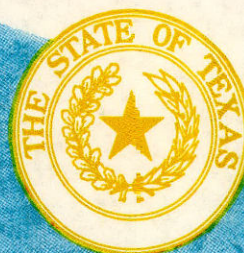


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PLAN FOR  
TEXAS**

PRESTON SMITH, Governor



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**1973  
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PLAN FOR  
TEXAS**

**PRESTON SMITH, Governor**



**Criminal Justice Council  
Office of the Governor  
610 Brazos  
P.O. Box 1828  
Austin, Texas 78701**

My Fellow Texans:

During the last four years history has been made in Texas. When we came into the Governor's Office in January, 1969, statewide criminal justice planning was just beginning. It has been the responsibility of this administration to guide the development of the state's accelerated crime fight, and to give direction and purpose to the Criminal Justice Council and its staff.

From these efforts we have seen some notable achievements. Among them has been development of the regional planning concept, in which problems and needs are determined at the local level and assistance for meeting them is provided from federal funds administered by the Governor's Office. Each of the 24 regional councils and four of the major metropolitan areas now have full-time criminal justice planners working in liaison with the CJC staff and helping local units of government translate their needs into meaningful action projects.

To December 1, 1972, CJC has funded 1,241 projects totaling more than 55 million dollars for improving the state's criminal justice system, using funds made available under the Omnibus Crime Control and Safe Streets Act of 1968.

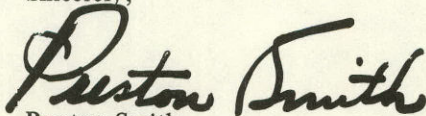
Many of the projects are far-reaching. With CJC funding, for example, peace officer training programs have been developed statewide; police officers today are better qualified to cope with the crime problem than they ever have been. Updated communications have been effected, enabling law enforcement officers to send messages across the state in seconds, where hours or days were required before. Criminal information systems have been developed, with on-line teletype access to computer-stored data at both state and national levels.

Strides also have been made in providing resources for courts, to enable them to render judgments more equitably and to keep pace with crowded dockets.

A new look has been taken at the field of corrections and its objectives. New emphasis is being placed on rehabilitation of the offender. Efforts are being directed at preparing the inmate for his eventual return to society, rather than extracting from him an exorbitant price for his offense.

This is the type of pioneering that has been done during the last four years. We are proud to have been a part of it. The effort will not end here. We are confident that still other new trails will be blazed in the future, all pointing toward fulfillment of the purpose of the criminal justice system—social order with justice.

Sincerely,



Preston Smith  
Governor of Texas



732463





## FOREWORD

Four years ago a small Criminal Justice Council staff began working on the first comprehensive *Criminal Justice Plan for Texas*. On the basis of that initial documentation of the problems and needs and remedial programs and projects, the state received its first block action grant from the Law Enforcement Assistance Administration. Funding of units of state and local government to carry out projects aimed at checking the spiral of the rising crime rate was begun.

The basic document, completed in mid-1969, has been revised each year since then. The 1973 *Criminal Justice Plan for Texas* is the fourth updating. Many changes have been made, not only in the form and substance of the *Plan* and in the planning process, but in the emphasis placed on law enforcement and the resources available to it.

To December 1, 1972, Texas agencies have received through the Criminal Justice Council funding for 1,241 projects related to law enforcement. The funds, totaling more than 55 million dollars, have gone to all parts of the state. Many of the programs and projects have been most innovative.

Projects have emphasized crime control in the metropolitan areas, and it is in the cities that results have been most impressive. Texas' four largest cities reported crime decreases during 1971.

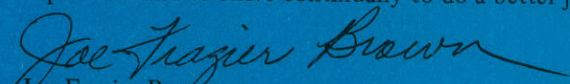
We who are associated with the effort that has helped produce such results might well indulge in self-adulation, were we less cautious.

It is true that Texas' application of the program provided for by the Omnibus Crime Control and Safe Streets Act of 1968 has many solid accomplishments. But there is yet another side of the coin: accountability. We must not lose sight of the fact that we, as administrators of a federally-funded program, bear a public trust. It is easy to place emphasis on putting crime-control dollars to work without evaluating properly the work that is being done. Knowing in one's own mind that the effort is worthwhile and being able to prove it for those to whom accountability is due are two different things.

Built into the CJC staff operation are provisions for financial audit and project evaluation. Our goal is to justify every expenditure of public funds, and to show that every project's achievements are commensurate with its costs.

Not all the responsibility for accountability rests with CJC; the grantee also must share in this task. Increasingly, evaluation requirements are being imposed as special conditions at the time of project inception.

As public servants we have an obligation to obtain optimum results from resources expended—and to strive continually to do a better job.

  
Joe Frazier Brown  
Executive Director



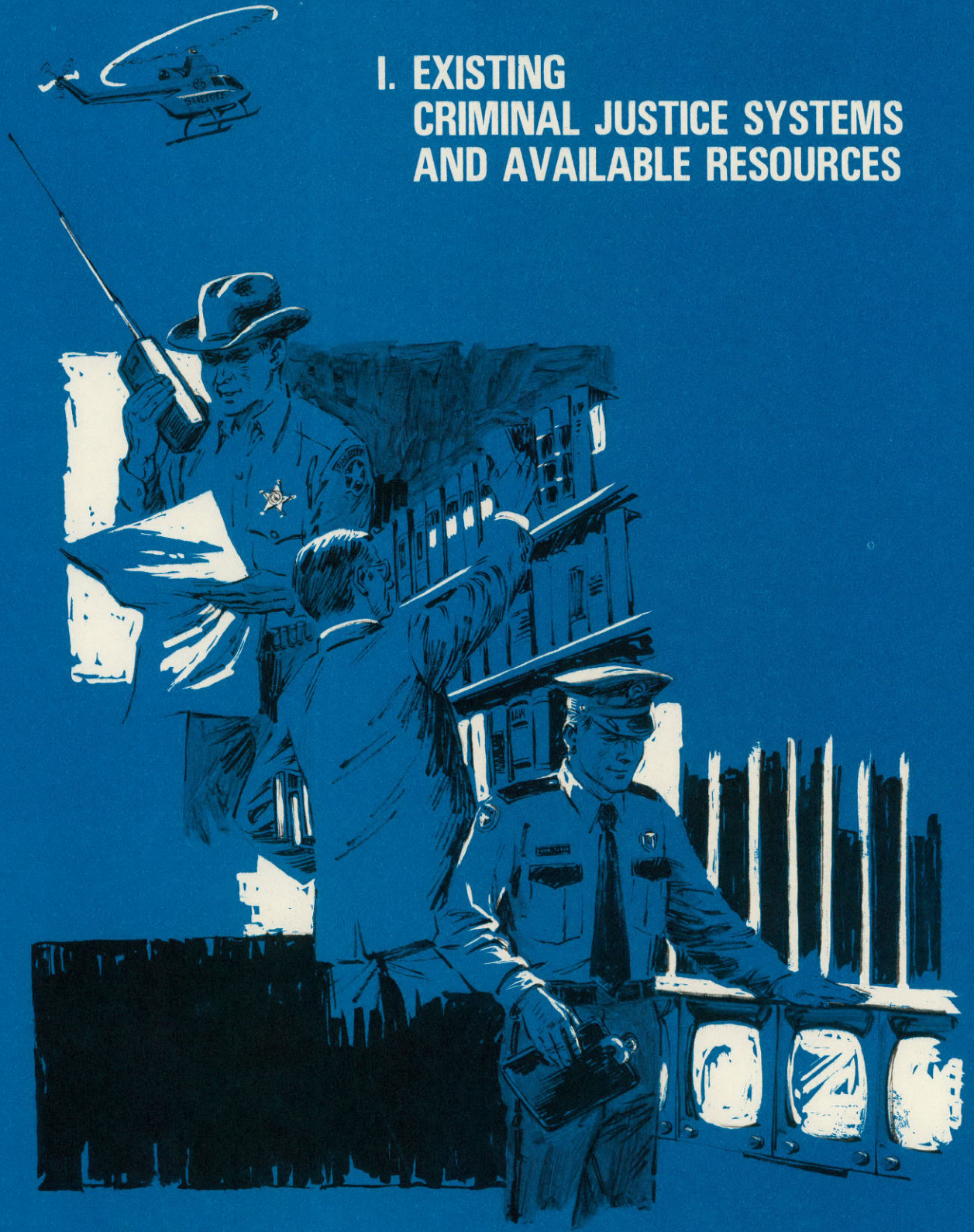


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# I. EXISTING CRIMINAL JUSTICE SYSTEMS AND AVAILABLE RESOURCES





# I. Existing Criminal Justice Systems and Available Resources

## A. INTRODUCTION

Crime and the fear of crime take both an economic and a social toll.

