recording devices, machine readable tapes for court reporters' machines, microfilming equipment, magnetic card or tape typewriting machines, etc., will be supported. All of these will assist the courts in the reduction of processing and disposition time, maximum utilization of personnel, and improvement of operating efficiency.

*Implementation* will be by the trial courts through projects which include one or more of the following:

1. Support will be provided for management studies of trial courts in metropolitan areas, administrative judicial districts, judicial districts, or combinations of these. The scope of the study shall include operational systems and procedures, logistical structuring of responsibility, organization, staffing requirements, facility and equipment requirements, compensation of all personnel, and the effect of the components in the criminal justice system which interface with the courts. It is anticipated that two or three studies will be made.

*Special Requirements:* Application must document adequate support from the courts, prosecutors, clerks, and probation officers to provide for assistance in collection of data and facts necessary for intelligent management analysis.

Applicant must agree to and provide for implementation and adequate testing during the grant period.

Applicant must submit the request for proposals and a copy of each proposal in response thereto.

2. Support will be given for administrators, coordinators, and supportive staff for the appellate courts, the presiding judges of the administrative judicial districts, the courts in metropolitan areas, and courts in judicial districts composed of two or more counties. Supportive staff may include clerks, deputy court reporters, briefing attorneys, management personnel, statisticians, secretaries, etc. as required by the particular project to provide prompt processing and disposition of all matters before the courts. Technical assistance will be provided in the development and implementation of these projects to insure maximum results in the particular situation. It is anticipated that the Court of Criminal Appeals and the courts of four or five metropolitan areas will participate.

3. Support will be provided for new or improved technical equipment which will reduce processing and disposition time. Electronic recording equipment, machine readable tapes for court reporters' machines, magnetic tape or card typewriters typify technical equipment contemplated. It is anticipated that the courts in one or two metropolitan areas will participate.

*Special Requirements:* Applications in which technical equipment is a substantial portion of the project, either by budget or purpose, shall be matched in cash.

#### *Informational Services*

*Objective* is to provide information to the approximately 1,000 trial courts for determination of pretrial release and sentencing. Courts require basic information on criminal history and activity, residency status, and employment status to determine whether or not a person should be released on his personal recognizance. For each defendant the courts will be provided basic information from psychiatric examination and evaluation, psychological testing and evaluation, and medical examination, as these data pertain to potential rehabilitative capabilities and to any unique or special problem of the defendant. This information will provide uniform and

responsive sentencing.

*Implementation* will be by local mental health centers, private non-profit tax exempt organizations, local bar associations, or units of government for projects which include one of the following:

1. Support will be provided for pretrial personal bond projects that are adequately staffed by competent and qualified personnel to provide the approximately 1,000 trial courts with basic information necessary for determining whether or not a person should be released on personal bond. This project contemplates providing to the court information including criminal history and activity, residency status, employment status, etc. of each person who appears eligible for release on personal bond. Preference will be given to metropolitan areas. It is anticipated that three or four personal bond projects will be supported.

*Special Requirements:* Application must provide the form and information to be gathered and document the support of the proper courts, prosecutors, police and sheriffs' offices.

2. Support will be given to the establishment and operation of unit based diagnostic services that are adequately staffed by competent and qualified personnel to provide psychiatric, psychological, and medical services. Preference will be given to local mental health centers funded by the Texas Department of Mental Health and Mental Retardation. Only unit based centers that serve a metropolitan area, a combination of counties, or serve the counties in their regional council will be considered in this project. Technical assistance will be available from the Texas Department of Mental Health and Mental Retardation. It is anticipated that four unit based diagnostic centers will be continued.

*Special Requirements:* Applicant shall contact the Criminal Justice Council for detailed special conditions.

Application must document financial support by the participating counties as provided for in Art. 26.05, *Code of Criminal Procedure* and Art. 2338-1, *Vernon's Annotated Civil Statutes* and as ordered by the court in appropriate cases.

*Evaluation* shall include grantee's comparison of the goals, methods, and results as presented in the application and as presented by documentation during the project period. Changes during the project must be discussed in the evaluation, with adequate narrative to show the facts, circumstances, and justification for all changes.

Grantee shall provide for external evaluation by a team from the particular component of the criminal justice system. Grantee's evaluation shall include at least the same criteria as the internal evaluation.

Grantees who request continued funding must submit by the end of the tenth month the evaluation with the grant application for consideration of continuation of the project.

*Grants* for projects under the categories (1) education and training, (2) managerial and administrative, and (3) informational services will be available to state agencies, universities, colleges, regional councils,

administrative judicial districts, units of local government, and any combination of these. Approximately 20 to 30 grants ranging from \$10,000 to \$100,000 are anticipated.

*Special Condition:* All in-kind personnel contributions applied to matching requirements must be persons devoting full time to the project, as stated in the purposes and objectives in the final grant application. A part-time percentage or a pro rata allocation of in-kind personnel contribution will not be acceptable. Applicant must obtain prior approval of in-kind personnel match prior to formal submission of grant application.

*Budget:*

Criminal Justice Council (Part C)	. . . . .	\$2,200,000
State matching	. . . . .	\$ 83,333
Local matching	. . . . .	\$ 650,000
Total for program	. . . . .	\$2,933,333

Ratio 75% Criminal Justice Council and 25% state/local.

Long-term objective is to provide assistance to approximately 300 district and county attorneys' offices and 650 municipal prosecuting attorneys' offices to improve the quality of charges filed, the time from arrest to trial, the jail population, and the backlog of pending cases, to free law enforcement officers from time-consuming court appearances, and to improve the quality of prosecution. Assistance will be provided in two general categories: (1) education and training and (2) managerial and administrative. It is anticipated that more than 650 prosecutors and prosecutors' offices will participate in 1972. Projects funded anticipate an increase of 15 percent to 20 percent in effectiveness of the prosecutors' offices. Presented below are the two general categories. These are presented in the conceptual and contextual mode for illustration and direction and not limitation since variations and combinations of these projects and categories may best serve particular jurisdictions and projects.

**72-E2. Prosecutors Aides and Assistance**

*Education and Training*

*Objective* is to provide assistance to prosecutors, their assistants, and staff to obtain continuing legal and non-legal education and training to aid them in reducing time from arrest to trial, freeing law enforcement officers from time-consuming court appearances, reducing the jail population, reducing cases backlog, and improving the quality of prosecution. This category will provide newly elected or appointed prosecutors, assistants, and staff as well as those who have not heretofore participated in educational and training programs, an opportunity to secure a basic fundamental educational and training program. It will further provide to those who have had such basic programs the opportunity to participate in advanced or specialized programs.

*Implementation* will be by the prosecutors' participation in projects which include one or more of the following:

1. Seminars on statewide, regional, or local basis that provide legal and non-legal education and training. These seminars are for the primary benefit of the prosecutors but may include personnel within and without the criminal justice system where the program content justifies their

participation. This category contemplates seminars of three days to one week's duration or equivalent thereof should the seminar be held in successive sessions on a scheduled basis. The seminar content may be directed to basic, advanced, or specialized concepts. At least one specialized statewide seminar is contemplated during 1972 for the district and county prosecutors, with 100 prosecutors participating and one statewide or four to five fundamental regional seminars for prosecutors with 200 participating.

*Special Requirements:* Applications must provide the estimated number of participants, the proposed curriculum, method of presentation, and the proposed persons or type of persons who will participate as instructors, lecturers, panelists, and/or moderators.

2. Stipends will be provided for national, regional (national basis), statewide, regional or local seminars, conferences, or task forces not funded by CJC. The seminars, conferences, and task forces are to provide legal and non-legal education and training and development of programs for such training, or a better understanding of the role of the prosecutor. Prosecutors may request and have authorized other personnel to attend for the benefit of the prosecutors where program content supports it. Stipends will provide for travel, subsistence, tuition, fees, books, and materials, etc. It is anticipated that one grant will be made and approximately 125 prosecutors and related personnel will participate during 1972.

*Special Requirements:* Requests to participate shall be by letter and shall state, where applicable, the purpose, place, dates, implementing agency or sponsor, curriculum, and sponsor's or implementing agency's cost.

Transportation is limited to auto at 10 cents per mile or coach air fare, whichever is cheaper. Lodging and food (subsistence) and other expenses must be directly related to the seminars, conferences, or task forces.

3. Stipends will be provided on a visitation and exchange basis for the assimilation of knowledge, experience, and information from other prosecutor's offices. This project will further the in-service training of prosecutors in the methods used by others in the preparation and presentation of routine and unique matters. It also will provide experienced prosecutors in unique and unusual matters to the prosecutor who needs this assistance. It will provide additional knowledge in operational procedures and budget preparation and justification. Visitation and exchange to metropolitan and non-metropolitan areas both in state and out of state, are contemplated. It is anticipated that one grant will be made and 25 prosecutors will participate during 1972.

*Special Requirements:* Requests to participate shall be by letter and shall state the purpose, place, dates, and agreement by all parties.

Transportation is limited to auto at 10 cents per mile or coach air fare, whichever is cheaper. Lodging and food (subsistence) must be directly related to the exchange or visitation.

4. Support will be given for the preparation, printing, and distribution of a handbook for the approximately 650 municipal prosecutors. A handbook for the district and county prosecutors is contemplated in the technical assistance and coordination project. The scope of the handbook contemplates the normal operating procedure, forms, and statutory and

constitutional requirements, limitations, and liabilities. The content and structure design will be for the newly elected or appointed prosecutor and provide a reference for the daily operation of their offices.

### *Managerial and Administrative*

*Objective* is to provide well planned management projects for the district and county prosecutors in metropolitan areas and judicial districts. Support will be provided for the establishment and maintenance of a central unit of the Texas District and County Attorneys Association to provide the needed statewide technical and coordinative support to the local district and county prosecutors' offices. Support will be provided for the maintenance of a central unit of the Attorney General's Office to provide the needed statewide technical and coordinative assistance to prosecutors, law enforcement personnel, and other related agencies and offices throughout the state. Support will be provided for personnel such as assistant prosecutors, administrators, investigators, secretaries, clerical personnel, and non-professional personnel. Technical equipment such as electronic recording devices, machine readable tapes for court reporters' machines, microfilming equipment, and magnetic card and tape typewriters will be supported. All of these will assist the prosecutors in reducing the number of charges filed, reducing the time from arrest to trial, freeing law enforcement officers from time-consuming court appearances, reducing the jail population, reducing the backlog of pending cases, and improving the quality of prosecution.

*Implementation* will be by the prosecutors through projects which include one or more of the following:

1. Support will be provided for management studies of prosecutors' offices in metropolitan areas, judicial districts composed of more than one county, or combinations of these. The scope of the study shall include operational systems and procedures, logistical structuring of responsibility, organization, staffing requirements, facility and equipment requirements, compensation of prosecutors and staff, and the effect of the components in the criminal justice system which interface with the prosecutors' offices. It is anticipated that one or two metropolitan prosecutors' offices and five to seven judicial districts, which include all prosecutors' offices in that particular area, will be studied in 1972.

*Special Requirements:* Application must document adequate support from the courts, prosecutors, clerks, and probation officers to provide for assistance in collection of data and facts necessary for intelligent management analysis.

Applicant must agree to and provide for implementation and adequate testing during the grant period.

Applicant must submit the request for proposals and a copy of each proposal in response thereto.

2. Support will be given for technical assistance and coordinative units. The primary function will be to provide reference, technical assistance, and other coordinative services to local prosecutors' offices. This function may be extended to law enforcement personnel and other related agencies and offices where the sponsoring agency deems it appropriate and proper within

their total responsibility. The units may abstract and disseminate state and federal court decisions; prepare, assemble, and distribute training aids and material; plan and coordinate seminars, task forces, and professional meetings; prepare, print, and distribute handbooks and manuals; issue newsletters; assemble, maintain, and disseminate brief banks, etc. The Texas District and County Attorneys Association, the Attorney General's Office, and the municipal prosecutors association are eligible for these projects. The Texas District and County Attorneys Association will implement two statewide seminars for 125 prosecutors per session; plan future statewide and regional seminars and assist in their implementation; coordinate task forces and professional meetings; and begin preparation of a handbook. The Attorney General's Office in 1972 will continue its technical assistance and coordination unit.

3. Support will be given for additional assistants, prosecutors, and staff for prosecutors' offices. Supportive staff may include administrators, investigators, secretaries, clerical personnel, and non-professional personnel as required by the particular project to provide assistance in reducing the number of charges filed, reducing the time span from arrest to trial, reducing the jail population, reducing the backlog of pending cases, and improving the quality of the prosecution. It is anticipated that five to seven offices will begin or continue participation.

*Special Requirements:* Application must include present and proposed total staffing, job descriptions, and detailed budget.

Application must include adequate narrative of new or innovative staffing, organization, and approaches, with the projected results.

CJC may require a management survey prior to consideration of applications.

4. Support will be given to career incentive pay increases for those prosecutors or assistant prosecutors who have demonstrated their ability, expressed a desire to become career prosecutors and forego private practice of law, and who are unable to obtain the financial support necessary from their jurisdiction. This project contemplates retention of experienced prosecutors who would remain as career prosecutors if they received compensation commensurate with their ability and responsibility. This type of project will reduce the constant turnover of assistant prosecutors, reduce in-service training time, provide a cadre of experienced prosecutors in each job responsibility, and decrease the time of processing cases. It is anticipated that two to five prosecutors' offices will participate.

*Special Requirement:* Application must include documentation of prior budget requests and budget awards for the preceding three years, an agreement from the proposed prosecutors to remain with the office for a minimum of three years, and an agreement prohibiting the private practice of law by the proposed prosecutors.

5. Support will be provided for new or improved technical equipment which will assist in reducing time from arrest to trial, reducing case backlog, and freeing law enforcement officers from time-consuming court appearances. Electronic recording equipment, machine readable tapes for court reporters' machines, magnetic tape, and card typewriters are illustrative of the technical equipment contemplated. It is anticipated that one or two



metropolitan prosecutors' offices will participate.

*Special Requirement:* Applications in which technical equipment is a substantial portion of the project, either by budget or purpose, shall be matched in cash.

*Evaluation* shall include grantee's comparison of the goals, methods, and results as presented in the application and as presented by documentation during the project period. Changes during the project must be discussed in the evaluation, with adequate narrative to show the facts, circumstances, and justification for all changes.

Grantee shall provide for external evaluation by a team from the particular component of the criminal justice system. Grantee's evaluation shall include at least the same criteria as the internal evaluation.

Grantees who request continued funding must submit by the end of the tenth month the evaluation with the grant application for consideration of continuation of the project.

*Grants* for projects under categories (1) education and training and (2) managerial and administrative will be available to state agencies, private non-profit tax exempt organizations, universities, colleges, regional councils, units of local government, or any combination of these. Approximately 20 to 30 grants ranging from \$5,000 to \$150,000 are anticipated during 1972.

*Special Condition:* All in-kind personnel contributions applied to matching requirements must be persons devoting full time to the project, as stated in the purposes and objectives in the final grant application. A part-time percentage or a pro rata allocation of in-kind personnel contribution will not be acceptable. Applicant must obtain prior approval of in-kind personnel match prior to formal submission of grant application.

*Budget:*

Criminal Justice Council (Part C)	\$1,565,000
State matching	\$ 21,667
Local matching	\$ 500,000
Total for program	\$2,086,667

Ratio 75% Criminal Justice Council and 25% state/local.

*Objective* is to provide each indigent adult or juvenile charged with an offense competent, qualified, and experienced counsel from arrest to final determination. This program will supplement the appointed counsel provisions of the *Code of Criminal Procedure* for adults and *Vernon's Annotated Civil Statutes* for juveniles. The appointed counsel method places a burden on trial attorneys because of the number of competent and experienced defense attorneys and the rate of compensation for representation of indigents. Few, if any, are able to provide the necessary investigators to assist in case preparation. This program will provide for assistance in the continuing legal and non-legal education of public defenders and new defense attorneys, the establishment of full-time public defenders with adequate supportive staff, and agencies that are staffed with competent attorneys and supportive staff to assist appointed counsel.

**72-E3. Defense Aides and Assistance**

*Implementation* will be through the courts, local bar associations, private non-profit tax exempt organizations, regional councils, or units of local government for projects which include one or more of the following:

1. Seminars on a statewide, regional, or local basis that provide continuing legal and non-legal education and training. These seminars are for the benefit of public defenders and new defense attorneys. This project contemplates seminars of three days to one week's duration or the equivalent, should the seminar be held in successive sessions on a scheduled basis. The program content may be directed to basic fundamental, advanced, or specialized concepts. This project contemplates four to six regional seminars with 200 participating during 1972.

*Special Requirements:* Application must provide the estimated number of participants, the proposed curriculum to be presented, method of presentation, and the proposed persons or types of persons who will participate as instructors, lecturers, panelists and/or moderators.

Participants must be recommended by a proper judge and such recommendation shall be in writing and contain statements of past and anticipated appointments as defense counsel for indigents.

2. Stipends will be provided for national, regional (national basis), statewide, regional, or local seminars or conferences not funded by CJC. The seminars or conferences are to provide legal and non-legal education and training. These stipends will provide for travel, subsistence, tuition, fees, books, and materials. It is anticipated that one grant will be made and that 25 public defenders and new defense attorneys will participate.

*Special Requirements:* Requests to participate shall be by letter and shall state the purpose, place, dates, implementing agency or sponsor, curriculum, and sponsor's or implementing agencies' published costs.

Participants must be recommended by a proper judge. Such recommendation shall be in writing and contain statements of past and anticipated appointments as defense counsel for indigents.

Transportation is limited to auto at 10 cents per mile or coach air fare, whichever is cheaper. Lodging and food (subsistence) and other expenses must be directly related to the seminars or conferences.

3. Support will be given for the establishment of full time public defender offices with adequate supportive staff in metropolitan areas or combination of counties. Supportive staff may include assistant public defenders, investigators, secretarial, clerical, and non-professional personnel. It contemplates the defense of all indigents, adult and juvenile, charged with an offense. Preference will be given metropolitan areas during 1972. It is anticipated that one public defender office will be established.

*Special Requirements:* Application must present the staffing and organization; job descriptions; document support of the trial courts and their agreement to use the public defender's office; the criteria for assignment of cases; the continued use, if any, of appointed counsel; and the governing board; and the rules and regulations promulgated for the public defender's office.

Application must document financial support by the participating counties as provided for in Art. 26.05, *Code of Criminal Procedures* and Art. 2338-1, *Vernon's Annotated Civil Statutes*.

4. Support will be given for the establishment of legal assistance agencies with a full time director with adequate supportive staff in metropolitan areas or combinations of counties to assist appointed counsel in indigent cases. Supportive staff may include attorneys for consultation, briefing, and research, and investigators, clerical, and non-professional personnel. This type of project contemplates that the agency will maintain a list of competent attorneys to represent indigent adult and juvenile defendants, to provide consultative, investigative, and other auxiliary services to the appointed defense attorneys, to evaluate and report the attorneys' performance, to recommend the addition of new attorneys to the authorized list, and to assess the attorneys' eligibility for future appointments. Preference will be given to metropolitan areas during 1972. It is anticipated that one or two legal assistance agencies will be established during the year.

*Special Requirements:* Application shall present the staffing and organization, job descriptions; document support of the trial courts and their agreement to use the agency; the governing board; and the rules and regulations promulgated for the agency.

Application must document financial support by the participating counties as provided for in Art. 26.05, *Code of Criminal Procedures* and Art. 2338-1, *Vernon's Annotated Civil Statutes*.

*Evaluation* shall include grantee's comparison of the goals, methods, and results as presented in the application and as presented by documentation during the project period. Changes during the project must be discussed in the evaluation, with adequate narrative to show the facts, circumstances, and justification for all changes.

Grantee shall provide for external evaluation by a team from the particular component of the criminal justice system. Grantee's evaluation shall include at least the same criteria as the internal evaluation.

Grantees who request continued funding must submit by the end of the tenth month the evaluation with the grant application for consideration of continuation of the project.

*Grants* will be available to state agencies, private non-profit tax exempt organizations, regional councils, units of local government, or any combination thereof. Approximately two to four grants ranging from \$25,000 to \$100,000 are anticipated during 1972.

*Special Condition:* All in-kind personnel contributions applied to matching requirements must be persons devoting full time to the project, as stated in the purposes and objectives in the final grant application. A part-time percentage or a pro rata allocation of in-kind personnel contribution will not be acceptable. Applicant must obtain prior approval of in-kind personnel match prior to formal submission of grant application.

*Budget:*

Criminal Justice Council (Part C) . . . . . \$140,000

State matching . . . . .	\$ 13,333
Local matching . . . . .	\$ 33,333
Total for program . . . . .	\$186,666

Ratio 75% Criminal Justice Council and 25% state/local.

**72-E4. Criminal Justice  
Projects - Law Schools  
and Students**

*Objective* is to develop and expand the curriculum in the several law schools in Texas. Practical in-service confrontation, training, and experience by mid-law and senior law students in seminar courses that provide and require summer internships of eight to 12 weeks' duration in prosecutors' offices and other criminal justice offices will promote a better understanding of the criminal justice system. This will create a desire to seek a career in prosecution or in criminal justice agencies. Prosecutors must be encouraged to use senior law students in their offices as interns with the expectation of their pursuing prosecution as a career upon graduation and being licensed to practice law. Law schools and prosecutors must strive together to encourage the law professors of criminal law and/or criminal procedure to intern in the prosecutors' offices during the summer months to gain a practical insight into the courses they teach and the practical application thereof by the prosecutor, defense attorney, and court. It is recognized that not all of the interns will pursue prosecution as a career, but it is anticipated that from 50 percent to 75 percent will remain in prosecution, defense, or other criminal justice agencies after being licensed to practice law. Long term results should provide a substantial contribution to prosecution in Texas.

*Implementation* will be through the several law schools in Texas, prosecutors' offices, and other appropriate criminal justice agencies to include one or more of the following:

1. Assistance will be provided to law school seminar classes which include summer internships in the criminal justice system. This program category contemplates a defined seminar program including summer internships of eight to 12 weeks' duration for which academic credit is received. Interns may be placed in any offices of the criminal justice system, in or out of Texas. Preference will be given to those placing interns in prosecutors' offices, courts, and probation offices in Texas. It is anticipated that three to four law schools will participate in this program category involving the participation of 40 to 75 mid-law and senior law student interns during 1972.

*Special Requirement:* Application must present curriculum, law school participation, rules and regulations governing interns and locations where interns will be placed.

2. Assistance will be provided for senior law internships in prosecutors' offices. This project category contemplates the employment in metropolitan prosecutors' offices of senior law students, on a part-time basis, during their senior year. These interns must make a written commitment to continue employment as an assistant prosecutor for a minimum of two years, if the opportunity is made available to them. The project category also contemplates employment during the summer months of senior law students in prosecutors' offices throughout the state. It is anticipated that four to six prosecutors' offices involving 40 to 50 senior law students will participate.

*Special Requirements:* Application must present supervision and training

plan, duties of interns, and evaluation methods.

Intern salaries must be consistent with those paid under similar programs in the area.

3. Assistance will be provided to metropolitan prosecutors' offices who provide internships to law professors from Texas law schools who teach criminal law and/or criminal procedure. This category contemplates the employment and active participation of the law professor in trial, briefing, and research activities. Only metropolitan prosecutors' offices and law professors from Texas law schools are eligible to participate. This type of project will provide a practical insight and understanding of the application of the courses taught by the law professor. It is anticipated that two to four metropolitan prosecutors' offices will participate in this project by the employment of two to four law professor interns.

*Special Requirements:* Application must present the scope of employment planned and the criteria for evaluation by the prosecutors' office and the law professor intern.

A law professor's salary must be consistent with that paid by his law school.

4. Support will be provided to metropolitan criminal justice agencies and/or offices who provide summer internships for senior law students. This project category contemplates the employment of senior law student interns who have expressed a desire to remain in that criminal justice agency upon graduation and being licensed to practice law. It is anticipated that four to six metropolitan criminal justice agencies, involving five to 10 senior law student interns, will participate.

*Special Requirements:* Application must present supervision and training plan, duties of interns, and evaluation methods.

Intern salaries must be consistent with those paid under similar programs in the area.

*Evaluation* shall include grantee's comparison of the goals, methods, and results as presented in the application and as presented by documentation during the project period. Changes during the project must be discussed in the evaluation, with adequate narrative to show the facts, circumstances, and justification for all changes.

Grantee shall provide for external evaluation by a team from the particular component of the criminal justice system. Grantee's evaluation shall include at least the same criteria as the internal evaluation.

Grantees who request continued funding must submit by the end of the tenth month the evaluation with the grant application for consideration of continuation of the project.

*Grants* will be available to state agencies, universities, colleges, regional councils, units of local government or any combination of these. Approximately 10 to 20 grants ranging from \$5,000 to \$60,000 are anticipated during 1972.

*Special Condition:* All in-kind personnel contributions applied to matching

requirements must be persons devoting full time to the project, as stated in the purposes and objectives in the final grant application. A part-time percentage or a pro rata allocation of in-kind personnel contribution will not be acceptable. Applicant must obtain prior approval of in-kind personnel match prior to formal submission of grant application.

*Budget:*

Criminal Justice Council (Part C)	\$153,000
State matching	\$ 39,333
Local matching	\$ 11,667
Total for program	\$204,000

Ratio 75% Criminal Justice Council and 25% state/local.

**72-E5. Law Reform**

*Objective* is to provide financial assistance in the preparation of revisions in the *Penal Code*, *Code of Criminal Procedure*, and statutory and constitutional changes which affect the jurisdiction and responsibilities of all components of the criminal justice system. It also is the objective to offer financial assistance for development and implementation of public relations and information programs to inform the public, adult and juvenile, of existing and proposed laws.

*Implementation* will be through the State Bar of Texas, its committees and sections, the Junior Bar of Texas, local senior and junior bar associations, legislative committees, independent school districts, courts, prosecutors, universities, colleges, regional councils, and units of local government. Illustrative of projects is the joint venture of local bar associations, courts, prosecutors, and independent school districts who develop a new approach in subject matter and content for students in junior and senior high schools in programs similar to the "Law in America" curriculum and teaching method in Dallas Independent School District. This project shall be considered only for partial refunding. Another project will include the publication and distribution of a film explaining to prospective jurors their role and responsibilities. This will aid in a better understanding by each juror of what will occur during his service as a juror. The film will be distributed for use when empaneling jurors, as well as to schools and civic and fraternal organizations. A series of panels on proposed revisions of criminal and/or juvenile laws will be of major benefit to the public, courts, prosecution, and defense. Many other possible approaches exist and each particular area may develop its project to meet the needs.

*Evaluation* shall include grantee's comparison of the goals, methods, and results as presented in the application and as presented by documentation during the project period. Changes during the project must be discussed in the evaluation, with adequate narrative to show the facts, circumstances, and justification for all changes.

Grantee shall provide for external evaluation by a team from the particular component of the criminal justice system. Grantee's evaluation shall include at least the same criteria as the internal evaluation.

Grantees who request continued funding must submit by the end of the tenth month the evaluation with the grant application for consideration of continuation of the project.

Grants will be available to state agencies, private non-profit tax exempt organizations, universities, colleges, independent school districts, regional councils, units of local government, or any combination of these. Three to five grants ranging from \$2,500 to \$50,000 are anticipated during 1972.

*Special Condition:* All in-kind personnel contributions applied to matching requirements must be persons devoting full time to the project, as stated in the purposes and objectives in the final grant application. A part-time percentage or a pro rata allocation of in-kind personnel contribution will not be acceptable. Applicant must obtain prior approval of in-kind personnel match prior to formal submission of grant application.

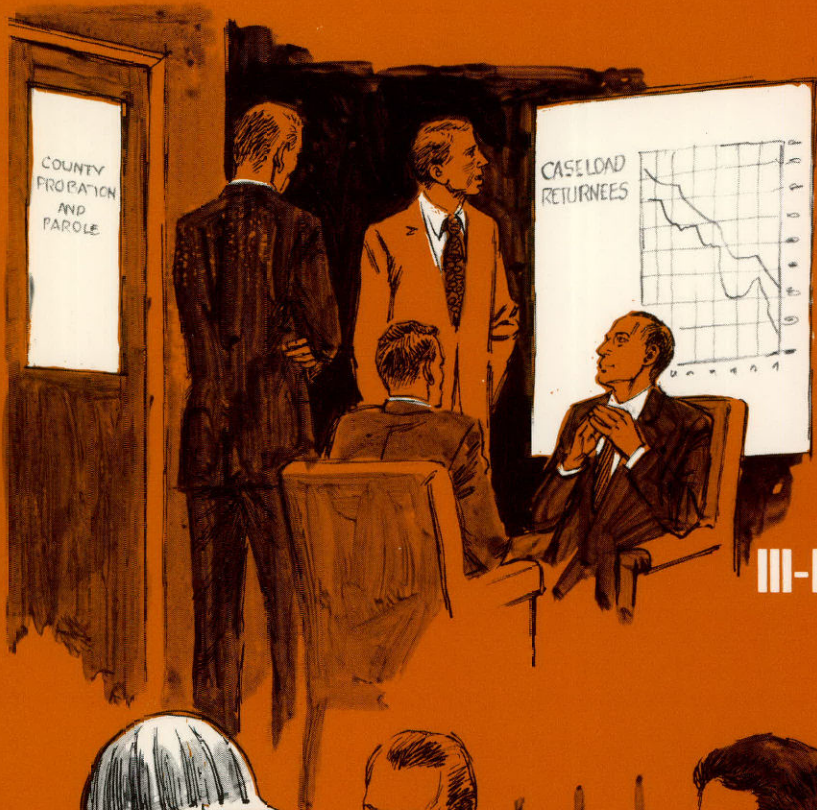
*Budget:*

Criminal Justice Council (Part C)	\$170,000
State matching	\$ 33,333
Local matching	\$ 23,333
Total for program	\$226,666

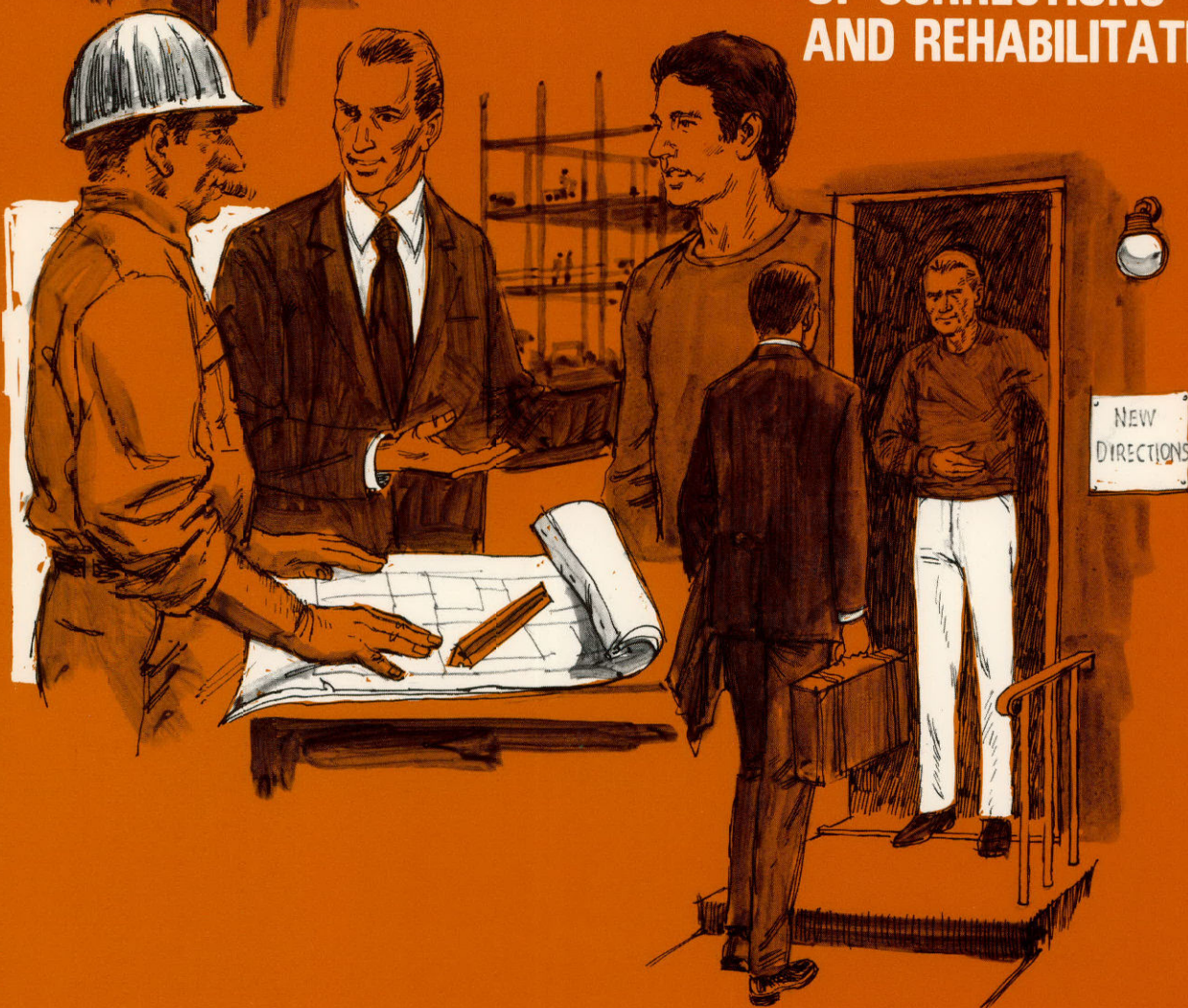
Ratio 75% Criminal Justice Council and 25% state/local.







### III-F. INCREASE IN EFFECTIVENESS OF CORRECTIONS AND REHABILITATION





**F. INCREASE IN EFFECTIVENESS OF CORRECTIONS AND REHABILITATION**

**72-F1. Correctional Personnel Training and Education**

*Objective* is to provide during a five-year period 80 hours recruit training and 20 hours of in-service training annually for all juvenile and adult corrections personnel in the state, including institutional and probation and parole officers, and additional educational courses to improve performance of career personnel. Primary emphasis will be on training and education of persons involved in local correctional programs.

*Implementation* will be achieved by local and state correctional agencies through seminars, workshops, and training programs. These programs may be developed and conducted in-house or through universities, colleges, and other organizations. Educational courses for credit will be conducted by institutions of higher learning, either on campus or at field locations. This program will provide stipends covering travel, subsistence, fees, tuition, books, and materials; development and operation of training and educational programs; and extra employees required to relieve personnel engaged in training and educational programs.