It is impossible to determine the dollar cost of crime, because many, perhaps most, crimes are not reported and because an economic value cannot be attached to human life and human suffering. The total loss from property crimes reported to police in Texas during 1970 exceeded 74 million dollars. Less than half that amount was recovered by law enforcement procedures.

However, in computing crime's total price tag, the social, as well as the economic, cost should be considered. Crime causes erosion of human interaction and mutual trust, resulting in an environment even more susceptible to criminal activity.

### Sources of Data

Currently available crime data are supplied largely by the Federal Bureau of Investigation's uniform crime reporting program. The data are tabulated routinely by various police agencies and reported to the FBI for annual publication in its *Uniform Crime Reports*.

The descriptive quality of *UCR* data is limited, but they are used for good reasons. The most compelling one is that they represent the only reasonably consistent and widespread body of crime information available. They allow comparison of jurisdictions over a period of years.

*UCR* data do not encompass all serious crime problems. Neither do they include all crimes committed under the designated categories. Reasons for this lack include incomplete reporting by police agencies and failure of citizens to report offenses. In 1970 *Uniform Crime Reports*, estimated figures are used when reporting is incomplete.

Texas also relies on crime data provided by its own Department of Public Safety. These data, like those of the *UCR*, have certain limitations, yet represent a higher percentage of reporting than *UCR*.

### Crime in Texas

The total crime index in Texas decreased from 1970 to 1971. The state's crime index for 1970 was 2,705.8, for 1971 2,697.4—a decrease of .3 percent.

Texas experienced an increase in the crime incidence, but the state percentage of increase was smaller than the national one.

Texas was below the national crime rate in both violent crimes and property crimes. The state also was below the national crime rate in three index crime categories—robbery, felony theft, and auto theft. However, Texas exceeded the national crime rate in murder and nonnegligent manslaughter, forcible rape, aggravated assault, and burglary.

### A Cross-Section of Crime in Texas

*UCR* reported a 7.6 percent increase in the crime index from 1969 to 1970. Arrest cleared 26 percent of all index crimes.

According to DPS *Texas Crime Report* for 1971, the incidence of each Part I crime except theft increased from 1970 to 1971. Theft experienced a 11.7 percent decrease. Murder and homicide increased 15.3 percent, rape 6.6 percent, robbery 20.1 percent, and aggravated assault 10.1 percent.

In cities with more than 2,500 population, the crime rate decreased 2.3 percent, while an increase of .3 percent occurred in rural areas. This phenomenon is partially explained by a disproportionate increase in murder and homicide in rural areas (25.3 percent as compared to 13.4 percent in urban areas), an increase of 14.5 percent in rape in rural areas (as compared to an increase of 4.5 percent in urban areas), and a 19 percent increase in auto theft in rural areas (as compared to 17.9 percent in urban areas).

In the urban group, including all cities of more than 2,500 population, the largest increase in the crime rate (12 percent) was experienced in cities of 50,000 to 100,000 population. The smallest increase in the crime rate in an urban area (.3 percent) occurred in cities of 100,000 population or more.

Some urban areas noted decreases in the crime rate. For instance, a 7.2 percent decrease occurred in the 25,000 to 50,000 population bracket, 7.4 percent in the 10,000 to 25,000 group, and 10.8 percent in the 5,000 to 10,000 bracket.

The largest crime increase in rural Texas was noted in counties with 35 to 50 persons per square mile. These areas experienced an 85.7 percent increase.

### Crime Clearance Rates

The total clearance rate in 1971 for all Part I

crimes was 26 percent, as compared to 27 percent in 1970. Clearance rates were consistently higher in rural areas than urban (a separation of about 13 percentage points).

Arrests cleared 85.5 percent of all murders and 56.4 percent of all rapes. Only 20.5 percent of all burglaries and 15.1 percent of felony thefts were cleared by arrests.

Arrests of persons under 18 years old cleared only 4.4 percent of all index crimes.

Total dispositions of Part I and Part II offenses were 210,311. Of persons brought to trial, 59.2 percent were found guilty as charged. Less than 1 percent were found guilty of a lesser offense. Acquittals and dismissals accounted for 15.4 percent of the total number of dispositions.

Dispositions of juveniles totaled 68,160, with 47.5 percent handled in the police department and 49.5 percent referred to juvenile court.

Two of the largest arrest categories were driving while intoxicated and public drunkenness. The largest number of arrests by age group was for persons 25 to 29 years old and persons 50 and over. Females were arrested most frequently for larceny and prostitution.

Most persons arrested for drug offenses were white adults.

### Summary

A person in Texas is much more likely to experience a crime against his property than against his person. Yet most people never are confronted with crime directly and therefore experience it vicariously, primarily through the public media. The greatest news

coverage is given events that have the most impact and are, therefore, more newsworthy.

As one result, many persons believe that the greatest criminal risk to themselves is of a violent nature—and comes from strangers. However, the statistics cited herein indicate that persons are most likely to experience a crime against their property. And if they were to experience a crime against their person, it probably would be committed by someone known to them.

The general public view is based on false assumptions, and could produce several inappropriate responses. For example, persons may not protect their property adequately, while being excessively zealous in protecting themselves from a violent crime committed by a stranger.

National statistics demonstrate that violent crimes are the most difficult to prevent, thereby making pre-offense action ineffective in most cases.

It is essential that criminal justice agencies and especially criminal justice planning agencies not fall into the trap of fighting those crimes that appear to be most prevalent or most frightening.

Rather, the criminal justice system must enhance its capability to arrest, convict, and rehabilitate persons who commit violent crimes against others, while taking steps to achieve the same capability for dealing with persons who commit crimes against property. It also must strive to improve itself so it may prevent as many crimes as possible.

This plan is offered to that end.

The following statistical data will provide a synopsis of the crime problem in Texas:

**TABLE 1**  
**State Crime Rates**  
**1970-1971**

| Offense             | 1970               |                  | 1971               |                  | Percent Change |
|---------------------|--------------------|------------------|--------------------|------------------|----------------|
|                     | Estimated Offenses | Rate per 100,000 | Estimated Offenses | Rate per 100,000 |                |
| Murder and Homicide | 1,388              | 13.1             | 1,687              | 15.1             | +15.3%         |
| Rape                | 2,733              | 25.8             | 3,075              | 27.5             | + 6.6%         |
| Robbery             | 11,319             | 106.7            | 14,375             | 128.1            | +20.1%         |
| Burglary            | 124,706            | 1,175.5          | 137,140            | 1,224.8          | + 4.2%         |
| Aggravated Assault  | 28,586             | 269.4            | 34,472             | 307.9            | +14.3%         |
| Theft               | 261,220            | 2,642.2          | 243,344            | 2,173.3          | -11.7%         |
| Auto Theft          | 39,100             | 368.6            | 48,323             | 431.6            | +17.1%         |
| Total               | 469,062            | 4,421.3          | 482,386            | 4,308.3          | - 2.6%         |

\*Change in Rate per 100,000 population.