Applicants will be required to provide (1) educational and occupational backgrounds of correctional personnel who would participate in the training and educational programs; (2) outline of educational and training areas required for each category of corrections personnel; (3) a detailed listing of the course curricula used to provide training and education; (4) the number of corrections personnel to be involved in each course and the total for the entire project period; (5) qualifications of persons who will conduct the training or educational courses; (6) places and circumstances for the courses; and (7) evaluation methodology.

*Evaluation* will include (1) program goals and problems associated with their attainment; (2) description of evaluation administration; (3) procedures that can be used by persons lacking research training; (4) pass-fail criteria for each course; (5) the number who pass or fail, adjustments made in the program that suggest changes in correctional procedures, and problems encountered during the courses; and (6) evaluation criteria that reflect progress toward stated goals.

*Grants* will be made to units of local government or combinations of these that will assure efficient management and sufficient attendance, and to state agencies, universities, colleges, and regional councils. About 40 grants ranging from \$1,000 to \$50,000 to average \$10,000 and involving 1,000 participants are projected.

*Budget:*

	1972
Criminal Justice Council (Part C) . . . . .	\$400,000
State matching . . . . .	\$100,000
Local matching . . . . .	\$ 33,333
Total for program . . . . .	\$533,333

Ratio 75% Criminal Justice Council and 25% state/local.

72-F2. Training, Placement,  
and Specialized  
Units for  
Adult/Juvenile  
Probation and  
Parole

*Objectives* are: (a) to provide in-service training and education for all adult and juvenile probation and parole officers; (b) to assist in establishment and expansion of adult and juvenile probation and parole services to all juvenile and criminal courts. This program anticipates expansion of existing services in metropolitan areas, including contiguous counties, and establishment and expansion of regional probation services in the non-metropolitan areas; and (c) to improve the capabilities of metropolitan adult and juvenile probation offices for providing specialized services to persons from arrest through sentencing or dispositional hearing and probationary period.

Specialized pre-trial hearing and pre-sentence disposition units are necessary to provide the courts with basic information on length of residence, employment or school status and history, financial condition, and related information to help determine conditions for release. This is especially important to avoid placing juveniles in detention in adult jails when the background may indicate other action. Much of the basic information is necessary in the pre-sentence disposition report. During the time from arrest to hearing, it may be supplemented with diagnostic reports and from local and regional resources available to the court.

Specialized units are necessary to provide community job training and placement, medical and dental assistance, credit and financial assistance, and family counseling from release through the probationary period. These units offer the courts the complete detailed background and rehabilitative capabilities of each person and will provide the community services from release to completion of probation period.

Specialized work release supervision units for adults are necessary for implementing provisions of Article 42.03 of the Code of Criminal Procedure. This article allows the trial judge to stipulate the serving of a jail sentence during off-work hours or on weekends. The judge may attach restrictions on the offender's employment travel, and other conduct during the performance of such a sentence. Specific quantification is not possible to forecast. Such projects are expected to result in an increase of from 15 percent to 20 percent in probations granted, probations completed, and work releases granted under Article 42.03, *Code of Criminal Procedure*.

*Implementation* will be through state agencies, regional councils, units of local government, or combinations of these. Preference will be given areas with the most critical need. It is anticipated that the most critical needs will be those of adult and juvenile probation and parole offices in metropolitan areas. These areas will receive assistance in forming specialized units to provide pre-trial hearing services, pre-sentence dispositional services, community coordination of work release services. Any one or any combination of the specialized service units may be included in the grant application. Grants will include personnel, office equipment, operational costs, stipends for seminars, and expenses of attending seminars. Informal applications should be submitted to CJC staff for inclusion of special conditions unique to the project.

*Evaluation* shall contain two components, internal and external.

*Internal evaluation* will include a running analysis documenting changes since project implementation. The internal evaluation will include participants' written appraisal of the project's strengths, weaknesses, and benefits. Also required will be written documentation of the extent to which goals outlined

in the original application were achieved. This information will be included in quarterly progress reports to CJC.

*External evaluation* will be determined by the CJC staff after review of the project's methods and goals, on the basis of evaluation criteria included in the application and the special conditions attached to the notice of grant award. Costs of such evaluations should be considered for inclusion in the budget portion of the application. Consultation regarding costs factors and evaluation personnel selection will be made available by the CJC staff.

*Special Conditions:*

1. A rough draft of all applications will be submitted for CJC staff review and comments (anticipate a minimum of two-three weeks before consideration will be given for formal processing of the application).
2. Project cannot contract for evaluation purposes without prior CJC approval.
3. Coordination through meetings with related CJC funded projects within the same locale should be reflected in quarterly progress reports.
4. Applicant must document in writing compliance with Attorney General's opinion M-784, dated February 4, 1971 re: Article 42.12(6a), Texas Code of Criminal Procedure -- executed by *all* applicable counties. Applicant must furnish the total number of persons on misdemeanor and felony probation; the number of persons granted probation in the preceding year by felonies and misdemeanors; the number of revocations for the preceding year by felonies and misdemeanors; and, the total amount of fees collected for the preceding year.

*Grants* will be made to state agencies, regional councils, or units of local government. It is anticipated that applications for a range of \$50 to \$150,000 will be considered.

*Budget:*

Criminal Justice Council . . . . .	\$2,000,000
Local matching . . . . .	\$ 666,667
Total for program . . . . .	\$2,666,667

Ratio 75% Criminal Justice Council and 25% state/local. CJC reserves the right to change the funding ratio should the project extend beyond the first year.

*Objective* is to assist local correctional facilities and state institutions in establishing or improving rehabilitation methods and programs and in upgrading operational methods and equipment.

**72-F3. Institutional Programs**

*Implementation* will be accomplished by units of local government and state agencies. This program will provide support for (1) establishment or improvement of prisoner classification and record systems, diagnostic services, food service, educational and vocational programs, employment programs, crisis intervention programs, and other non-security institutional or facility operations, and (2) equipment required for establishment or

improvement of rehabilitation programs and for upgrading institutional or facility operations. Equipment may include furniture for residential units, office furniture and equipment, vocational and educational equipment, equipment required for classification and record systems, and for related purposes. Automotive equipment is not included. The selection and acquisition of equipment, when appropriate, shall be on a competitive bid basis and in accordance with applicable state and local laws.

*Evaluation* will be based on (1) status of rehabilitation efforts prior to introduction of the new programs or equipment, (2) the number of participants involved in rehabilitation programs prior to and following the introduction of the new programs or equipment, (3) criteria for selecting participants for the new programs, or cost comparison of new and old methods of operation, and (4) evaluation criteria reflecting progress toward stated goals.

*Grants* will be made to units of local government, or combinations where regional arrangements exist for the operation of jails, and state agencies. Approximately 20 grants ranging from \$1,000 to \$100,000 are projected, with priority to be given county and local jails and detention centers.

*Budget:*

	1972
Criminal Justice Council (Part E) . . . . .	\$1,050,000
State matching . . . . .	\$ 83,333
Local matching . . . . .	\$ 266,667
Total for program . . . . .	\$1,400,000

Ratio 75% Criminal Justice Council and 25% state/local.

**72-F4. Improvement of  
Corrections Organ-  
izational Practices**

*Objective* is to develop the use of modern management techniques to improve the organizational structure, management, program direction, and operations of local and state agencies concerned with juvenile and adult corrections.

*Implementation* will be accomplished by sheriffs' departments, juvenile courts, local juvenile and adult probation departments, state parole and institutional agencies, and CJC. Studies to provide information and guidance for organizational improvements ordinarily will be made on contract or purchase order. Projects will include: (1) Record keeping practices, information flows, uses of modern equipment and techniques for information reporting, recording, storing, and retrieval, and computer utilization for case management, jail census, and parole and probation program evaluations; (2) new personnel administration policies and procedures affecting recruiting, hiring, discipline, probation, benefits, morale, and dismissals; (3) the roles and responsibilities of corrections personnel; (4) budget and business management; (5) improvement in institutional security and operational procedures and systems; (6) changes in procedures to reduce personnel requirements and costs; (7) changes in state laws or local ordinances to improve operations and programs; and (8) development of technical assistance resources for use by CJC in responding to state and local requests as provided by the Act.

*Evaluation* will be based on (1) administrative arrangements for implementation and evaluation; (2) current and projected costs of programs and operations to be improved, changes in the number of persons required and in the number of clients, time savings produced by operational improvements; and (3) evaluation criteria reflecting progress toward stated goals. While applicants will not be required to follow all recommendations of surveys, a final project report will set forth the reasons for any failure to implement all recommendations, as well as recommended changes effected, and results of these changes.

*Grants* ranging from \$1,000 to \$25,000 will be made to TDC, TYC, CJC, and about 25 local agencies.

*Budget:*

	1972
Criminal Justice Council (Part E) . . . . .	\$100,000
State matching . . . . .	\$ 25,000
Local matching . . . . .	\$ 8,333
Total for program . . . . .	\$133,333

Ratio 75% Criminal Justice Council and 25% state/local.

*Objective* is to assist in the community integration and adjustment of offenders on probation and parole, those released from incarceration by expiration of sentence, and those in work release and pre-release status, by the establishment of places of temporary residence and supporting services.

**72-F5. Adult Halfway Houses**

*Implementation* will be accomplished by units of local government and state agencies concerned with correctional processes. Residences providing housing for 25 to 30 offenders each will be rented or leased. Services shall include room, board, counseling, job placement, medical assistance (including dental and psychiatric), and other suitable programs for the halfway house. Residents will average three or four months in the program, with the exception of those participating in prescribed educational or vocational training programs for longer periods. In the halfway house program, services also will be obtained from the Employment Commission, the Rehabilitation Commission, the Department of Mental Health and Mental Retardation, TDC, the Board of Pardons and Paroles, the Veterans Administration, the U. S. Department of Labor, the U. S. Department of Health, Education, and Welfare, local probation departments, and service clubs and other community organizations.

*Evaluation* will be based on (1) the number of clients in the halfway house program, with break-down showing the numbers who abscond and who complete the program and the number of participants in various phases; the costs of operation, the earnings of participants, and similar items; and (2) evaluation criteria reflecting progress toward the stated program goals which inherently involve the permanent rehabilitation of offenders.

*Grants* of \$10,000 to \$50,000 will be made to two units of local government and one state agency.

*Budget:*

	1972
Criminal Justice Council (Part C) . . . . .	\$50,000
Local matching . . . . .	\$16,667
Total for program . . . . .	\$66,667

Ratio 75% Criminal Justice Council and 25% local.

**72-F6. Improvement of Parole**

*Objective* is to strengthen the capabilities and resources of parole services for juveniles and adults with the view of increasing the number of offenders who can be released under supervision, reducing institutional populations and costs, and enhancing efforts to rehabilitate offenders by returning them to the community as early as possible without sacrificing public safety.

*Implementation* will be by the Board of Pardons and Paroles and TYC. Projects will include programs and conditions similar to those listed under Program 72-F2, "Training, Placement, and Specialized Units for Adult/Juvenile Probation and Parole": (1) establishment of new parole offices in the field, (2) additional personnel for headquarters offices and existing field offices, (3) specialized caseloads, (4) purchase of service funds, (5) preparing parole officers for a new role as community treatment managers, and (6) the use of volunteers, paraprofessionals, and ex-offenders.

*Evaluation* will be based on (1) comparative numbers of parole personnel and parolees before and after establishment of new programs; and of parolees placed in community employment, educational and vocational programs, and other types of community-based programs; and (2) evaluation criteria reflecting progress toward stated program goals, which inherently involve the reduction of recidivism.

*Grants* will be made to the Department of Pardons and Paroles and TYC. Approximately six grants ranging from \$10,000 to \$100,000 are projected.

*Budget:*

	1972
Criminal Justice Council (Part E) . . . . .	\$200,000
State matching . . . . .	\$ 66,667
Total for program . . . . .	\$266,667

Ratio 75% Criminal Justice Council and 25% state.



### III-G. REDUCTION OF ORGANIZED CRIME





## G. REDUCTION OF ORGANIZED CRIME

*Objective* is to support a council whose members are knowledgeable about organized-crime control and, by virtue of their positions in state and local operating agencies, are capable of coordinating efforts against organized crime. This program will provide a director who will be charged with coordination and liaison between the Organized-Crime Prevention Council and other agencies involved in organized-crime control.

*Implementation:* The Organized-Crime Prevention Council was established by executive order and the members of the council were appointed by the Governor.

The director provided to the council under this program will assume the task of developing feasibility studies for a regional, intrastate compact for organized-crime control. The director will work closely with the council in opening channels of communication with quasi-governmental and private agencies which will have information necessary to an investigation of the scope of organized crime in the state and the nation.

*Evaluation* will document the extent of organized criminal activities within the jurisdiction of the Organized-Crime Prevention Council, including gambling, loan sharking, prostitution, narcotics, and other major crime categories. Specification of programs initiated to curb these activities and estimates of the relative success of each will be provided.

*Grants* will not be made. The Organized-Crime Prevention Council will be primarily a planning, coordinating, advising, and evaluating body; expenses (the director's salary, travel, per diem, secretarial expenses, and printing) will be paid from a grant made to the CJC.

### *Special Restrictions:*

Program director will serve in a planning capacity in coordinating the statewide effort.

### *Budget:*

Criminal Justice Council . . . . .	\$45,000
State matching . . . . .	\$15,000
Total for program . . . . .	\$60,000

Ratio 75% Criminal Justice Council and 25% state/local.

*Objective* is to staff organized-crime control units for prosecutors' offices and police agencies in major metropolitan areas and to create in appropriate state agencies operational task forces of police and prosecutors to combat organized crime.

Goals are (1) to participate in the establishment or strengthening of specialized organized-crime control units in police and prosecutors' offices in the four major metropolitan areas (Houston, Dallas, Fort Worth, San Antonio); (2) to participate in the establishment of specialized organized-crime control units in DPS and the Attorney General's Office; (3)

## 72-G1. Organized-Crime Prevention Council

## 72-G2. Organized-Crime Control Units for Law Enforcement Agencies

to participate in the establishment of two interagency organized-crime strike groups; and (4) to meet the needs for the addition of specialists in organized-crime control to police and prosecutors' offices in other jurisdictions determined by the Organized-Crime Prevention Council to have organized-crime problems.

*Implementation* will be through the funding of state agencies or units of local government in major metropolitan areas.

The second-year objective will be to add 15 to 30 persons specializing in organized-crime control to state and local agencies, to police agencies or prosecutors' offices in major metropolitan areas, or to operational task forces in major metropolitan areas.

State agencies or units of local government will be expected to fund fully each staff position created after three years of federal assistance.

*Evaluation* will include documentation of procedures used for storage and retrieval of organized-crime intelligence information. It will include specification of security measures employed as well as procedures used to verify accuracy of information. Grantee also will include the amount of statistical information sent to the organized-crime control unit and DPS and the number of requests for information from other agencies. Grantee will describe information admitted to the intelligence file and how the information is organized, and specify the number of individual dossiers or records the file contains.

*Grants* will be made available to units of local government in major metropolitan areas or to state agencies responsible for organized-crime control.

It is estimated that from six to eight grants ranging from \$33,000 to \$200,000 will be made during 1972.

*Special Restrictions:*

Units funded under this program shall:

1. Submit collected information and intelligence to the Organized-Crime Control Unit, Intelligence Service, Department of Public Safety.
2. Comply with the security regulations pertaining to safeguarding information and intelligence as prescribed by the Organized-Crime Prevention Council.

*Budget:*

Criminal Justice Council . . . . .	\$550,000
Local matching . . . . .	\$183,333
Total for program . . . . .	\$733,333

Ratio 75% Criminal Justice Council and 25% state/local.

**72-G3. Technical Equipment  
for Organized-  
Crime Control**

*Objective* is to increase capabilities of police and prosecutors with surveillance and reporting equipment needed for detection and prosecution of organized crime.

*Implementation* will be through grants to units of local government for purchase of equipment for police and prosecutors' offices in the four major metropolitan areas, DPS, interagency strike groups, police, or prosecutors in other jurisdictions determined by the Organized-Crime Prevention Council to have significant organized-crime control problems. It is estimated that from 50 to 75 separate pieces of equipment will be purchased in the next three years for use by approximately 18 separate agencies or strike groups.

Equipment for which legal uses have been established, such as photo and audio surveillance equipment, will be purchased.

*Evaluation* will be based on documentation of all equipment purchased, training programs to familiarize officers with its use, and the circumstances under which it has been used. Grantee will submit documentation of the extent to which the technical equipment has enhanced the prevention of organized criminal activity and assisted in apprehension and prosecution of suspects.

*Grants* will be made available to units of local government in major metropolitan areas having responsibilities in organized-crime control.

It is estimated that from 4 to 7 grants ranging from \$1,000 to \$3,000 will be made during 1972.

*Special Restrictions:*

Equipment purchased must increase the capabilities of agencies in organized-crime control. No equipment to replace or add to existing conventional equipment will be purchased. Equipment not a part of a comprehensive organized-crime unit must be matched with cash. Equipment purchased must be assigned to the individuals, sections, or divisions within operating agencies responsible for organized-crime detection or prosecution and must be used primarily for organized-crime control.

*Budget:*

Criminal Justice Council . . . . .	\$12,000
Local matching . . . . .	\$ 4,000
Total for program . . . . .	\$16,000

Ratio 75% Criminal Justice Council and 25% state/local.