Texas Department of Public Safety

Texas Crime Report: 1971



Figure 2  
Texas Crime Rates: 1960 - 1971

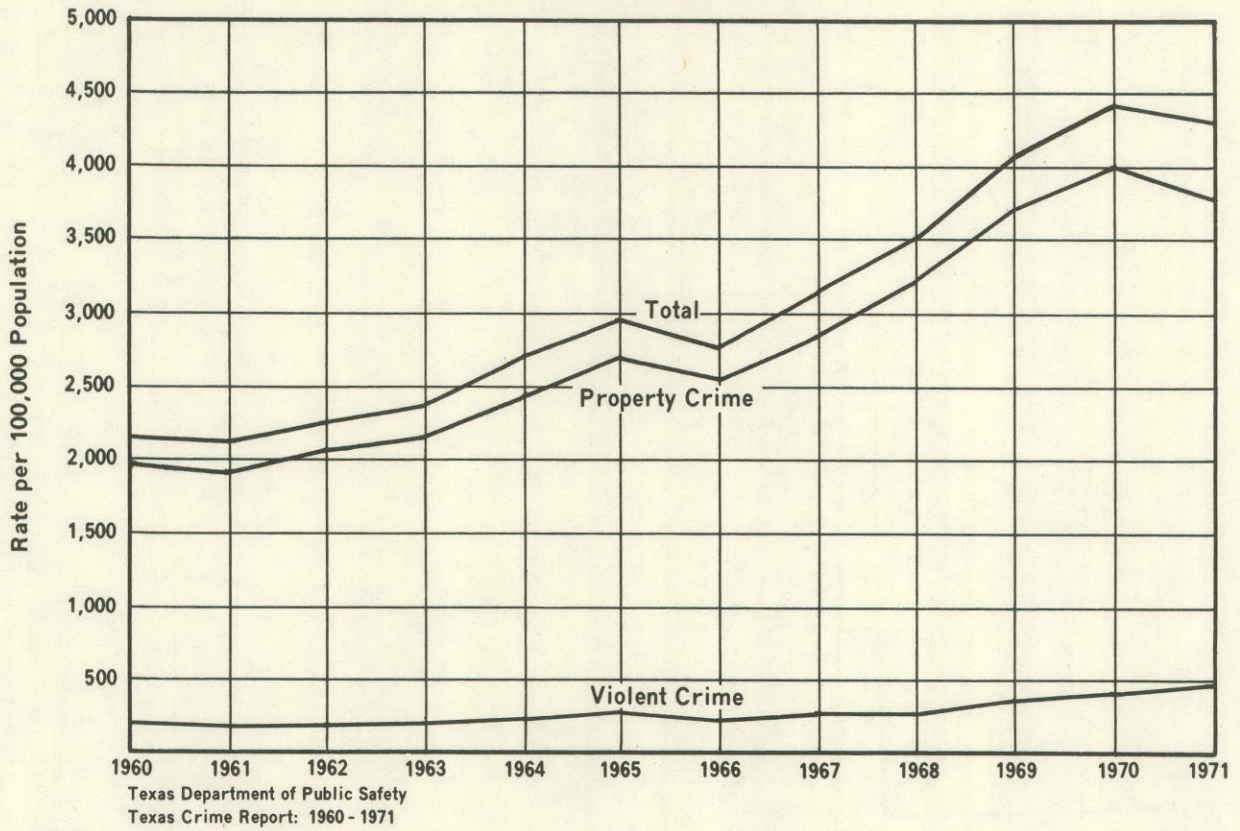


Figure 3  
Estimated Violent Crimes: 1960 - 1971

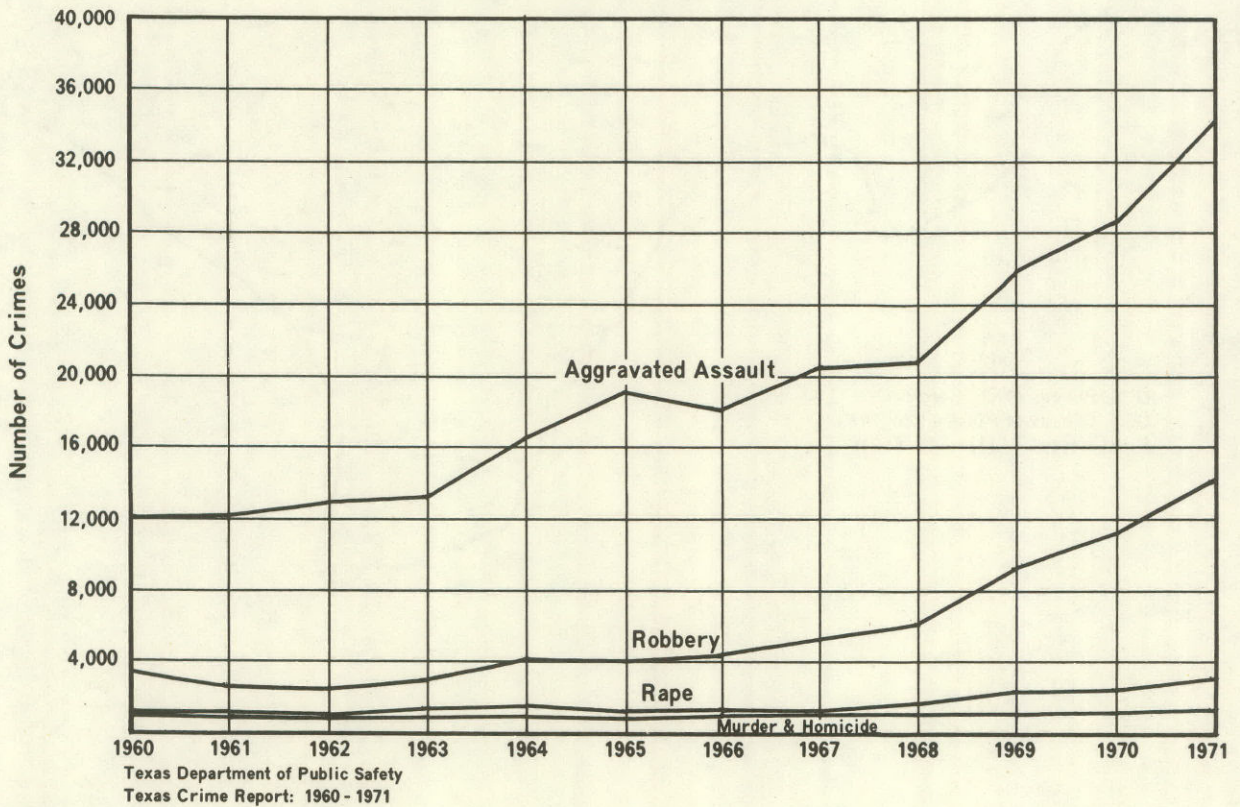




Figure 4  
Estimated Property Crimes: 1960 - 1971

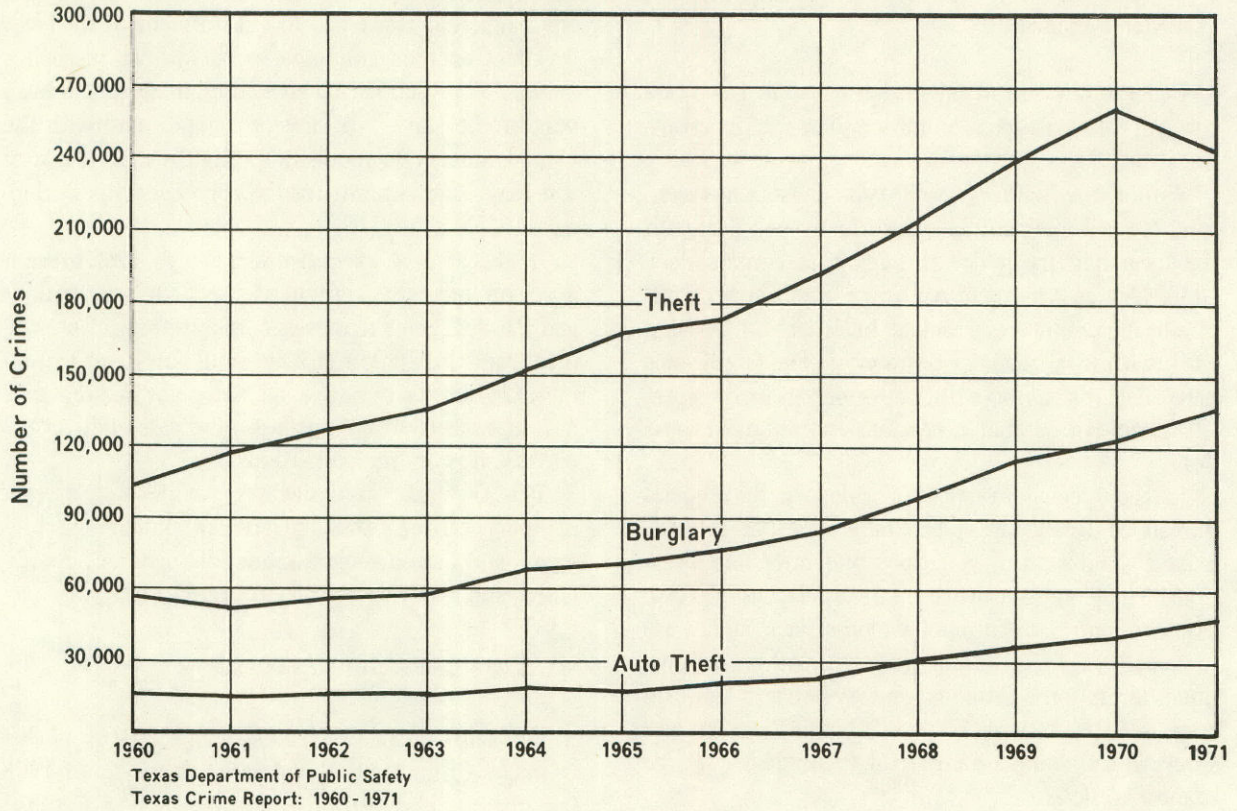
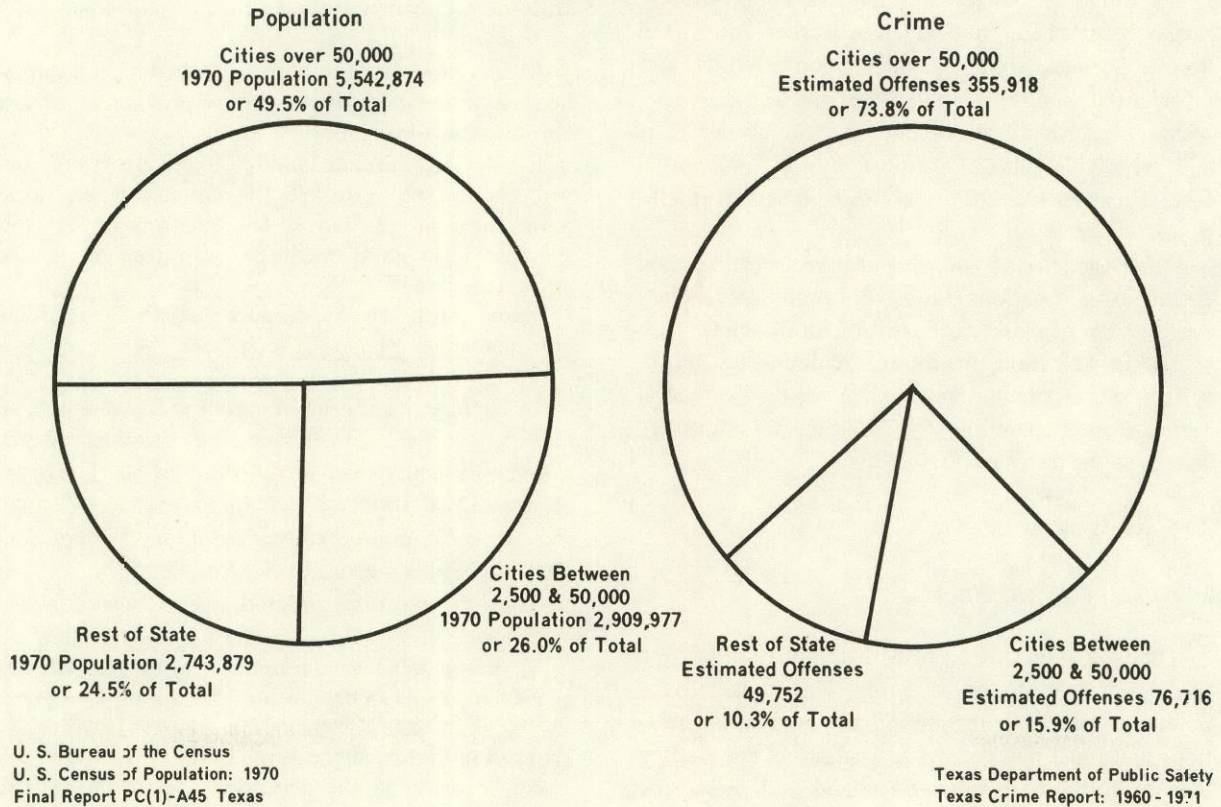


Figure 5  
Population and Crime



## B. LAW ENFORCEMENT AGENCIES

### 1. Federal Agencies

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

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 generally is responsible for most federal statute violations and interstate violations. There are four offices in Texas—Dallas, El Paso, Houston, and San Antonio—which serve local law enforcement agencies upon request, 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 and presidential security; United States and Texas Departments of Agriculture, which maintain 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.

### 2. State Agencies

#### a. Office of the Governor

The Governor is charged with the duty of causing the state's laws to be executed. He is granted the power to call forth the militia to suppress insurrections and repel invasions. The Legislature has granted him authority to assume command and direct the

activities of the Department of Public Safety to cope with public disaster, riot, or insurrection and to meet any dangerous resistance to 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 Texas, in October, 1968, issued an executive order establishing the Criminal Justice Council with the following purposes:

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 of local government 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 reorganizing the Criminal Justice Council to secure more broad-based inputs. The order established a 10-member Criminal Justice Council Executive Committee to provide more efficient conduct of Criminal Justice Council matters.

The new executive order charged CJC 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 10-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 are responsible 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 to:

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.

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 is subject to the jurisdiction of the Governor of the State of Texas.

Members of the Criminal Justice Council serve without compensation, but are reimbursed for reasonable and necessary expenses incurred in performing their duties.

The CJC members who serve because of their position in certain 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 serve for three-year terms. The initial appointment designated one-third of the members for one-year terms, one-third for two-year terms, and the remainder for three-year terms.