*Objective* is to have individuals from police and prosecutors' agencies in each standard metropolitan statistical area adequately trained in organized-crime prevention, detection, and prosecution. Approximately 100 local police and prosecutors' agencies will be represented in the training sponsored by this program over the next three years. In addition, representatives from five or six state agencies will be represented in the training. It also is planned to acquaint a minimum of 25 district and appellate judges with the nature of organized crime. Ten to 15 criminal justice planners will be trained. It is anticipated that approximately 1,200 persons will receive the specialized organized-crime control training in the next three years. Approximately 500 judges, police officers, prosecutors, and planners will receive training during the first two years. These individuals will represent approximately 40 agencies and hopefully will initiate or strengthen efforts against organized crime by their agencies.

**72-G4. Training for Organized-Crime Control**

*Implementation* will be in two ways:

1. Grants for travel costs, registration fees, books and supplies, and per diem will be made to units of local government in major metropolitan areas or state agencies that desire to send prosecutors, investigators, police administrators, intelligence agents, or other law enforcement personnel involved in organized-crime control to attend schools, conferences, or workshops sponsored by federal agencies, state agencies in any state, or other creditable institutions as determined by CJC.
2. This program will make funds available for one or more organized-crime training programs in the state, sponsored by the Office of the Governor, state agencies, or units of local government in major metropolitan areas.

Topics to be covered in such a training program could include:

Organized Crime (general introduction), organized crime in Texas, camera and other equipment handling, physical surveillance, undercover operations, intelligence operations, strike forces or task forces, informants, tax investigations, gambling, sources of information, constitutional law, conspiracy statutes, narcotics, interrogation, preparation of affidavits and warrants, searches, evidence, report writing, preparation for trial, corruption.

*Evaluation* will include complete documentation of the curricula developed in training programs concerning organized crime and the syllabi developed for these course descriptions. Grantee will document the numbers of persons who have participated in the training program, information concerning departments which these officers represent, and the various contingency plans for further training for the prevention of organized crime.

*Grants* will be made available to a state agency, having responsibilities in organized-crime control.

It is estimated that one grant for \$4,000 will be made this year.

*Special Restrictions:*

Proposed curricula and instructors for the training program must be approved by CJC.

*Budget:*

Criminal Justice Council . . . . .	\$4,000
State matching . . . . .	\$1,333
Total for program . . . . .	\$5,333

Ratio 75% Criminal Justice Council and 25% state/local.

**72-G5. Organized-Crime  
Intelligence Col-  
lection**

*Objective* is to centralize available intelligence data on organized crime in the state, to increase these data in quantity and quality, and to disseminate them throughout the state.

This program will participate in development of a centralized organized-crime intelligence collection, analysis, and dissemination unit of DPS, the formation of an organized-crime intelligence net in Texas with

approximately 25 local agencies being tied to the central DPS unit, and the development of a regional organized-crime intelligence net with four to six contiguous southern and southwestern states. The centralized unit will be created and four to 10 major cities tied into a statewide intelligence net. Plans will be drawn for the expansion of the statewide net and the creation of a multi-state intelligence net.

*Implementation* of the initial phase of this program was through a grant for staffing and equipping a special unit in the DPS Intelligence Section to collect, analyze, and disseminate intelligence information on organized crime.

In future years, additional grants will be made to DPS, other state agencies involved in organized-crime control, and units of local government for developing additional intelligence capabilities.

*Evaluation* will include documentation of procedures used for storage and retrieval of organized-crime intelligence information, security measures employed, and procedures used to verify the accuracy of information. Grantee also will include statistical information on the number of requests made for intelligence information by local agencies, as well as the number of contributors who submit intelligence information to the grantee. Grantee will describe the type of information admitted to the central intelligence file and how it is organized, and specify the number of individual dossiers or records kept in the file.

*Grants* for the first phase will be to DPS. It is anticipated that LEAA discretionary grants will be sought for the interstate phases of this program and perhaps for some of the intrastate preparation for interstate intelligence sharing.

*Special Restrictions:*

Grantees must agree to make information available to requesting agencies after proper clearance.

*Budget:*

Criminal Justice Council . . . . .	\$268,000
State matching . . . . .	\$ 89,333
Total for program . . . . .	\$357,333

Ratio 75% Criminal Justice Council and 25% state/local.

*Objective* is to acquaint the public with the effects of organized crime by sponsoring seminars, conferences and workshops and through the news media.

**72-G6. Public Education  
about Organized  
Crime**

Since this is a public education program, the goal is to have every citizen receive information about the nature of organized crime as a direct or indirect result of these projects.

Long-term goals are to acquaint the citizens of Texas, especially those in the business community, with the nature and activities of organized crime so they will refuse to participate in its schemes and will support efforts to

eliminate it.

*Implementation* will be by making grants and providing staff assistance to units of local government in major metropolitan areas, the Office of the Governor, state agencies responsible for organized-crime control, universities, or private non-profit organizations desiring to sponsor conferences such as those listed below.

During the first three years one or more organized-crime conferences will be conducted for representatives of the news media, at least two for businessmen in major metropolitan areas, and one or more training sessions on loan sharking abuses for persons working in poverty and low income areas.

Journalism schools and professional press organizations are potential sponsors for the news media conferences. Chambers of commerce and colleges of business administration are potential sponsors for business conferences. The Texas Consumer Credit Commission and the Texas Office of Economic Opportunity, Office of the Governor, are potential sponsors for the loan sharking conferences. CJC or units of local government in major metropolitan areas are potential sponsors for any of these conferences.

Films will be made, brochures published, releases made, and speeches presented.

*Evaluation* will document the number and types of programs sponsored to acquaint the public with organized crime, the number of participants, and the program contents. Grantee will include estimates of cost of the program per individual participant.

*Grants* will be made to state agencies (including state universities) for conducting organized-crime workshops or conferences and for preparation, distribution, and utilization of materials.

An estimated two to four grants ranging from \$5,000 to \$50,000 will be made during 1972, depending upon the length of the project and the desirability of published proceedings from the project.

*Special Restrictions:*

The program and invitation list for each conference or workshop must be approved in advance by CJC. The script for any film as well as manuscript of any publication must have prior approval.

*Budget:*

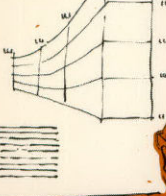
Criminal Justice Council . . . . .	\$100,000
State matching . . . . .	\$ 33,333
Total for program . . . . .	\$133,333

Ratio 75% Criminal Justice Council and 25% state/local.



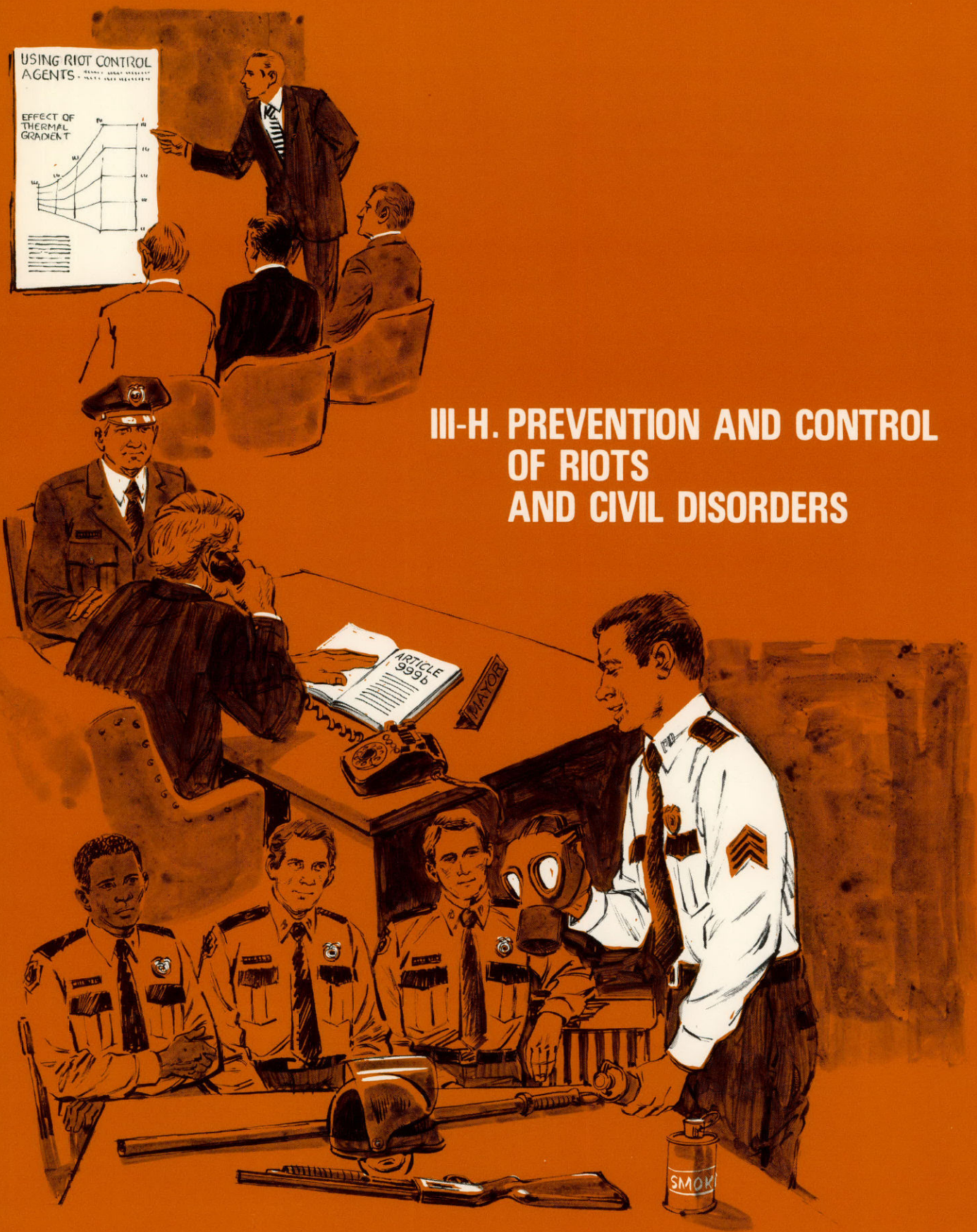
USING RIOT CONTROL AGENTS

EFFECT OF THERMAL GRADIENT



### III-H. PREVENTION AND CONTROL OF RIOTS AND CIVIL DISORDERS

Civil Disorders





## H. PREVENTION AND CONTROL OF RIOTS AND CIVIL DISORDERS

*Objective* is to assist local governments and state agencies whose jurisdictions have a potential for riots or disorders to plan, train, and equip for effective response to such incidents. DPS, the Adjutant General, and CJC have developed plans for statewide response. This program will participate in development of 15 to 20 riot or civil disorder response plans in the state planning regions. In addition, municipal riot control plans will be developed or strengthened in many cities. Riot and disorder control training will be conducted in each SMSA and for officers working outside of SMSA's who are integral parts of regional riot control plans. Ten thousand officers will be trained in riot control techniques. Grants will be made in other areas determined by CJC to have potential for riots or disorders during the next three years. Approximately 200 officers will receive specialized types of riot control training such as intelligence and public media relations training. The goal of this program is to train and equip local governments for quick, effective, coordinated response to a potential disorder or to the first phases of disorder, thus preventing serious riots. During this year, it is estimated that five or six regional riot control plans will be developed and that nine or 10 training grants will result in the training of 2,500 officers in riot and disorder control.

*Implementation* will be through units of local government or combinations thereof and state agencies to which grants will be made for the following purposes: (1) developing comprehensive plans for riot and disorder control, (2) training personnel in riot and disorder control, and (3) purchasing equipment for use in riot and disorder prevention and control.

Units of local government seeking grants for planning must demonstrate their willingness to integrate with regional and statewide riot and disorder control plans. Regional councils must demonstrate their willingness to coordinate their plans with statewide plans developed by DPS and the Adjutant General. They must show action to adopt ordinances and resolutions under the Police Mutual Aid Law and work out mutual aid agreements.

Projects designed to prepare personnel for specialized tasks in riot and disorder control, such as the training of intelligence officers in the detection and surveillance of individuals and events which have the potential for contribution to riots or disorders, are included in this program. Continuation of the CJC technical assistance unit also will be included.

*Evaluation* of projects will include detailed documentation as to curricula and syllabi used in the training of police officers and departmental administrators in riot control. Also included will be documentation of the number and types of riots or major civil disturbances which have occurred within their jurisdiction over the last 10 years. Grantee will provide complete documentation of quantity and type of equipment purchased under the grant and the type of training program initiated to familiarize personnel with equipment. Grantee will include a description of contingency plans developed to handle civil disorders which involve the utilization of equipment purchased under the grant. These plans will be made in sufficient detail that they may be shared with other departments throughout the state.

## 72-H1. Planning, Training, and Equipment for Riot and Disorder Prevention and Control

*Grants* will be made to cities, counties, regional councils, and state agencies for use in planning, training, and equipping their police or sheriffs' departments for prevention and control of riots and disorders. Establishment of explosive ordnance units for law enforcement may be considered as part of a riot and disorder program. For certain types of projects, such as establishment of rumor control centers, the grant funds may be used by an agency other than the police or sheriffs' departments (e.g., mayors' or city managers' offices).

An estimated 10 to 15 grants ranging from \$1,000 to \$85,000 will be made.

*Special Restrictions:*

Units of local government seeking grants must show to the satisfaction of CJC that their jurisdiction does possess a potential for riot disorder.

Every project application requesting a grant for a comprehensive riot and disorder program, which includes riot control planning, training, and equipment, must submit with the application a regional riot or disorder plan covering organization and course of action. This document will contain plans for each individual agency that will be receiving equipment.

Guidelines for preparing regional and local riot and disorder plans will be made available by CJC. The police services section of the CJC will assign its technical assistance unit, when available, to local agencies or combinations of agencies to assist in preparation of such plans on request.

Every project application from a local police agency must show how the assistance of neighboring local agencies will be utilized. It must show the adoption of a city ordinance or county resolution implementing the mutual aid provisions of Article 999b, *Vernon's Annotated Civil Statutes*.

Every project application must show a plan and procedure to utilize fully the resources of the state--the DPS and the National Guard--when needed.

The only lethal ordnance that will be considered for funding is anti-sniper rifles in limited numbers and riot shotguns, with ammunition for each. No more than one shotgun per riot squad of 10 to 12 men will be funded.

Any grantee who purchases rifles or shotguns will, as a condition of the grant, train all appropriate persons in the correct and safe use of those weapons and will establish command and control procedures adequate for proper restraint of weapons use under all conditions.

CJC will ascertain that the procedures on the use of lethal weapons are meaningful and that the grantees are employing those procedures and training programs to maximum effectiveness.

Training will be given to personnel by the individual agency or arranged for through DPS or other accredited training academy.

Grants for a comprehensive riot and disorder program which includes planning, training, and equipment may count in-kind contributions as match.

Grants for *equipment only* will be made only to replace outdated or obsolete equipment or to expand the capability of an agency which has already met

the comprehensive plan criteria. Equipment grants of this category will require a cash match.

*Budget:*

Criminal Justice Council (Part C)	\$160,000
State matching	\$ 53,000
Total for program	\$213,000

Ratio 75% Criminal Justice Council and 25% state/local.

*Objectives* are to familiarize local officials with statewide riot and disorder plans developed by DPS and the Adjutant General, to make available technical assistance to units of local government from these state agencies and to provide for exchanges of information, plans, and ideas. These exchanges will be in the form of seminars conducted throughout the state with participants from local agencies and the two state agencies involved. Each of the 23 SMSA's will have a briefing session and training seminar. Approximately 500 police chiefs, supervisors, sheriffs, DPS and Adjutant General's field personnel, and public officials will be briefed and will participate in seminars concerning current state plans each year. Goal is to prepare local governments for quick, effective, coordinated response to a potential disorder or to the first phases of disorders, thus preventing serious riots.

**72-H2. Riot Control Seminars, Briefings, and Technical Assistance**

*Implementation* will be through DPS and the Adjutant General, to which grants will be made available for conducting briefings, holding seminars, or furnishing technical assistance to units of local government.

It is anticipated that programs conducted by state agencies will be made available in each SMSA during 1972.

It is anticipated that future needs to update state and local riot and disorder plans, test existing plans and capabilities, and familiarize new personnel with existing plans will require continued CJC assistance at approximately the current level of expenditure.

*Evaluation* of projects will include documentation as to the curricula and syllabi of the seminar and training programs developed under the grant. Grantee will document the number of seminars and workshops conducted with units of local government, and the number of participants in each. Grantee will develop questionnaires to be administered to police chiefs, supervisors, and sheriffs participating in the program to determine their needs in the area of training and educating for riot prevention and control.

*Grants* will be available only to DPS and the Adjutant General, the two state agencies having primary responsibilities in riot and disorder control.

*Budget:*

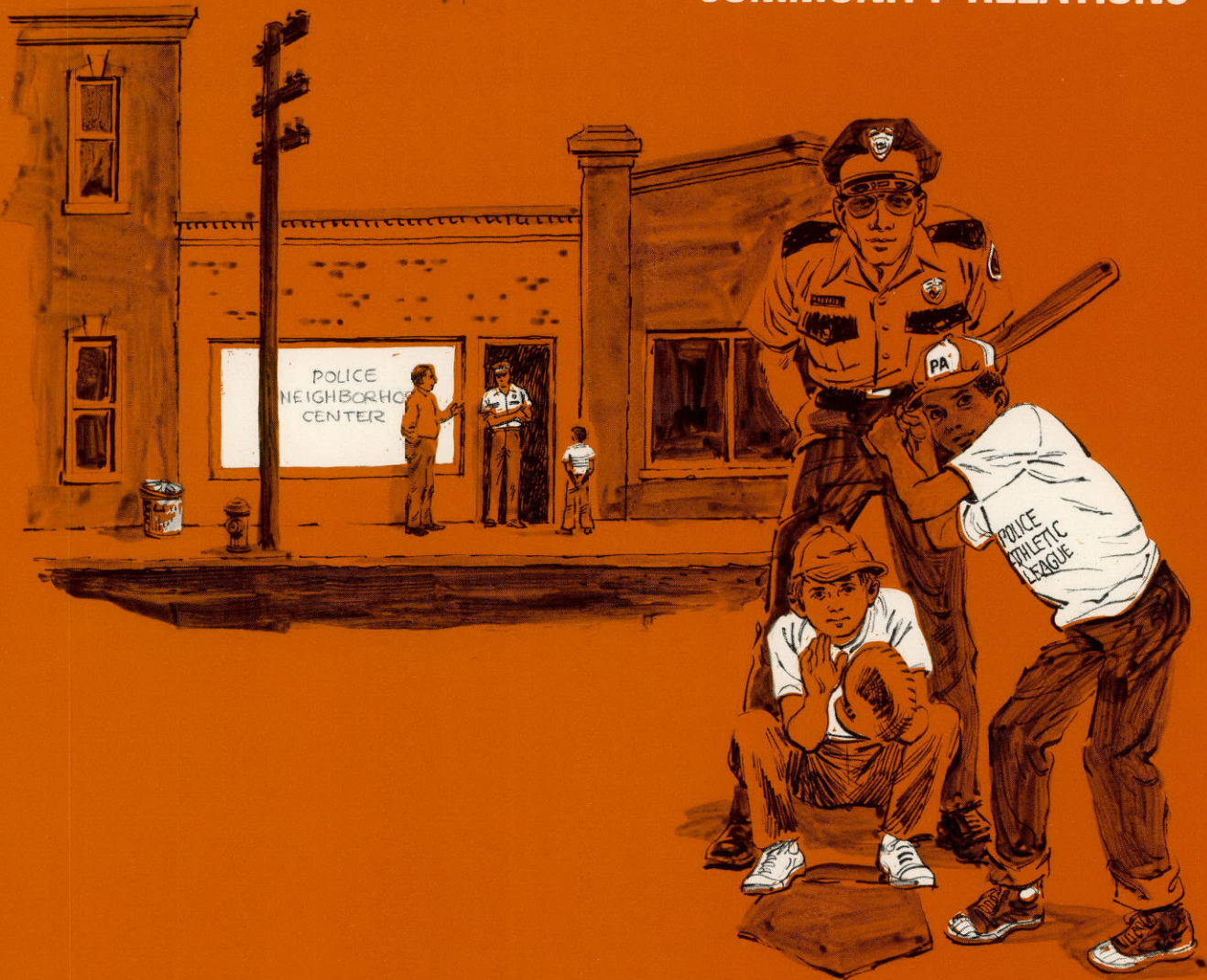
Criminal Justice Council (Part C)	\$30,000
State matching	\$10,000
Total for Program	\$40,000

Ratio 75% Criminal Justice Council and 25% state/local.





### III-I. IMPROVEMENT OF COMMUNITY RELATIONS







## I. IMPROVEMENT OF COMMUNITY RELATIONS

*Objective* is to continue, strengthen, and expand formal police-community relations programs in cities with existing programs and to begin programs in cities which do not have them. Better understanding of such programs among police executives will be fostered. It is anticipated that this program will participate in establishing or strengthening police-community relations units in 27 cities of more than 50,000 population. Long-term goal is development of better relations among various groups within the city, thereby reducing community tensions.

*Implementation* will be accomplished by providing training for members of departments undertaking such programs, including extensive special training to staff assigned full time to the work. Personnel and related equipment can be provided for departments implementing new police-community relations units or adding to existing units.

*Evaluation* will enumerate the demographic, social, and educational backgrounds of officers assigned to the community relations unit, the type of training provided these officers before beginning service in the community relations program, and the curricula and syllabi used in the pre-service training session. Grantee will document the number and types of contacts made by the community relations officers. He will list any formal presentation, television programs, discussion groups, periodicals, or brochures developed under the program and estimate the number and type of persons contacted through these media. Grantee also will initiate and document structured interviews with community residents to determine their perception of the impact of the police-community relations program. Documentation will include such factors as number of complaints involving police misconduct, number of public contacts with the police, number of incidents involving citizen interference with police operations in the field, and the number of incidents involving citizen assistance to police.

*Grants* will be made to cities with established community relations programs to enhance those existing programs. Large and medium-sized cities without formal programs will be eligible for grants to establish new programs. Projects funded in fiscal year 1972 will be eligible for a continuation of funding. Innovative methods of developing improved police-community relations are encouraged. From seven to nine recipients are anticipated. Grants will range from \$15,000 to \$100,000.

### *Budget:*

Criminal Justice Council (Part C)	\$425,000
Local matching	\$141,667
Total for program	\$566,667

Ratio 75% Criminal Justice Council and 25% state/local.

*Objective* is to assist units of local government in recruiting qualified police officers from racial minority groups, thereby developing a potential for improved community relations and filling vacancies in the police service.

## 72-I1. Police-Community Relations Units

## 72-I2. Minority-Group Police Officer Recruitment

Goal is to recruit during the next four years approximately 1,000 minority group police officers in city police departments, county sheriffs' offices, and DPS.

*Implementation* will be through cities and counties to which grants will be made available for one or more of the following purposes: to develop special materials for use in recruitment of minority group officers; to assist in the development, staffing, and operation of fixed or mobile recruitment stations in racial minority areas; to develop special recruitment programs for racial minority groups in high schools or colleges; and to develop and implement other minority group recruitment programs judged by CJC to be meritorious.

The 1972 objective will be to provide minority group recruitment programs for at least three major metropolitan areas.

*Evaluation* will document the number of potential minority group members in the community of recruitable age. The documentation will include interviews with minority group members in community high schools to determine their assessment of the field of law enforcement as a potential vocational area. Grantee will document the number of minority group members contacted through the recruitment program, the number who have made inquiries concerning police service, the number considered for employment, and the number finally selected for pre-service training. Grantee also will delineate the civil service requirements and departmental regulations that an applicant must satisfy for admission to police service. Grantee will ascertain the ratio of minority group members in the department, indicating percentages within each rank.

*Grants* will be made available to units of local government or combinations thereof.

Preference will be given to police agencies in metropolitan areas with a high racial imbalance in personnel and applications, a high level of vacancies in authorized police positions, and lack of success in past attempts at recruiting officers to fill the vacancies.

*Budget:*

Criminal Justice Council (Part C)	\$20,000
Local matching	\$ 6,667
Total for program	\$26,667

Ratio 75% Criminal Justice Council and 25% state/local.

**72-I3. Off-Duty Police  
in Civic and  
Recreation Programs**

*Objective* is to enable police officers and the public, especially young people in low income areas, to meet each other on a non-police basis.

This program will provide grants to units of local government for employing off-duty police officers in civic and recreational projects to give the police officers extensive contact with citizens.

Preference will be given applications for projects designed for high crime, low income, or racial minority sections of major metropolitan areas. Preference also will be given requests for projects involving work with young

people. Approximately 200 off-duty police officers will be employed this year to work in civic and recreational programs in major cities. The person-to-person contact sponsored by this program will improve communication and understanding between police officers and citizens.

*Implementation* will be through cities to which grants will be made available for payment of hourly wages to off-duty officers. Any department of city government--for example, the parks and recreation department--may administer the grant. In every project the approval of the chief of police must be obtained in writing and his advice sought throughout. Officers will work from five to 20 hours per week, and much of their work will be concentrated in the spring and summer months.

Off-duty police officers trained in playground organization and sports will be employed to open and supervise school playgrounds during the summer months, when the playgrounds ordinarily are closed. Those trained in recreational programs will serve as roving recreational leaders in city parks. Others, after thorough briefings, will explain adult basic education and vocational training courses in low income areas and will recruit enrollees.

*Evaluation* will document the demographic, social, and educational backgrounds of officers assigned to the community relations projects, the type of training provided these officers before they began service in the program, and the curricula and syllabi used in the pre-service training session. Grantee will gather statistical information on the number and types of contacts made by the community relations officers. Any formal presentations should be listed, including television programs, discussion groups, periodicals, and brochures developed under the program, with estimates of the number and types of persons contacted through these media. Grantee also will initiate and document structured interviews with community residents to determine their assessment of the impact of the police community relations program. Grantee will conduct structured interviews with a sampling of the children in the program to determine their assessment of the program and its officers.

*Grants* will be available to units of local government. Two to four grants ranging from \$5,000 to \$10,000 will be made during 1972.

*Budget:*

Criminal Justice Council (Part C)	\$20,000
Local matching	\$ 6,667
Total for program	\$26,667

Ratio 75% Criminal Justice Council and 25% state/local.

*Objective* is to enable a major metropolitan police department to study procedures for citizen complaint processing and to develop and implement a model program. This program will participate in the development of five or six model citizen complaint processing mechanisms in major cities. It will be tested and the results recorded for use by other cities and states. Goal is to develop the capability in governmental structures to respond justly to legitimate citizen complaints and to make proper adjustments of these grievances. The development, testing, and documentation of one model will be undertaken in a city of more than 200,000 population.

**72-14. Citizen Complaint Processing**

*Implementation* will be through a major city (200,000 or greater) to which a grant will be made available.

The city selected may use consultants, university personnel, or its own employees. The city's plan for conducting the project must be approved in advance by CJC. Full documentation of the project and continual evaluation of results will be required.

It is anticipated that in immediate future years additional projects in this area will be funded so that a diversity of programs will be available.

*Evaluation* will be based on documentation of success in achieving an efficient system for processing citizen complaints. Success will be documented with such factors as: the ease with which a citizen may submit a complaint, particularly without excessive formality; the provision of adequate staff and funds for handling complaints to insure a fair, timely, and efficient investigation of each one; a record of the type of complaints filed; dispositions made on surveys of complaining citizens to record their impressions on how their complaint was handled; and the time between complaint filing and formal conclusion.

*Grants* will be available to major cities (200,000 or more).

*Special Restrictions:*

Projects will continue to receive CJC assistance for no more than two years.

*Budget:*

Criminal Justice Council (Part C)	\$20,000
Local matching	\$ 6,667
Total for program	\$26,667

Ratio 75% Criminal Justice Council and 25% state/local.

### III-J. RESEARCH AND DEVELOPMENT





## J. RESEARCH AND DEVELOPMENT

### 72-J1. Research and Development

*Objective* is to seek, develop, test, and evaluate new and improved responses to crime. The conditions relating to crime offer a significant opportunity for improvement in virtually every phase and discipline. It is generally recognized that additional resources will not appreciably satisfy long-range problems. The application of today's science and technology so dramatically evident in all other aspects of the environment is probably the most critical criminal justice need. Historical and traditional methods have become increasingly obsolete as conditions in our society constantly change, and our total response to change conditionally must be continually evaluated and improved.

*Implementation* will be through state, regional, and local criminal justice agencies, which are encouraged to conduct applied research projects to: (1) study and evaluate crime conditions, agency response, and human behavior; (2) experiment with and test innovative ideas, hypotheses, and methods; (3) determine what effects specific behavior or conditions have on the prevention of crime or the detection, apprehension, processing, and treatment of the offender. Criminal justice agencies of state and local government are encouraged to respond with projects that will improve their planning and program development processes, lead to more definite action projects, find new methods and equipment for long-range improvements, or test and evaluate hypotheses. It is anticipated that such projects will be more concerned with operational aspects of criminal justice agencies. Research and development projects that relate to the criminal justice system as a whole or to its major components will be carried out on a broader base through other programs such as those anticipated for implementation by CJC.

*Evaluation* of research and development projects will consist of a comparative measurement of accomplishments against stated project goals and, in addition, will weigh the potential impact such work might hold for the total criminal justice system.

*Grants* may be made to state, regional, and local agencies. Experience has indicated that criminal justice agencies, especially those at the local level, have been slow to recognize the potential of research and development projects. It is with the belief that operational criminal justice agencies themselves are in the best position to evaluate their research needs that this program is provided as encouragement and incentive.

Because of the broad need for research and development projects, this program description will not attempt to place limitations on the scope of proposed projects; however, applicants should be cognizant of the problems and needs identified in the state's comprehensive plan, and the general guidelines as specified in the grant preference criteria adopted by CJC. Grant applications should clearly indicate the project's scope, available resources, qualifications of personnel, organizations and firms to be utilized, and sufficient detail on methods of evaluating results.

The problems, needs, experience of the applicant, and anticipated results will be considered on a case-by-case basis.

*Special Restrictions:*

All projects under this program must be reviewed and evaluated by CJC prior to submission to determine their priority and importance to the comprehensive plan.

*Budget:*

Criminal Justice Council (Part C)	\$181,000
State matching	\$ 7,000
Local matching	\$ 53,333
Total for program	\$241,333

Ratio 75% Criminal Justice Council and 25% state/local.

**72-J2. Regional Council,  
City, and County  
Planning Units**

*Objective* is to increase the funds available to regional councils, cities, and counties for criminal justice planning.

*Implementation* will be by a regional council, a city, or a city and county in cooperation with the regional council.

*Evaluation* will be in conjunction with the evaluation of the funds made available under Section 203(c) of the Act. It will be based on quarterly reports covering among other items the status of planning, the amount of action funds used, overall improvements in the criminal justice system, and measurements of increased effectiveness of the criminal justice system in the region.

*Grants* will be made only to a regional council, with or without the participation of a city or a city and county qualified under "Special Restrictions" to implement the program. Matching funds will be provided by the regional council, the city, or the county implementing the program. A maximum of 10 grants, none of which is for more than \$10,000, is anticipated. These grants will be for a maximum period of one year, and will end June 30, 1973.

*Special Restrictions:*

This program will be limited to units of general local government or combinations which meet all qualifications for, and have effectively used, planning funds made available under Section 203(c) of the Act.

Implementing personnel must be assigned to the agency which utilized the planning funds.

CJC shall approve any studies to be undertaken by consultants, as provided in federal regulations. If the study is for a city or county, it shall first be approved by the regional council.

Local matching funds shall be cash.

*Budget:*

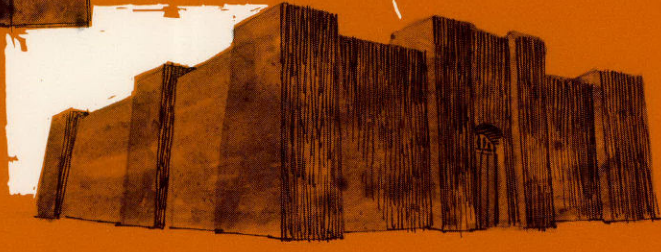
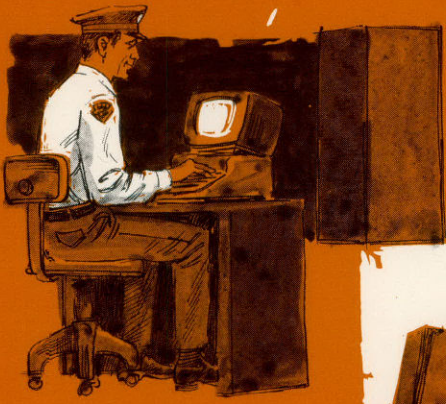
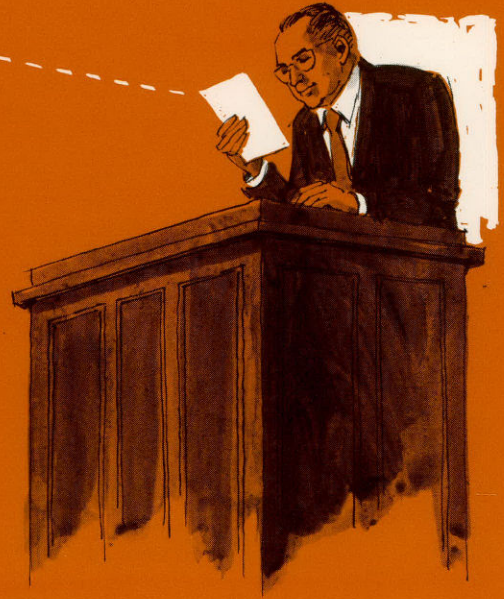
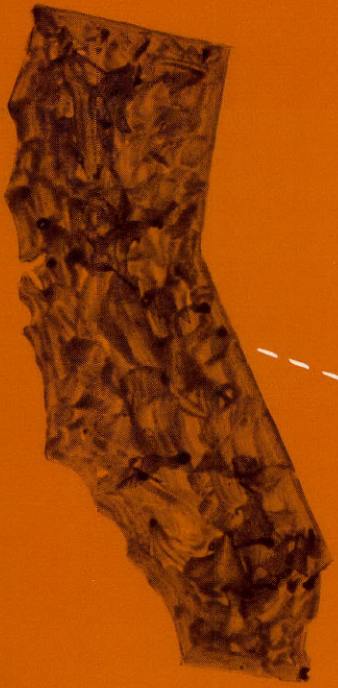
Criminal Justice Council (Part C)	\$50,000
Local matching	\$16,667
Total for program	\$66,667

Ratio 75% Criminal Justice Council and 25% state/local.