The Governor fills, 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 serve until the successor is appointed and has accepted such appointment. All CJC members serve at the pleasure of the Governor.

## (2) Texas Organized-Crime Prevention Council

The Texas Organized-Crime Prevention Council was created by executive order 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 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.

Expenses are paid from an action grant made to CJC and the applicable state matching monies. The estimated expenditure for the council during 1973 is \$10,490.

Current members of the Organized-Crime Prevention Council are:

Colonel Wilson E. Speir, director, Department of Public Safety, cochairman; Crawford Martin, attorney general, cochairman; Carol Vance, district attorney, Harris County; Frank Dyson, chief of police, Dallas; Henry Wade, district attorney, Dallas County; E.E. Peters, chief of police, San Antonio; Marvin Ted Butler, district attorney, Bexar County.

### (3). Office of Information Services

The Office of Information Services (OIS), Office of the Governor, was charged by the 62nd Legislature with "the responsibility for development and implementation of a Master Plan for the utilization of electronic data processing and telecommunications in Texas state government." Additionally, OIS provides management science support to Texas state government for the design and implementation of mathematical and statistical models. Information system planning is being performed by OIS with the coordination of appropriate state agencies in the following areas: criminal justice, education, finance, natural resources, human resources, and health.

*Elements of the Plan.* Texas Criminal Justice Information System (TCJIS) is a comprehensive information system to serve the needs of the criminal justice community. It will provide for the effective, coordinated interface between separately-maintained criminal justice information systems and personnel in Texas.

Development of the TCJIS Master Plan projecting the need for the planned implementation schedule of TCJIS, and other guidelines to federal, state, and local officials was published by OIS coordinating the efforts of six state agencies: Department of Public

Safety, Texas Highway Department, Texas Department of Corrections, Texas Youth Council, Board of Pardons and Paroles, and Texas Civil Judicial Council. The director of each agency supported this Master Plan, which has been designated by Governor Preston Smith as the comprehensive plan for development and implementation of criminal justice information systems in Texas. Seven hundred copies of this Master Plan have been disseminated throughout Texas.