### III-K. IMPROVEMENT OF COMMUNICATIONS AND INFORMATION SYSTEMS





**K. IMPROVEMENT OF COMMUNICATIONS AND INFORMATION SYSTEMS**

*Objective* is to improve criminal justice information systems to provide a rapid response to requests for information on crime and suspected offenders and to track individuals through the criminal justice process. It includes the planning, design, and implementation of automated systems which will provide rapid access to criminal justice information at the local, regional, state, and national levels of government. All projects within this program will be consistent with long-range plans for a statewide criminal justice information system.

**72-K1. Information Systems**

*Implementation:* The first phase of implementation of the statewide criminal justice information system was begun with automation of 150,000 criminal histories at the state level under Project SEARCH (System for Electronic Analysis and Retrieval of Criminal Histories). Conversion of criminal histories will continue and priority will be given to the automation of wanted persons and stolen property files. The system, tied together with an electronic switching device, provides 300 criminal justice agencies with access to data on vehicles, property, and individuals in the criminal justice process. Plans include coordination of and assistance to local, regional, and state agencies to develop and implement projects which will be adaptable to the statewide system. Automated data files will remain in the state agencies presently having responsibility for manual upkeep. The Texas Criminal Justice Information System will consist of communication equipment throughout the state in combination with various data files, accessible through the electronic switchers at DPS. Systems at local or regional levels normally will provide court information, jail population data, dispatching assistance, manpower allocation, and "subject-in-process" information.

*Evaluation* will be based on documentation of progress toward design and implementation of state and local criminal justice information systems which will provide rapid access to stored information by an increasing number of criminal justice agencies. The documentation will evidence such factors as: a reduction in access time and increases in types and amount of information available and the number of agencies with access.

*Grants* will go to state agencies, cities, counties, and combinations of units of local government which can assure compatibility with the statewide plan.

*Budget:*

Criminal Justice Council (Part C)	. . . . .	\$2,400,000
State matching	. . . . .	\$ 266,667
Local matching	. . . . .	\$ 533,333
Total for program	. . . . .	\$3,200,000

Ratio 75% Criminal Justice Council and 25% state/local.

*Objective* is to provide adequate information on crime, criminals, and the status of an individual in the criminal justice process. Operational and managerial deficiencies will be determined through uniform record keeping and reporting procedures.

**72-K2. Records and Reporting**

*Implementation* will be an extension of the subject-in-process system developed in the North Central Texas region under Project SEARCH. Two projects probably will be funded in 1972 to establish guidelines for standardization of data elements, codes, and reporting procedures to be applied to a statewide system.

*Evaluation* will be based on evidence of increased ability of law enforcement agencies to provide comprehensive information on crime, criminals, and the status of an individual in the criminal justice process. The development and adoption of a uniform and mandatory reporting system will be a significant index of initial success. Evaluation evidence will include such factors as: a reduction in access time, an increase in types and amount of information available, and an increase in the number of agencies with access.

*Grants* will go to regional councils or local governments which can obtain the cooperation of all criminal justice agencies within their jurisdictions to report information voluntarily in a format defined by the grantee and approved by CJC.

*Budget:*

Criminal Justice Council (Part C)	\$100,000
Local matching	\$ 33,333
Total for program	\$133,333

Ratio 75% Criminal Justice Council and 25% state/local.

**72-K3. Law Enforcement  
Radio Communica-  
tions**

*Objective* is to improve the Texas Law Enforcement Radio Network by purchasing mobile, portable, and fixed station radio communications equipment to be compatible with a statewide system of criminal justice communications and information systems.

*Implementation* will be on an incremental basis and will cover a five-year period. The structure of the statewide system will be determined by the design and implementation of regional systems based on the statewide concept published by CJC. The statewide concept provides for adequate channel capacity and frequency allocation, and facilities to provide cooperative dispatching services where possible. Limitations in existing law enforcement radio communications systems do not permit restructuring of the network and reallocation of frequencies unless funds are available to assist in this effort.

*Evaluation* will be based on grantee's evidence of an increase in operating efficiency resulting from the use of an improved radio communications system. The evidence will document such factors as: a reduction of police response time, an increase in the percentage of crimes cleared by arrest, and a reduction of department operating costs as a result of such factors as more efficient manpower allocation and cooperative dispatching services.

*Grants* will go to state agencies, regional councils, counties, and cities, which will insure compliance with the statewide radio communications plan.

*Special Requirements:*

Law enforcement radio systems will require 25 percent cash match by

grantee.

*Budget:*

Criminal Justice Council (Part C)	. . . . .	\$2,500,000
Local matching	. . . . .	\$ 833,333
Total for program	. . . . .	\$3,333,333

Ratio 75% Criminal Justice Council and 25% state/local.

*Objective* is to automate document storage and retrieval of state, county, and city criminal justice records and to reduce the bulk of the stored documents.

**72-K4. Document Storage and Retrieval**

*Implementation* will include lease and purchase of microfilming equipment for counties and cities. A state system is being developed with CJC funds to provide a rapid means of fingerprint comparison through the use of microfilm equipment.

*Evaluation* will be based on documentation of success in providing more rapid and efficient processing and retrieval of stored information. Documentation will include information on such factors as: a decrease in operating costs relevant to document storage and retrieval, elimination of duplication of stored information, an increase in the percentage of crimes cleared by arrest and cases resulting in convictions, and a decrease in retrieval time.

*Grants* will go to state, counties, cities, and combinations of units of local government which show a need for improving their document storage and retrieval systems.

*Special Requirements:*

Microfilm systems will require 25 percent cash match by the grantee.

*Budget:*

Criminal Justice Council (Part C)	. . . . .	\$370,000
State matching	. . . . .	\$ 23,333
Local matching	. . . . .	\$100,000
Total for program	. . . . .	\$493,333

Ratio 75% Criminal Justice Council and 25% state/local.

*Objective* is to improve the Texas law enforcement teletype network to permit rapid access to computerized data at national, state, and regional levels.

**72-K5. Landline Communications**

*Implementation* will be incremental to upgrade present equipment over a three-year period. It will include the electronic switching system at the Department of Public Safety and about three regional systems to be installed in large cities where message volume is high. Funds normally will be available for two years to lease or purchase communications terminals. In high traffic volume areas terminals purchased must be able to operate up to 2,400

BAUD, have the capability of off-line message preparation, and have both video and hard copy displays.

*Evaluation* will be based on documentation of message traffic volume, peak load periods, speed of intercity administrative communications, and response time of inquiries to computerized data files.

*Grants* will go to state agencies, cities, counties, and combinations of local governmental units which can assure compatibility with the statewide communication system.

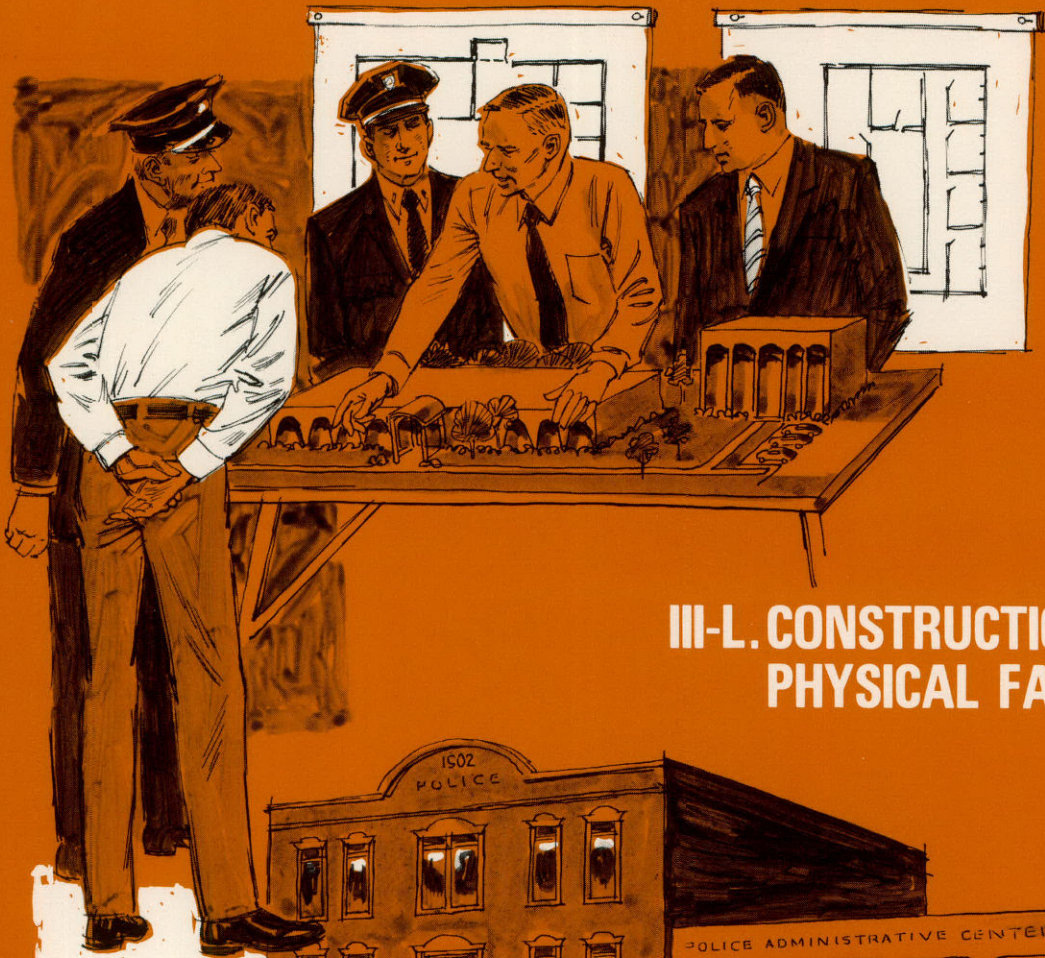
*Special Requirements:*

Leased and purchased systems will normally require a cash match of 40 percent and 30 percent respectively.

*Budget:*

Criminal Justice Council (Part C)	\$1,000,000
State matching	\$ 66,667
Local matching	\$ 300,000
Total for program	\$1,366,667

Ratio 75% Criminal Justice Council and 25% state/local.



### III-L. CONSTRUCTION OF PHYSICAL FACILITIES







**L. CONSTRUCTION OF PHYSICAL FACILITIES**

*Objective* is to construct, modify, and equip permanent facilities to meet the needs of police agencies (includes limited holdover detention facilities) and municipal courts.

*Implementation* will be through state agencies, regional councils, units of local government, and combinations thereof which will assure permanent and adequate post-construction financing. Grants will be awarded for constructing, modifying, and equipping permanent facilities for law enforcement, law enforcement education and training, and municipal courtrooms where a critical need exists.

*Evaluation* of construction projects will compare performance data for a base period before the construction of the new facility and, in addition, will include a subjective narrative of setting forth operational efficiencies derived from the new facility.

*Grants* will be awarded to state agencies, regional councils, units of local government, and combinations thereof. Applicants must have demonstrated capabilities in the establishment and maintenance of facilities and must be able to provide the required professional staff and substantive support programs. The Act requires the grantee to fund all costs relating to the acquisition of land and not less than 50 percent of all construction, modification, and equipment cost. Approximately seven grants annually are anticipated under this program. Grant requests are expected to range from \$25,000 to \$100,000.

*Special Restrictions:*

Applicant must submit to CJC a preliminary proposal with cost estimate and architect's preliminary sketch, certification as to applicant's inability to fund such construction locally, and the current bonded indebtedness tax rate and tax base. A project for the construction of a physical facility will be considered only when a critical need can be shown and the local government can show an inability to fund such facility from local funds. Applicant also must comply with other CJC requirements, available on request.

*Budget:*

Criminal Justice Council (Part C)	\$400,000
State matching	\$100,000
Local matching	\$300,000
Total for program	\$800,000

Ratio 50% Criminal Justice Council and 50% state/local.

*Objective* is to provide complete program planning for adult or juvenile correctional facilities as preliminary steps to a subsequent application-under program L3, L4, or L5.

*Implementation* will be accomplished by state juvenile and adult correctional agencies, regional councils, sheriffs' departments, juvenile courts, municipal

**72-L1. Construction of Law Enforcement Facilities**

**72-L2. Planning New or Improved Correctional Facilities**

governments, and combinations of these that may be involved in the development of regional facilities or the consolidation of facilities within a region.

1. Studies to insure reasonable use of alternatives to incarceration, including referral and bail practices, diversionary procedures, probation and parole, fines, and suspended sentences. The studies should determine the areas to be served, comparative rates at which the various alternatives to incarceration are being used, descriptions of resources, size of caseloads, size and qualifications of staff, and other resources.
2. Consideration of the feasibility of sharing facilities on a regional basis (multi-state, multi-county, or state planning area).
3. Studies to insure the complete separation of juveniles, adult female, and adult male offenders.
4. Studies to make special provision for the treatment, particularly in community-based programs, of alcohol and drug abusers.
5. Qualifications of persons to be used or sought as program planning consultants.
6. Preparation of a statement of objectives, schematics, outline specifications, and cost estimates, prerequisite to the filing of grant applications for preparation of detailed architectural drawings, or for renovation or construction under programs L3, L4, or L5.

Projects to provide detailed architectural planning and drawings normally will follow completion of the planning requirements as set forth above and presented in a second grant application. These projects are subject to the considerations outlined for architectural projects in L3.

Applications must comply with these requirements:

1. Part E funds may not be used for routine repair, maintenance or upkeep. With respect to construction, acquisition, or renovation, they may be used only for such institutions and facilities which provide or substantially contribute to providing confinement or rehabilitation for those charged with or convicted of violations of the law.
2. Recipients of Part E funds agree to accept persons charged with or convicted of offenses against the United States, subject to negotiated contractual arrangements with the U.S. Bureau of Prisons.
3. Consultation (with recommendations not necessarily binding on applicants) with National Clearinghouse, University of Illinois School of Architecture.
4. Advanced techniques (comparable to the best contemporary methods, standards or requirements, as recognized by professional agencies or organizations) will be used in the design of institutions and facilities.
5. Prior to submission of applications, specific approval must be obtained from CJC for projects involving (a) construction of any individual adult facility with an operating capacity of more than 400 persons or a total site

preparation, construction, and outfitting cost of more than eight million dollars, or (b) construction of any juvenile facility with an operating capacity of more than 150 persons or a total site preparation, construction, and outfitting cost of more than four million dollars.

6. Satisfactory assurances that personnel standards and programs of the institutions and facilities will reflect advanced practices comparable to those recognized by professional agencies.

*Evaluation* of program planning projects will be on the basis of compliance with the considerations set forth in the implementation section.

*Grants* under Part C and Part E will be made to state correctional agencies, regional councils, units of local governments and combinations of these that are eligible for funding under programs L3, L4, or L5. One grant for \$250,000 will be made to TDC for program planning for nine regional facilities and approximately ten grants averaging \$25,000 for planning local jail improvements. Priority consideration will be given to projects involving establishment of regional or metropolitan area correctional facilities.

*Budget:*

	1972
Criminal Justice Council (Part E) . . . . .	\$549,000
State matching . . . . .	\$ 99,667
Local matching . . . . .	\$ 83,333
Total for program . . . . .	\$732,000

Ratio 75% Criminal Justice Council and 25% state/local.

*Objective* is to provide regional correctional facilities at centralized locations for a pooling of resources and prisoner or juvenile delinquent populations and to enable economical rehabilitation programs. These centers also may serve as diagnostic resources to the courts, and as outlets for the state's work release program. The program also is intended to reduce the use of outmoded jail facilities and to eliminate the practice of detaining juveniles in jail. Complete architectural planning will precede all grants for construction, acquisition, or renovation of adult or juvenile correctional facilities.

**72-L3. Construction of Regional Correctional Facilities**

*Implementation* will be accomplished by regional councils and combinations of local governments, or by TDC under the new statutory authorization permitting local authorities to contract with TDC to build and operate regional correctional facilities for adults. (Where TDC can use inmate labor in the construction materials, costs may be credited as local or state matching funds). Applicants for funds to construct regionalized correctional facilities for adult offenders or regionalized detention facilities for juveniles must complete architectural planning and meet all of the applicable requirements of Program 72-L2, "Planning New or Improved Correctional Facilities," relating to: studies to insure reasonable use of alternatives to incarceration; results of studies to determine the feasibility of regionalization; special provision for treatment of alcohol and drug abusers; qualifications of program consultants; submission of a statement of objectives for the proposed facilities, cost estimates, consultation with LEAA ad hoc Committee on Correctional Architecture, use of Part E funds, acceptance of federal prisoners, use of advanced design techniques, personnel

standards and problems of institutions, and restrictions on the size and cost of facilities.

Projects to provide detailed architectural planning will provide the following information:

1. A statement of objectives, schematics, outline specifications, and cost estimates.
2. Architectural provision will be made for the complete separation of juveniles, adult female, and adult male offenders.
3. The design will make provision for appropriate correctional treatment programs, particularly those involving other community resources and agencies.
4. Consultation (with recommendations not necessarily binding on applicants) with the LEAA ad hoc Committee on Correctional Architecture and related LEAA contracts on planning and design of correctional facilities, as arranged through CJC.