TCJIS consists of three separate but closely related subsystems: the Corrections and Law Enforcement Subsystem (CLASS), the Judicial Subsystem (JUSS), and the Management Science and Statistics Subsystem (MASS). Because of priority in the CLASS area, most efforts have been oriented toward police activities and data files to be developed have been identified. As additional data are identified for any of the subsystems, the TCJIS Master Plan will be updated accordingly.

New LEAA guidelines to the states, called Comprehensive Data Systems (CDS) requirements, are essentially covered under the MASS and JUSS subsystems planning.

An underlying factor that greatly influences TCJIS use is the statutory authorization and requirement that each agency maintain its own records. Detailed systems analysis and design efforts are being performed to define all aspects of individual agency involvement in TCJIS, to evaluate all pertinent hardware and software, and to provide costs versus benefits reports reflecting the impact of automating each system on the agency and the state.

Each agency is responsible for allocation of its resources to accomplish each of the milestones. In addition, each agency will have OIS employees working with it to coordinate TCJIS activity. The TCJIS Task Force will be informed of progress through task force presentations.

Legislation now is being prepared for uniform and mandatory reporting throughout the areas of criminal justice. However, as was stated in the TCJIS Master Plan, "The voluntary adoption of uniform reporting procedures, by all criminal justice agencies, before mandatory legislation is enacted, would be a significant step in creating a statewide data base and should be coordinated with the TCJIS Task Force to insure uniformity."

#### *Benefits of TCJIS.*

— Complement the national programs of the federal government and the FBI.

— Ensure adoption of national standards and encourage use by all elements in the Texas criminal justice system.

- Update and maintain input into national files.
- Meet the special needs of agencies such as the Board of Pardons and Paroles, Texas Youth Council, Department of Corrections, and Department of Public Safety.
- Enable Texas to evaluate and improve its corrections and parole programs.
- Provide the capability for more effective decision-making in the criminal justice structure through the use of statistics, management science, modeling, and simulation.
- Integrate state and local criminal justice entities through an effective, comprehensive system.
- Satisfy the requirements of the judiciary and the Texas Civil Judicial Council.

TCJIS will enable law enforcement, court, and corrections agencies as well as other federal, state, and local officials to have necessary data available for timely planning and decision-making.

The ultimate benefit to be obtained from TCJIS will be the reduction of crime and delinquency in Texas.

#### 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 operation 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 is required by statute to perform certain important functions for or involving other law enforce-

ment 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 [Public Safety] 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.* 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 approval of the commission, is authorized to organize and maintain in the department such division of services as are deemed necessary for efficient conduct of the department's work. 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 DPS policy 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. 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 non-police or regulatory function. The police function involves detecting and apprehending, with or without warrant, violators of traffic and criminal laws; making investigations related thereto; filing necessary charges in court; handling 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. Examples of the regulatory function include testing driver qualifications upon application for license and exercising postlicensing 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). DPS Programs

Functionally, DPS programs fall into three general

classes: street and highway traffic management, crime suppression and control, and disaster and emergency control.

DPS programs 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 carry out these programs are:

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 3,900 in 1973.

**TABLE 2**  
**Department Allocation of DPS Personnel by**  
**Major Categories in Recent Years**

|                             | 1969  | 1970  | 1971  | 1972  | 1973  |
|-----------------------------|-------|-------|-------|-------|-------|
| Criminal law enforcement    | 117   | 162   | 194   | 234   | 234   |
| Traffic law enforcement     | 1,487 | 1,517 | 1,555 | 1,589 | 1,614 |
| Law enforcement admin.*     |       | 14    | 14    | 25    | 25    |
| Total law enforcement       | 1,604 | 1,693 | 1,763 | 1,848 | 1,873 |
| Drivers license patrolment† | 365   | 365   | 365   | 365   | 365   |
| Other personnel             | 1,620 | 1,658 | 1,660 | 2,009 | 2,027 |
| Total department            | 3,589 | 3,716 | 3,788 | 3,857 | 3,900 |

\*Included in prior two categories before 1970.

†Commissioned and armed, but used only occasionally in law enforcement.

(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 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 482,386 index crimes committed in Texas in 1971 represents an increase of 13,324 crimes over 1970, or an increase of 2.8 percent compared to the 8.5 percent increase in 1970. 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, with continuous training and intelligence activity.

The department's responsibilities 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 [Public Safety] 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.

**TABLE 3**  
**Workloads in DPS Criminal Law Enforcement**  
**by Organizational Unit**

|   |         |
|---|---------|
| <b>Texas Ranger Service—1971</b>  |         |
| Index crimes  | 482,386 |
| New investigations opened   | 4,818   |
| Felony cases developed  | 3,996   |
| Felony cases completed  | 1,924   |
| Felony arrests  | 2,075   |
| Local officials assisted on criminal matters  | 22,405  |
| <b>Narcotics Service—6 months, 1971</b>   |         |
| Offenses investigated   | 1,120   |
| Defendants arrested   | 745     |
| <b>Intelligence Service—1971</b>  |         |
| Investigations  | 26,054  |
| Felony arrests resulting from intelligence  | 544     |
| Name checks handled for intelligence data   | 6,017   |
| Agencies assisted   | 10,191  |
| <b>Texas Highway Patrol Service—1971</b>  |         |
| Felonies investigated   | 2,493   |
| Felons arrested   | 3,582   |
| Stolen motor vehicles recovered   | 1,178   |
| Local police agencies assisted in criminal matters  | 3,016   |
| <b>Identification and Criminal Records Division—1971</b>  |         |
| a. Laboratories Bureau  |         |
| Drug analyses   | 37,938  |
| Other chemical examinations   | 56,671  |
| Firearms and toolmarks examinations   | 5,246   |
| Questioned document examinations  | 1,651   |
| Polygraph examinations—Subjects   | 1,948   |
| b. Modus Operandi Bureau—1971   |         |
| Reports received  | 59,843  |
| Articles processed for latent prints  | 2,831   |
| Latent fingerprints examined  | 3,762   |
| Subjects identified from latents  | 141     |
| c. Fingerprints and Records Bureau—1971   |         |
| Criminal fingerprint cards processed State, federal, and military security fingerprint searches | 240,076 |
| Other governmental noncriminal searches   | 40,529  |
| Record and wanted replies transmitted   | 8,116   |
|   | 61,537  |

(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 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 department's mission 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.

### d. *Commission on Law Enforcement Officer Standards and Education*

This commission was created in 1965 by act of the 59th Legislature 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 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.

Thirteen 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.



Three 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 alcoholic beverage 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.

*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. 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(299bb). The Board is responsible for examining the qualifications and licensing of private detectives, investigator patrolmen, guards, and managers of such services, security system services, armored car services, courier services, and guard dog 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.

### 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 employees are 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 on crime in 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 that have cities with 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 noncriminal 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. The agencies interested in these activities usually are 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 in the county to furnish them law enforcement services on contract.

Because of budgetary limitations and inadequate reporting policies, the sheriffs' 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 salary or 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 concerned primarily with the civil process rather than the criminal. However, he is granted broad police powers, and in some locations serves as an active law enforcement officer.

### 4. Municipal Agencies

#### a. Police

##### (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 Texas cities 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

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 organization, 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 non-criminal 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

trol, 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.

There are 669 municipal police agencies, several of which are city marshals and the remainder formal police departments headed by chiefs of police.

#### (3). Organization and Workload

Almost all Texas municipal police departments are

organized in the traditional structural form 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. Departments in many smaller cities 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) that can be used to pay for projects in any of these areas. 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 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 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 on request.

The Interlocal Cooperation Act, V.A.C.S. Art. 4413 (32c), enacted by the Legislature in 1971 provides for contracting for the performance of all governmental services between two or more local governments or between local governments and state agencies.

## C. JUDICIAL AGENCIES

### 1. Federal 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 15 circuit judges. The chief judge and three circuit judges are from Texas.