In addition, the applicant will require of the contractor (where TDC will not undertake construction) a bid guarantee performance bond, and payment bond. Also, all construction must be in conformity with applicable state and local laws.

*Evaluation* of construction projects will be on the basis of compliance with the foregoing requirements and of later evaluation efforts based on facility population, costs of operation and programs, personnel standards and programs, relative use of community resources in rehabilitation programs, and evaluation criteria reflecting effectiveness of the new facilities in reducing recidivism.

*Grants* will be made to regional councils and combinations of units of local government. Approximately three grants for \$250,000 for developing architectural plans for three regional facilities are projected. Priority consideration will be given to establishment of projects in regions documenting the greatest need.

*Budget:*

	1972
Criminal Justice Council (Part E) . . . . .	\$ 750,000
State matching . . . . .	\$ 250,000
Total for program . . . . .	\$1,000,000

Ratio 75% Criminal Justice Council and 25% state/local.

**72-L4. Construction of State Facilities**

*Objective* is to construct and equip a facility to provide improved educational capabilities for institutions of higher learning to provide space and equipment for the training and education of correctional personnel.

*Implementation* will be by Sam Houston State University at Huntsville, which will build a Center for Continuing Education for criminal justice personnel.

*Evaluation* of construction projects under this program will be based on compliance with the requirements set forth in Program 72-L2 and on later evaluation efforts based on operation costs, personnel standards, numbers of persons trained in fields related to criminal justice careers, and evaluation criteria reflecting the effectiveness of these persons in the field of criminal justice.

*Grants* will be made to Sam Houston State University at Huntsville. One grant for \$460,000 is projected.

*Budget:*

	1972
Criminal Justice Council (Part C) . . . . .	\$460,000
State matching . . . . .	\$460,000
Total for program . . . . .	\$920,000

Ratio 50% Criminal Justice Council and 50% state.

*Objective* is to renovate existing jail and juvenile detention facilities where regionalization or consolidation is not feasible. Purposes are to facilitate new and improved rehabilitation programs and to make improvements in connection with jail consolidation, where consolidation is a reasonable alternative to regionalization. Facilities which are unsatisfactory for rehabilitational use may thereby be reduced or eliminated.

**72-L5. Improvements to Existing Local Correctional Facilities**

*Implementation* will be accomplished by units of local government and combinations of such units, which must meet all of the applicable requirements set forth in Program 72-L2, "Planning New or Improved Correctional Facilities," relating to: studies to insure reasonable use of alternatives to incarceration or detention; results of studies to determine feasibility of regionalization; special provision for treatment of alcohol and drug abusers; qualifications of program consultants; a statement of objectives for the proposed renovation, cost estimates, and simplified architectural programs, schematics, and outline specifications; architectural provision for the complete separation of juveniles, adult female, and adult male offenders; architectural provision for correctional treatment programs, with the emphasis on use of community resources; acquisition of architectural or related professional services; restrictions on use of Part E funds; acceptance of federal prisoners and delinquents; use of advanced design techniques; personnel standards and programs; completion of detailed architectural drawings.

In addition, the applicant will require of the contractor a bid guarantee, performance bond, and payment bond. Also, all construction must be in conformity to applicable state and local laws.

*Evaluation* will be on the basis of compliance with the foregoing requirements and of later evaluation efforts based on costs of operation and programs, personnel standards and programs, relative use of community resources in facility rehabilitation programs, and evaluation criteria reflecting effectiveness in reducing recidivism.

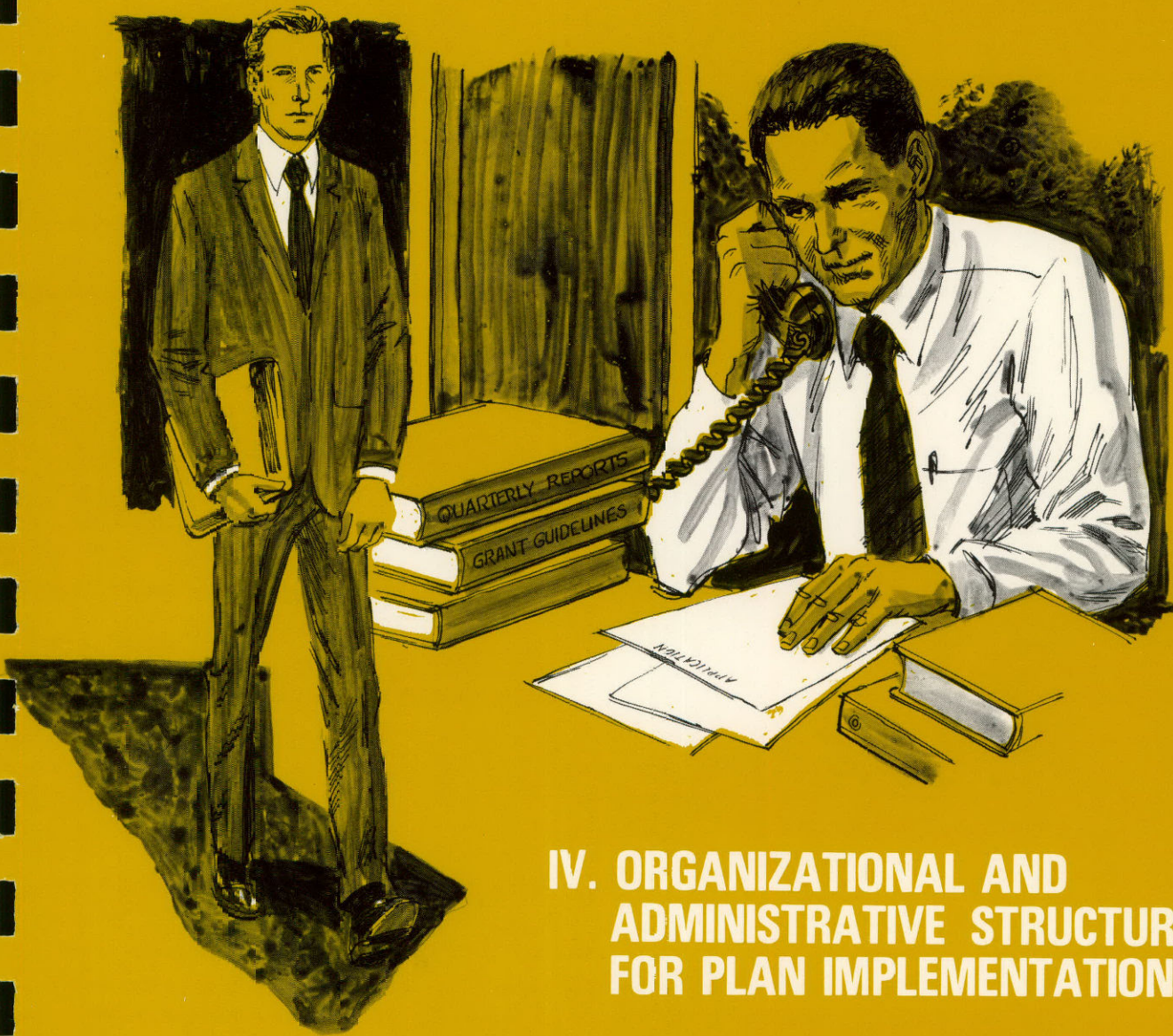
*Grants* will be made to units and combinations of units of local government. Ten grants ranging from \$50,000 to \$100,000 are projected. Priority will be

given to projects in communities documenting the greatest need.

*Budget:*

	1972
Criminal Justice Council (Part C) . . . . .	\$300,000
Local matching . . . . .	\$300,000
Total for program . . . . .	\$600,000

Ratio 50% Criminal Justice Council and 50% local.



#### IV. ORGANIZATIONAL AND ADMINISTRATIVE STRUCTURE FOR PLAN IMPLEMENTATION







## IV. Organizational and Administrative Structure

### A. AGENCY ORGANIZATION

Pursuant to Sections 203(a) and 203(b) of the Omnibus Crime Control and Safe Streets Act of 1968, the Governor of Texas established the Criminal Justice Council by executive order of October, 1968. A new executive order issued October 8, 1971, effected changes in the Council's structure:

Executive Order No. 71-5,  
Relating to Reorganization of the Criminal Justice Council

WHEREAS, The State of Texas recognizes the responsibility of the State and its political subdivisions in the field of criminal justice; and

WHEREAS, there is need for effective statewide planning and coordination of criminal justice activities and for implementation of the provisions of Title I of the Omnibus Crime Control and Safe Streets Act of 1968, as amended by the Omnibus Crime Control Act of 1970, in the State of Texas; and

WHEREAS, the development of a comprehensive criminal justice plan for the State of Texas is necessary in order to protect the life, liberty and property of the citizens of the State.

NOW, THEREFORE, I, Preston Smith, Governor of the State of Texas, by virtue of the power vested in me, and in accordance with the basic principals of the Subcommittee report dated July 15, 1971, do hereby reorganize the Criminal Justice Council established by Executive Order on October 18, 1968. The purposes of the Council are as follows:

1. To recommend a comprehensive plan for the improvement of criminal justice throughout the State;
2. To assist the Governor in matters relating to criminal justice throughout the State;
3. To recommend the definition, development, and correlation of programs and projects for the State and units of general local government in the State for improvement of criminal justice throughout the State;
4. To recommend priorities for improvement of criminal justice throughout the State; and
5. To assist the staff of the Criminal Justice Council in providing testimony before committees of the House of Representatives and Senate of the State of Texas to secure passage of legislation for the improvement of the criminal justice system.

The Governor shall serve as Chairman of the Criminal Justice Council. The Attorney General, the Director of the Commission on Law Enforcement Officer Standards and Education, the Director of the Texas Department of Corrections, the Director of the Department of Public Safety, the President of Sam Houston State University, and the Executive Director of the Texas Youth Council shall serve as regular members on the Criminal Justice Council.

The Governor shall, in addition to the above-named members, appoint representatives from state and local criminal justice agencies, units of general local government, public agencies maintaining programs to reduce and

control crime, and other interested citizens who shall serve as regular members of the Criminal Justice Council.

The Governor shall appoint an Executive Committee to be composed of ten (10) members of the Criminal Justice Council. The purposes of the Executive Committee are as follows:

1. Recommend the funding of planning and action grant applications;
2. Recommend the annual plan of the Texas Criminal Justice Council for approval and submission to the Law Enforcement Assistance Administration;
3. Provide support and assistance to the Executive Director and staff of the Criminal Justice Council;
4. Appoint such subcommittees, with the advice and consent of the Governor, as are deemed necessary and appropriate to provide assistance to the Executive Committee, Executive Director and staff of the Criminal Justice Council, the Criminal Justice Council, and Governor.
5. To assist in providing testimony before the House of Representatives and Senate of Texas for legislation for the improvement of the criminal justice system.

All state officials' and employees' service shall be an additional duty of their respective office.

The Governor shall appoint an Executive Director of the Criminal Justice Council and such administrative staff as necessary. The Executive Director will serve as additional ex-officio non-voting member of the council.

The Criminal Justice Council shall be subject to the jurisdiction of the Governor of the State of Texas.

Members of the Criminal Justice Council shall serve without compensation, but shall be reimbursed from funds made available to the Council for reasonable and necessary expenses incurred in performing their duties.

The members of the Council who serve because of their position in the above-named state agencies shall serve from the date of their appointment or election to office to the expiration of their appointment or election.

The members from state and local criminal justice agencies, units of general local government, public agencies maintaining programs to reduce and control crime, and other interested citizens shall serve for three-(3) year terms. The initial appointment shall be designated at one-third for one-year terms, one-third for two-year terms, and the remainder for three-year terms.

The Governor shall also fill by appointment for the unexpired term any vacancy on the Criminal Justice Council caused by death, resignation, or inability to serve for any reason. Members shall serve until the successor is appointed and has accepted such appointment. All members of the Council shall serve at the pleasure of the Governor.

The order is to be effective immediately.

S/ Preston Smith (original signed)  
Governor of Texas

The state planning agency functions as two interacting divisions. On the one hand, duties and responsibilities for planning coordination and grant administration are aligned and interact with several disciplinary and functional program areas.

These areas include police services, judicial processes and law reform, post sentence processes, juvenile delinquency, and science and technology. General information related to the Criminal Justice Council staff (the state planning agency) and the respective functional areas follows:

Office of the Governor  
Criminal Justice Council  
61C Brazos  
Austin, Texas 78711  
512-476-7201

Joe Frazier Brown  
Executive Director

Police Services  
C. G. Conner

Juvenile Delinquency  
Jim Lewis

Judicial Processes and Law Reform  
Willis H. Whatley

Post Sentence Processes  
William H. Gaston

Science and Technology  
Peter G. Kleck

Public Information  
Robert S. Weddle

Fiscal Administration  
Kenneth R. Carter

Planning Coordination and Grant  
Administration  
Hugh W. McLeland

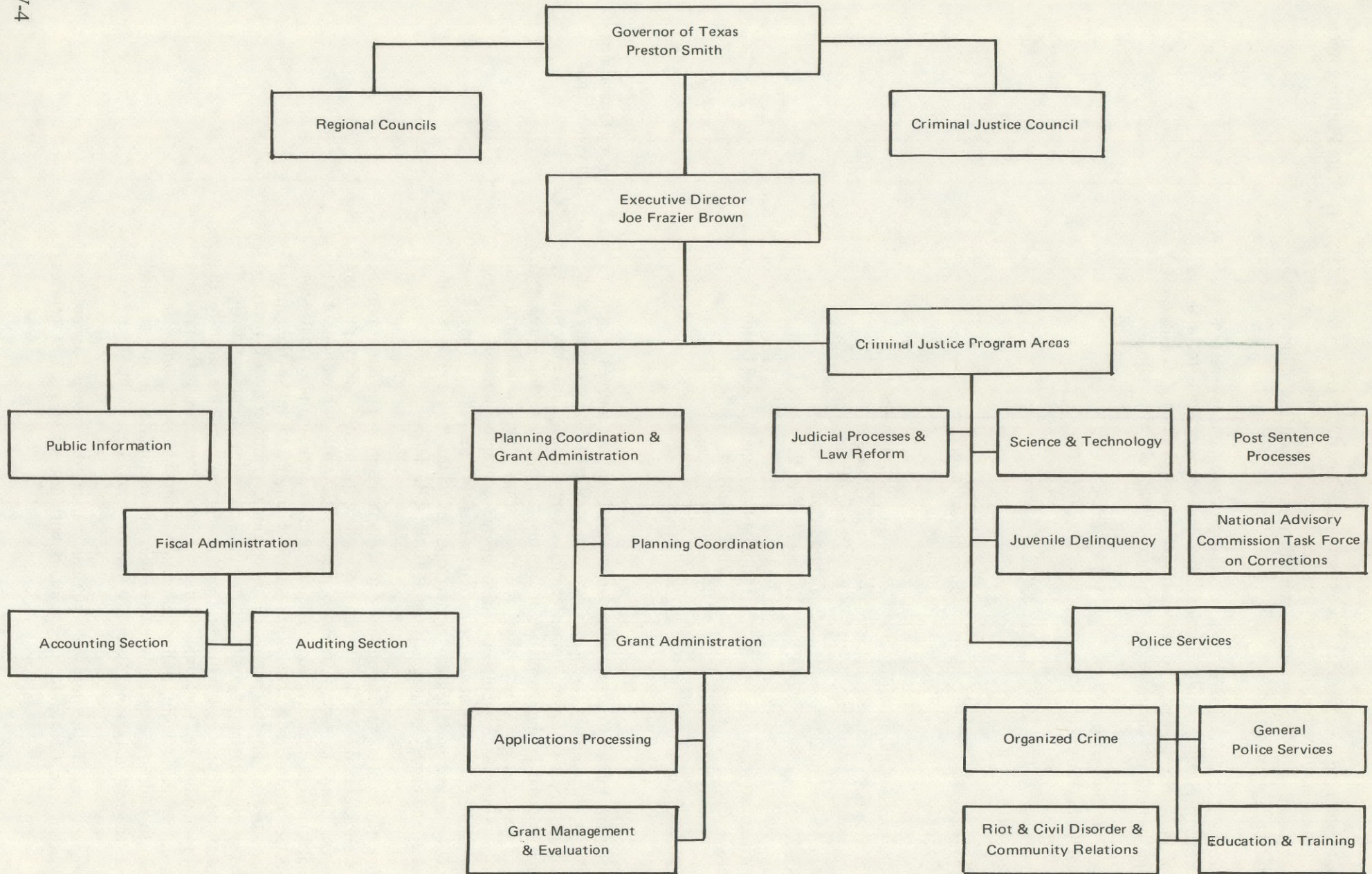
The Criminal Justice Council utilizes many methods and sources of input in formulating the annual *Criminal Justice Plan for Texas*. The members of the Council and the Executive Committee of the Council contribute knowledge, information, and guidance relative to the discipline, geographical area, and level of government which they represent. Both the Council and the Executive Committee maintain a high degree of representativeness, thus adding multiple perspectives to components of the *Plan*. They have maintained active participation in development of the *Plan* and have made their staff and agency resources available to the CJC staff.