#### b. *District Court*

There are four federal judicial districts in Texas: 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 five judges; the Eastern District a chief judge and two judges; the Southern District a chief judge and seven 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, Section 124 and 138, *United States Code Annotated*.

and Southern districts have been abolished and sessions are held at the convenience of the judges.

#### (1). Magistrates

Each of the four district court districts has magistrates. The Northern District has eight magistrates, the Eastern District six, the Southern District eight, the Western District 18.

#### (2). Prosecution

Each federal court district has a United States attorney with a staff commensurate with its caseload.

#### (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.

### 2. State Agencies

#### a. *Courts*

Texas, unlike most states in the United States, has two courts of final 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 as both a lawyer and judge of a court of record. The chief justice receives an annual salary of \$33,500, each of the eight associate justices \$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, during the called special session for appropriations only in 1972, provided appropriations for the commission and the equivalent of two commissioners for the fiscal year 1972-1973. The commissioners receive an annual salary of \$33,000.

There is no intermediate appellate court for criminal cases.

### (3). Courts 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 or judge of a court for four years, and a resident of the district in which 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 became effective 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 Civil Judicial Council annually collects statistics on the workload of the district. No statistics currently are gathered on other courts, but a project has been funded to compile statistics on all courts handling criminal or juvenile matters.

According to the Civil Judicial Council, 51,321 criminal cases were pending in the district courts on January 1, 1971. During the year 68,826 new cases were added, and 65,818 cases disposed of. Of these dispositions, 33,466 were convictions, 723 acquittals. Cases dismissed prior to trial totaled 22,747, many of which were indictments in companion cases dismissed on the defendant's guilty plea to another indictment. On December 31, 1971, 55,329 cases were pending.

The state is divided into nine administrative judicial districts. In each of these districts the Governor, with the consent of the Senate, designates one of the active or retired 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 administrative judicial district 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 also may 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, generally are 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 which will exercise juvenile jurisdiction in the respective county, 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 statutory provisions for assistants to the state's attorney. CJC has funded an assistant state's attorney.

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 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 caseload of the Court of Criminal Appeals is extremely high. It disposed of 1,089 cases and 517 postsentence writs of habeas corpus last year.

As a part of these duties in presenting the cases to the Court of Criminal Appeals, it often is 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 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 often is 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 2,000 telephone consultations annually, in addition to numerous personal consultations.

The state's attorney also participates in various functions designed to educate and train law enforcement officers and agents. This entails lecturing and speaking 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 in the district, the scope of the office, its proper designation, and what staff is provided.

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 68 offices of district attorney and 22 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 four criminal district attorneys are paid a salary of \$15,000 by the state. Some counties also provide an additional salary supplement. Salaries of the statutory district attorney and the remaining 18 criminal district attorneys are 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 or waive indictment before a district court.

Yet the district attorney or criminal district attorney, at his discretion, 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 where he has been convicted twice previously of felony offenses, is entitled to bail.

Administration of the office of a metropolitan district attorney or criminal district attorney, as compared to its rural counterpart, 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 85 assistant district attorneys, an administrative director, a technical writer, 15 investigators, 49 secretarial and clerical employees, and seven court reporters—a total staff of 159. 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. Carol Vance, Harris County District Attorney, is a standing member of the Criminal Justice Council and Executive Committee. The district attorney of Harris County is paid \$35,000 annually and is the only district attorney in the state who by statute is prohibited from the private practice of law.

### c. Defense

The Legislature, by an act of February 15, 1958, 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 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.

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. . . .

Since Texas does not have a public defender system, the appointment of counsel traditionally has 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.

A general (statewide) public defender bill was introduced in the Legislature 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 presently is 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 \$33,000. 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 they are persuasive to the courts. Moreover, problems that 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 such 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 post-

sentence writs of habeas corpus before any court. This division represents all state agencies and district and county attorneys 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 that might concern any of the above agencies;

Writing opinions;

Extradition hearings.

Sixteen assistant attorneys general are assigned to this division. During the past several years increased petitions for postconviction 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 director in matters of postsentence writs of habeas corpus and in other legal matters regarding the department.

## (2). Crime Prevention Division

Within the Attorney General's Office also is 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.

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 250 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 6,500, and gives general consultation to both county and district attorneys.

This division is composed of two men.

The attorney general also sponsors the annual Law Enforcement Conference for the benefit of county attorneys, district attorneys, criminal district attor-

neys, 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.

Commission member 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 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, seven 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. 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 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. Courts

##### (1) 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 and which generally is in proportion to the county's population. 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 statute 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.

##### (2) 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 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 in each precinct, and 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."

#### b. Prosecution—County Attorney

As noted previously, 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 221 county attorneys.

The jurisdiction of the office is coextensive 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, the county attorney's 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 a district attorney 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.

#### *c. 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 ter-

ritorial 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, towns, and villages 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." It 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—City Attorney*

The office of city 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 city 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.

## D. CORRECTIONS AND REHABILITATION AGENCIES

### 1. Federal 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, El Paso, and Fort Worth.

The U.S. Bureau of Prisons also has contract arrangements with the Santa Maria Hostel in Houston for prerelease services for female prisoners transferred from federal women's institutions and selected female offenders on probation and with the Halfway House of San Antonio for similar services for male releasees from federal institutions and federal probationers. 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, and job placement; and addict rehabilitation.

### 2. State Agencies

#### 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 nonsalaried 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, W.J. Estelle, Jr., was appointed September 1, 1972, 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 16,500 in 1972. The system contains 14 units, all in the eastern portion of Texas.

(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.

vides 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 nongeographical 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. More than 40 percent are under 25 years of age. 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.

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 half the inmate population attends classes.

TDC board serves as the district school board. The school program is administered by a superintendent of schools and 2 principals, and curriculum development is supervised by a coordinator.

Allocations have been made for 27 special education teachers and three librarians. The program has 125 classroom teachers and 47 vocational teachers.

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; for the fall semester, 1972, it totaled 1,500.

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. Eighty courses are available.

All four colleges can confer the Associate of Arts degree on eligible inmates. So far 96 inmates have received AAs, 60 of these in June, 1972. Planning now is under way for a baccalaureate program.

Providing occupational training for an offender previously labeled unskilled is considered essential. With legislative approval having established TDC's Windham 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.

compensation while learning a trade. Inmates selected for the MDTA program normally are released shortly after their training is completed. The continuing program has consisted of eight vocational fields with about 740 inmate students; this program is being phased out and three new programs—cosmetology, secretarial science, and vehicular air conditioning—initiated.

A "first offender" unit, Ferguson, conducts training programs in machine shop, upholstery, culinary arts, radio and television, air conditioning, refrigeration, building trades, auto mechanics, sheet

metal, and woodworking. A barber college was opened in September, 1972, at the Clemens unit. A diagnostic center, opened in August, 1972, 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 offenders' personal needs. The comparatively small appropriations made from the state's general revenue for 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 \$209,000 in 1971 to the rehabilitation program; industrial production that netted \$6,600,209 in FY 1971; and the canteens and commissaries for inmates and employees in the various units of the system, which made profits of \$300,258 in 1971.

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 eyeglasses.

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, dental prosthesis, school bus repair, 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 re-

tardation 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.

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 prerelease programs at the Jester, Ferguson, Wynne, and Goree units have had excellent results in helping releasees meet their problems. The program is being updated and expanded to include a larger proportion of the men and women being released. A work release or work furlough program is being conducted in conjunction with the prerelease program at the Goree, Wynne, and Jester units.

## (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. A program of constructive care, treatment, education, and training aimed at rehabilitating children adjudged

delinquent by Texas courts and committed to TYC is provided. 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 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 predelinquent 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 objectives 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.

TYC 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 clas-



sification 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 girls' schools operating under TYC. The other two are at Gainesville and Crockett.

During fiscal year 1972, the Giddings State Home and School for Boys will be placed into operation. This facility can accommodate 480 junior high school aged boys.

Children who enter this facility first will be processed through TYC's diagnostic and reception facility at Gatesville. The Giddings facility primarily will provide comprehensive services to children who have committed less serious offenses or whose criminality is subject to easy modification.

#### *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, providing that a judge or jury, under certain conditions, could suspend the sentence of a person who was convicted of certain crimes. When a suspended sentence was handed down, the offender was free to come and go without restraint or supervision; and the only way the suspension could be revoked was for the offender to be indicted, tried, and convicted of another felony or of an offense involving 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 adult 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 presentence investigations. However, in many instances judges do not require a presentence investigation before placing a person on probation. Judges frequently 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 case-work 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."

In 1970 more than 150 adult probation officers were reported to exist in Texas. Some of these officers in the smaller counties supervise juveniles as well as adults. More than 125 of the 254 counties had adult probation services in 1971. All of the major population areas provide such services.

CJC has implemented a comprehensive evaluation and development project in-house to determine the exact number of juvenile and adult probation officers, disparity of needs, standards and practices, and related relevant information necessary for future planning. These data will be compiled, analyzed, and

disseminated by early 1973.

The law expresses the intent that the caseload of each probation officer should not substantially exceed 75 probationers. However, this intent seldom is observed, primarily because of fiscal and management problems.

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 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 and is 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, four areas 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 7,131 individuals during fiscal 1971. In addition, it supervised 634 parolees from other states. During the year, 15,094 cases were considered for parole, 7,351 recommendations were made to the Governor, and 7,188, or 97 percent, were granted. There were 639 paroles revoked during the year.

Maintaining a person on parole costs significantly less than 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.

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

The present juvenile court act was passed in 1943 (Article 2338-1, *Vernon's Annotated Civil Statutes*) and is based on the "parens patriae" concept, the

fundamental rationale of juvenile court procedure throughout the United States.

Under Texas law a juvenile delinquent is a child over the age of 10 and under the age of 17 who:

Violates any felony law of the state.

Violates a penal law of the grade of misdemeanor for which the punishment may be confinement in jail.

Habitually violates misdemeanor laws for which the punishment is a fine only.

Habitually violates any penal ordinance of any political subdivision of the state.

Habitually violates a compulsory school attendance law.

Habitually so deports himself as to injure or endanger the morals or health of himself or others.

Habitually associates with 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 reporting be required with the creation of the Texas Criminal Justice Information System (TCJIS).

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.

The major problem facing persons in the juvenile 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 Texas 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 pro-

grams, most are provided by private, nonprofit corporations similar to the Salvation Army and United Fund agencies. There are 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 in part by grants from the Criminal Justice Council. Law enforcement internships are served in police departments.

In addition to degrees in criminology and corrections, the institute is authorized to grant degrees in law enforcement and police science and in social rehabilitation and social services, a field closely related to corrections.

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 150 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 CJC, institutions of higher learning will supervise a group of interns in juvenile courts, police juvenile bureaus, and child protective agencies in Texas during the summer. Interns also will continue to be placed in TYC institutions.

In the professional training field, TDC provides regular preservice 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.

During the last year the Institute of Contemporary Corrections and the Behavioral Sciences sponsored three major workshops with CJC support. The first Texas Conference on Jail Administration was attended by 73 sheriffs; 11 representatives from regional councils; and representatives from CJC, the Texas Legislative Council, and the U.S. Bureau of Prisons.

The Criminal Justice Conference of 1972 brought together all district judges from Texas metropolitan areas who handle felony cases. Judges from non-metropolitan areas also participated, for the first time. Richard Hughes, former governor of New Jersey and head of the American Bar Association's Commission on Correctional Facilities and Services, was the keynote speaker.

More than 250 participants representing 74 law enforcement and correctional agencies attended the Seventh Interagency Workshop. This two-week session featured outstanding speakers, educators, and practitioners from all segments of the criminal justice system.

A multistory 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.

### 3. County and Municipal Agencies

#### 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 that 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 nonexistent. 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. 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.

#### b. Detention Facilities

The larger urban communities have detention facilities that are in reasonably good repair and provide acceptable security capabilities but lack programs and other features that might minimize the social damage characteristically inflicted by jails upon persons detained. Often the jails in the rural commu-

nities 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 was slightly more than 10 to 1. Only one state has a higher one.

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 and 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.

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.

One of the most glaring deficiencies in the correctional system for juveniles is the lack of adequate temporary detention facilities. Fewer than 20 counties in the state 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.

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 juvenile.

### 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 often have been described as the penal (they cannot properly be called correctional) institutions that have resisted change and reform most successfully. Inspectors have rated most of them unfit for human habitation. Old and insanitary 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. It will not be corrected until the public is aroused to the point of backing the efforts of the many sheriffs and jailers striving to improve conditions and practices, and of insisting that the others do so or be replaced.

The December 19, 1970, report to the Texas Senate by the Senate Penal Servitude Interim Study Committee, entitled *Penal Servitude and Parole*, contains 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.

Hand-in-hand with the need for local correctional facilities is the need for expansion of TDC's pre-release and work release programs. A much lower rate of recidivism has been experienced among those individuals who have gone through the existing 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 (1967 amendment to Article 2338-1, V.A.C.S.) provide for "discretionary transfer" of children from the juvenile courts to the adult court. This legislation pertains to 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 be transferred by the adult court or the grand jury, back to the juvenile court for disposition. If it is transferred back to the juvenile court, no further criminal action can be taken for the same offense after the child reaches adult age.

In 1919 Texas began enacting "bracket and local" statutes providing for juvenile probation officers. Some of the statutes are permissive and some manda-

tory. 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.

Less than 50 percent of Texas' 254 counties 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 a significant increase in drug and narcotics abuse. Another sampling through probation departments in Texas revealed a qualitative change in offenses committed. More violent acts, such as shootings, stabbings, and armed robbery, are occurring in the juvenile age bracket now than in the past.

Another profound observation is that juvenile probation officers spend a majority of their time with noncriminal matters. Time spent on voluntary, non-judicial, unofficial, administrative supervision far exceeds that allocated to children officially placed on probation through the judicial processes. Practices in "voluntary probation" vary from county to county.

Unfortunately, probation officers in Texas do not conform to any form of standardized job functions. The resultant confusion has wrought havoc on the juvenile justice system, as adequate resources do not exist for the small number of adjudicated delinquents, much less the voluminous onslaught of non-criminal or victimless cases. The public has been inadvertently encouraged by these practices to make unrealistic demands on the juvenile justice system. Not until recent years have we witnessed attempts of a few progressive juvenile probation departments to reverse the trend.

## E. AREAS OF HIGH CRIME INCIDENCE

The following is a discussion of the crime problem in the six major metropolitan areas and other areas of high law enforcement activity in the state. The major functional areas—police; courts, prosecution, and defense; corrections; and probation—are discussed for each of the major metropolitan areas.

### 1. Houston

#### a. Police

The City of Houston, according to the 1970 census, has 1,213,064 persons living in an area of 501.3 square miles.

The Houston Police Department has no limit on the number of persons, either sworn or civilian, it employs. On September 1, 1972, there were 2,047 sworn and 352 civilian employees working in the department. The police department handled 439,431 arrests during 1971. These arrests included 10,959 index crimes, 68,811 nonindex crimes, and 359,661 moving-traffic offenses. The public reported 130,419 crimes to Houston police in 1971. In addition, the department received 804,644 requests for services not involving crime.

Houston has a ratio of 1.69 sworn officers per 1,000 persons; 4.80 sworn officers per square mile; and one civilian employee to 5.8 sworn officers. Houston spends \$25.18 per resident for police operations. Funds for the police account for 23.15 percent of the city budget.

#### b. Courts, Prosecution, and Defense

Houston, the largest city in the state, is in Harris County. Harris County has a population of 1,741,912 and covers an area of 1,711 square miles.

There are 26 district courts in the county, 10 of which hear criminal cases. There are four county criminal courts at law and three juvenile courts.

On January 1, 1971, 10,996 felony cases were pending. During the year, 18,632 new cases were added. Dispositions totaled 16,429, leaving 13,199 cases pending on December 31, 1971, a backlog increase of 2,203. There were 23,301 misdemeanors filed in the four county courts, and 23,540 dispositions. Juvenile referrals in 1971 numbered 13,333, of which 3,997 resulted in issuance of court orders and 9,336 were handled unofficially.