Planning funds are awarded annually to regional councils and metropolitan area planning units for local criminal justice planning. These planning processes culminate each year on September 30 with submission of the regional criminal justice plans. The regional councils employ multi-level committee structures for criminal justice planning to make their plans representative of all the people. These regional criminal justice plans go beyond a mere stating of goals; each council indicates the programs that it feels can be implemented during the ensuing year and the priority the program should have. These specific references to programs in the previous year's state plan, including dollar figures, are invaluable to the state planning process. In addition, new substantive areas are highlighted in the regional plans as the regional councils identify new programs desired by the people.

As preparation of the regional criminal justice plan moves toward its culmination, the CJC staff is in contact with the various state agencies

## 1. State Planning Agency

## 2. Agency Operations and Procedures



related to the criminal justice system. A projection of these agencies' program and funding needs for the year must be made. These state agency contributions are received in a format similar to that of the regional councils--i.e., program references to the previous year's state plan, funding needs for each program, and the priority assigned to that need.

The CJC staff, utilizing all of these data, and that which comes directly from individuals, then prepares a draft of the *Criminal Justice Plan for Texas*. The draft reflects information from all these sources.

The draft of the state criminal justice plan then is reviewed by the Executive Committee. Upon completion of the review of the draft plan and suggested changes, additions, and deletions are made by the CJC staff, the final plan then is adopted by the Executive Committee. Adoption is in effect a recommendation to the Governor. Concurrent with the review of the draft by the Executive Committee is review by the Division of Planning Coordination, Office of the Governor. This division is the state clearinghouse under the Office of Management and Budget Circular A-95 (as amended). The Governor, considering all reviews, may indicate changes to be made. With his approval the Plan is forwarded to the Law Enforcement Assistance Administration. Subsequent approval by LEAA establishes the document as the work program for the coming year as well as the specified multi-year period.

The approved planning document becomes the basis for evaluation of the state planning agency's grant applications. Generally, a grant application must meet a minimum of two criteria: it must comply with the state plan and it should have been cited in the plan from the region in which it is to be implemented. Once a grant application has met these criteria it enters the review process of the state planning agency and the regional council from which it originated. The state planning agency's review consists of program, administrative, and fiscal evaluation. Any of these reviews at regional council or state planning agency levels may result in suggested changes in the grant application, modifications, or deletions. When all reviews and suggested modifications have been completed, the grant application is forwarded to one of three subcommittees--police, courts, or corrections--that form the CJC Executive Committee. The CJC staff provides the subcommittees comprehensive information relating to each grant application, including the regional councils review. The Executive Committee then takes up all of the proposed grant applications recommended by the subcommittees. Approved grant applications are forwarded with the Executive Committee's recommendation to the Governor to grant or to deny funding. The Governor may accept or override the recommendation of the CJC Executive Committee.

If the Executive Committee recommends that a specific grant be denied funding, and the Governor agrees, the applicant may request a reexamination of the decision through an appeal process.

After the grant award is made, a quarterly administrative and fiscal report is submitted for CJC staff monitoring. In addition the project is evaluated in accordance with CJC evaluation policy.

Additional supporting detail referencing various aspects of the Plan was submitted to LEAA in appendix form as a part of the *Criminal Justice Plan for Texas*. This material is available in the state planning agency.

DEFINITIONS OF  
TERMS

Act--*Omnibus Crime Control and Safe Streets Act of 1968*, U.S. Public Law 90-351.

Administration--Law Enforcement Assistance Administration, U.S. Department of Justice, established under Title I, Part A, of the Act.

LEAA--See Administration.

Police--This term includes sheriff's office or department, constable's office or department, incorporated city's police department, city marshal's office or department, and the Texas Department of Public Safety.

President's Commission--The President's Commission on Law Enforcement and Administration of Justice.

President's Commission's Report--The publication, "The Challenge of Crime in a Free Society."

Regional Council--Includes locally formed regional organizations of elected officials referred to as regional planning commissions, councils of governments, development councils and area councils which are organized under Article 1011m, V.A.C.S.

Regional Plan--A comprehensive law enforcement plan prepared by a regional council and submitted to the Texas Criminal Justice Council.

State Planning Agency--State Law Enforcement Planning Agency, Texas Criminal Justice Council, constituted by action of the Governor pursuant to Title I, Part A, of the Act.

TEXAS PLANNING REGIONS

September 1971

1. Panhandle Regional Planning Commission Ernest R. Clark Amarillo, Texas

2. South Plains Association of Governments H. Alden Deyo Lubbock, Texas

3. Nortex Regional Planning Commission Edwin Daniel Wichita Falls, Texas

7. West Central Texas Council of Governments Cecil L. Mayes Abilene, Texas

9. Permian Basin Regional Planning Commission Ernie Crawford Midland, Texas

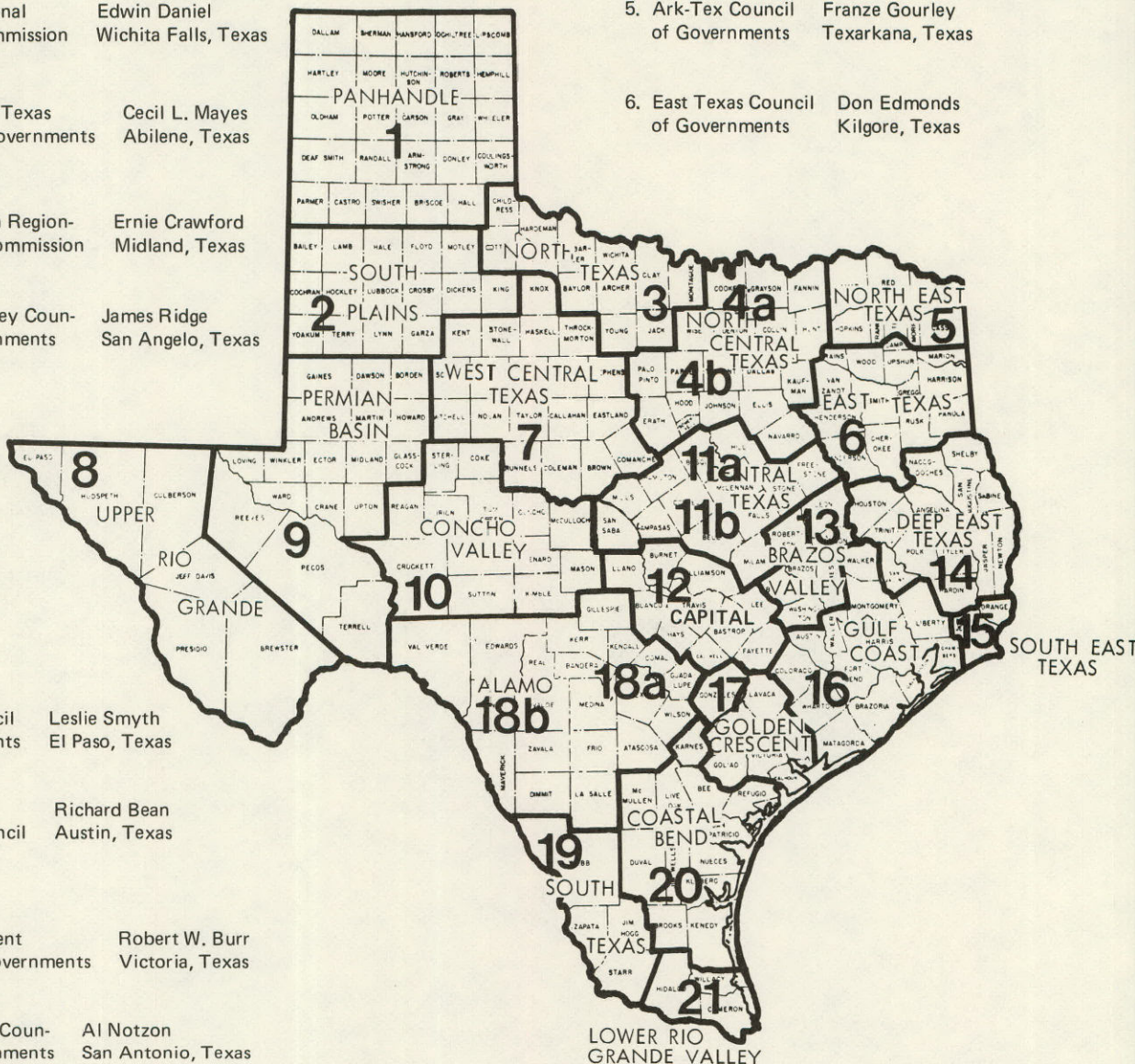
10. Concho Valley Council of Governments James Ridge San Angelo, Texas

4a. North Central Texas Council of Governments Wm. J. Pitstick Arlington, Texas

4b. Texoma Regional Planning Commission Jerry Chapman Denison, Texas

5. Ark-Tex Council of Governments Franze Gourley Texarkana, Texas

6. East Texas Council of Governments Don Edmonds Kilgore, Texas



3. El Paso Council of Governments Leslie Smyth El Paso, Texas

12. Capital Area Planning Council Richard Bean Austin, Texas

17. Golden Crescent Council of Governments Robert W. Burr Victoria, Texas

13a. Alamo Area Council of Governments Al Notzon San Antonio, Texas

13b. Middle Rio Grande Development Council Richard T. Thomas Del Rio, Texas

19. South Texas Development Council Amando Garza Laredo, Texas

20. Coastal Bend Council of Governments Charles Crow Corpus Christi, Texas

21. Lower Rio Grande Valley Development Council Robert Chandler McAllen, Texas

11a. Heart of Texas Council of Governments A. K. Steinheimer Waco, Texas

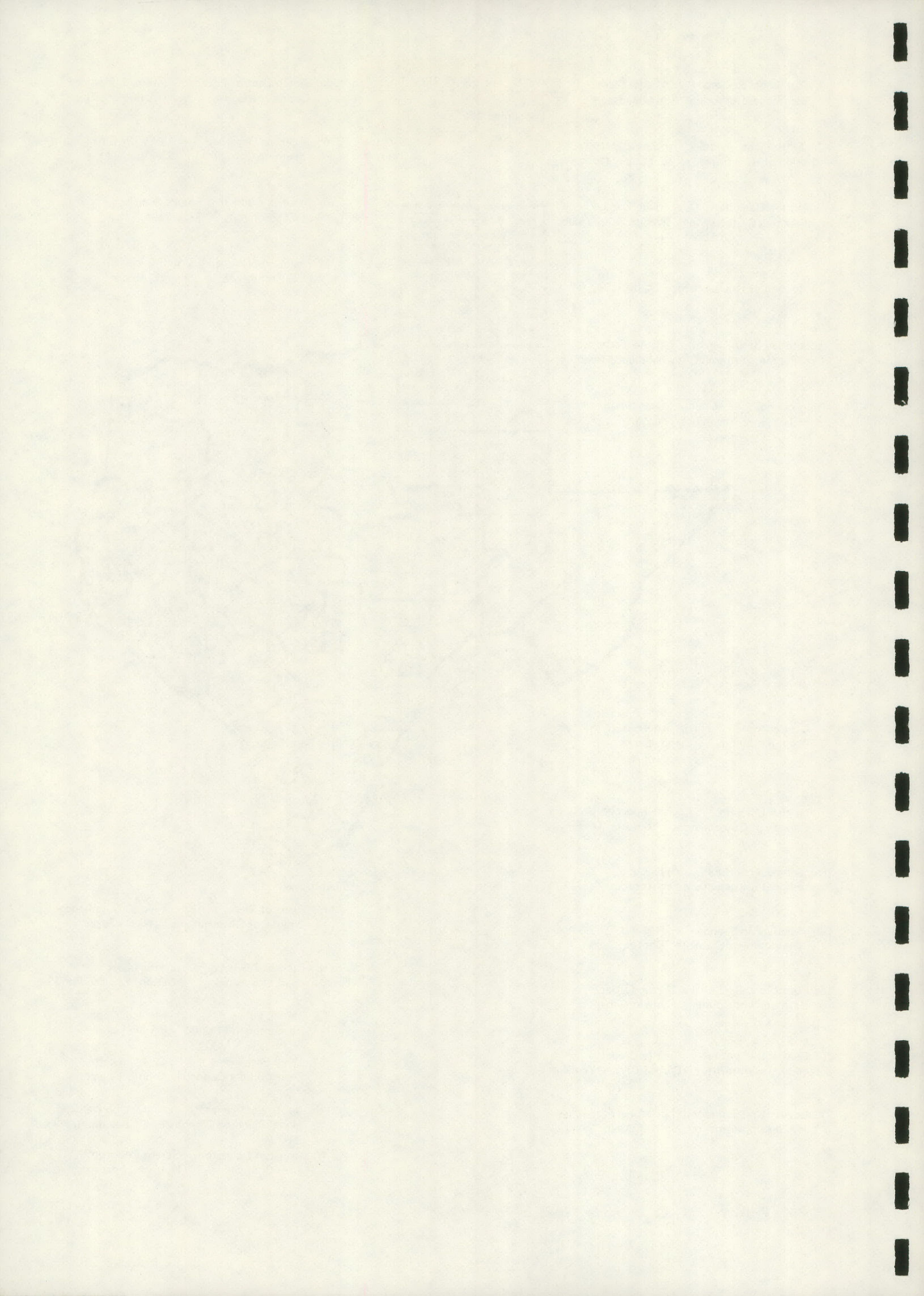
11b. Central Texas Council of Governments Charles Cass Belton, Texas

13. Brazos Valley Development Council Glenn J. Cook Bryan, Texas

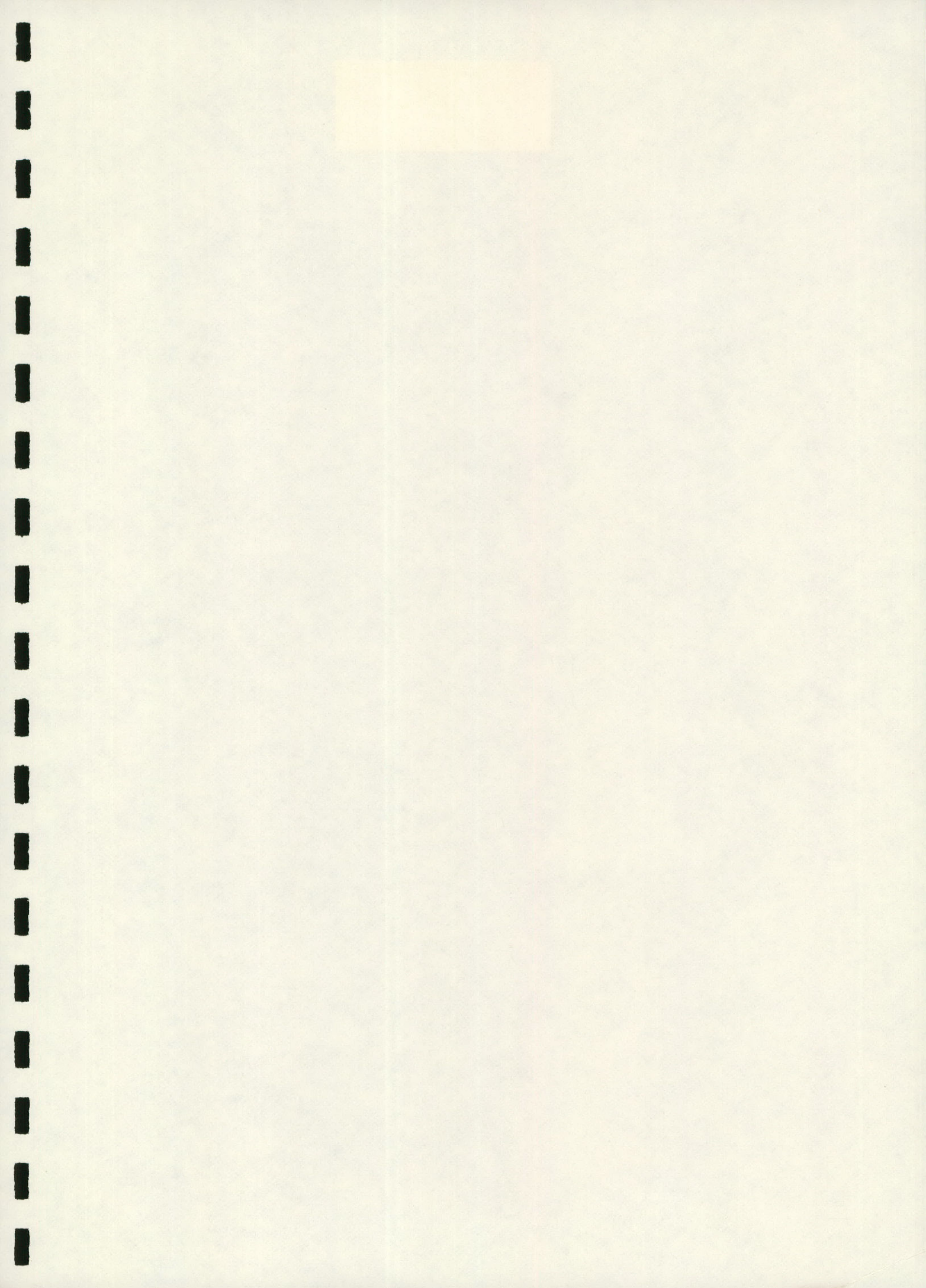
14. Deep East Texas Development Council C. A. Pickett Diboll, Texas

15. South East Texas Regional Planning Commission Don Kelly Beaumont, Texas

16. Houston-Galveston Area Council Gerard Coleman Houston, Texas







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