In 1972 the Criminal Justice Council funded a project for the 10 district courts trying criminal cases,

providing a court coordinator and secretary, and an assistant court coordinator for each of the 10 courts. The grant also established two temporary courts staffed by retired judges. These courts have concentrated on cases of jailed defendants. The court coordinator, a graduate of the Institute for Court Management, and his staff have been able to assist the judges in managing their dockets more efficiently. Also, waiver of indictment has been employed with considerable success, cutting the time from arrest to trial.

The district clerk of Harris County keeps the records of both district and county courts. In 1972 his office received a CJC grant for restructuring his criminal division, to increase its staff and make more flexible its operation in handling the increasing workloads of the district and county courts.

The district attorney of Harris County prosecutes in the district and county courts and represents the state at examining trials and other proceedings before justices of the peace. His office staff includes 85 attorneys, an administrative director, a technical writer, 15 investigators, 49 clerical personnel, and seven court reporters. CJC has funded several projects in this office. One has provided assistant district attorneys for busier justice of the peace offices to screen complaints and assist law enforcement officers. In 1972 such a screening unit was established in the Houston Police Department 24 hours a day.

A management study of the Harris County District Attorney's office was funded by the Criminal Justice Council in 1971 and its recommendations implemented with CJC funding in 1972. This created the position of administrative director and provided personnel and equipment to help control and handle the paperwork and records flow; a technical writer to prepare manuals and publications; the simultaneous preparation of the complaint, indictment, information, and warrant on snap-out forms; and a training program for new prosecutors and law enforcement personnel. A law school internship project has been funded allowing senior law students to work in the district attorney's office while still in school. Several have become assistant district attorneys when licensed. In addition, through CJC funding, a special crimes bureau was created for this office.

Three grand juries meet simultaneously in Harris County.

The Criminal Justice Council has funded the Harris County Psychiatric Diagnostic Clinic for observing and evaluating allegedly mentally abnormal offenders while in custody. Judges appoint counsel to defend indigents in district and county courts from the membership of the local Bar. In Harris and every



urban county in Texas, methods of selecting counsel for indigent defendants need improvement. Either a public defender office or a legal assistance agency as described in program 73-E3 might provide better representation earlier in the case history.

The Criminal Justice Council has funded a pretrial release program sponsored by the Houston Junior Bar Association and locally funded by the county. This project and others already mentioned made possible the reduction of the jail inmate population from about 2,300 early in 1972 to about 1,700 at midyear.

A principal problem in all urban counties is delay in prompt hearing and final adjudication of cases. More courts are needed to try criminal cases. A common problem in urban areas is lack of adequate support staff for the courts to relieve the judges of many nonjudicial tasks. The project providing court coordinators has met this need to some extent.

Another need is for accurate, detailed, current information on all aspects of a case from arrest through determination of eligibility for release on recognizance, indictment or a waiver, appointment or retention of counsel, trial, and appeals. Only with such information supplied by pretrial release agencies or an electronic information system can pretrial progress be managed intelligently. Harris County has a pretrial release agency. The information system funded for Harris County is meeting these needs.

#### *c. Corrections*

Harris County and the City of Houston each have two correctional facilities. At the time of the 1970 census the Harris County Jail held 608 inmates and had 65 employees, a ratio of nine inmates to one employee. The inmate population included 114 women and three persons being held for other authorities or not yet arraigned. In addition, 515 inmates had been arraigned and were awaiting trial. Eighteen had been convicted and were awaiting further legal action, 46 were serving sentences of one year or less, and 26 were serving sentences of more than one year.

The Harris County Rehabilitation Center had 1,488 inmates and 84 staff members, a ratio of 18 inmates to each staff member. Of this total 379 inmates were being held for other authorities and had not been arraigned yet; 920 had been arraigned and were awaiting trial; 115 had been convicted and were awaiting further legal action; 58 were serving sentences of one year or less; and 16 were serving sentences of more than one year. The average stay at the center is 65 days. Attendance in school at the rehabilitation center is voluntary and inmates are used as

instructors. Many of the inmates work as trustees and receive one-third good-time for their services. The building housing the Harris County Rehabilitation Center was constructed for a maximum of 1,000 inmates. The structure is now so overcrowded that hallways are used for classrooms and visiting areas.

Texas Department of Corrections planning unit is studying the feasibility of a regional correctional facility for the Houston area.

The city jail, at the time of the 1970 census, had 145 inmates and 130 employees, a one-to-one inmate-employee ratio. There were nine women in the inmate population. All inmates had been arraigned and were awaiting trial.

The city prison farm had 176 inmates and 18 employees, a ratio of 10 inmates to each staff member. All inmates were serving sentences of one year or less. More recently, however, the population has averaged 250 and has gone as high as 400. The inmates, all male, range from 17 to 70 years old. The average stay at the city prison farm is 13 days. Work is voluntary. However, working prisoners receive \$7.50 a day toward their fine, and nonworking prisoners receive \$5.00. The only rehabilitation program is an Alcoholics Anonymous unit.

#### *d. Probation*

Adult probation activities in the Houston-Harris County area are provided by the Harris County Adult Probation Department. The department supervises and trains probation officers and develops community resources to assist in probationary activities. Resources supporting this correctional program come from the county and CJC.

The Harris County Adult Probation Department has a 90-member staff, which handles a work-load of 7,000 felony probationers and 5,700 misdemeanor probationers. Of the 90 staff members, 60 are professional and the remainder clerical. The department has an annual budget of \$1,041,950. The department staff serves the county's 26 district courts with heavy emphasis on the 10 district courts that hear criminal cases and the county courts at law.

In supervising the probation of adjudicated offenders, the department uses the services of Texas Department of Corrections, Texas Rehabilitation Commission, Mental Health and Mental Retardation Department, Department of Public Safety, Department of Public Welfare, Texas Employment Commission, and other state agencies.

In addition, the department has cooperative arrangements concerning interstate transfer and

supervision, intrastate transfer and supervision, and supervision of transfer on a regional level. The department works with the Harris County Department of Education in the Houston public schools. In addition, some cooperative arrangements have been made with Sam Houston State University at Huntsville, located 69 miles north of Houston.

The department's primary problem cited is a lack of competently trained officers to handle the excessive caseloads.

The Harris County Juvenile Probation Department is supported with county funds and grant funds from the Criminal Justice Council. The department employs 152 persons, of whom 99 are professionals and the remainder clerical. The department has an annual budget of \$1,434,155. An average of 12,000 referrals are handled each year. The department operates from a central administration building and two satellite offices. Detention facilities have a staff of 182 members, of whom 83 are professionals, and require an annual budget of \$1,292,594. The Detention Home, Burnett-Bayland Home, and Harris County Youth Village handle 4,800 referrals. The staff of the Harris County Juvenile Probation Department uses the services of Texas Youth Council, Texas Rehabilitation Commission, Mental Health and Mental Retardation Department, Department of Public Welfare, and Texas Employment Commission.

Cooperative arrangements provide for interstate compacts, intrastate transfers and supervision, and regional transfers of supervision. The department also works with such agencies as Model Cities and the Houston Independent School District. The department uses the resources of a volunteer program involving citizens, the United Fund Children's Agency, the University of Houston, the University of Texas, the University of Houston Law School, and Sam Houston State University. In addition, the Houston Junior Bar Association and other civic organizations assist in juvenile probation work.

## 2. Dallas

### a. Police

Population of the City of Dallas was 836,121 at the time of the 1970 census. The city encompasses an area of 297.4 square miles. The city budget for fiscal year 1972 was \$166,157,321.

On September 1, 1972, the authorized personnel level of the Dallas Police Department was 2,525 persons: 1,848 sworn and 667 civilian. On the same date, the police department employed 1,797 sworn

and 593 civilian persons. The ratio of civilian to sworn officers is 1:2.7. The police department budget was \$27,123,004, representing 16 percent of the city budget.

In 1971 the police department handled a total of 283,023 arrests. Of this number 16,107 were index crimes; 69,395, nonindex crimes; and 197,521, moving-traffic offenses. A total of 267,106 crimes were reported to the police department in 1971. The department received 101,164 requests for services of a noncriminal nature.

Dallas has a ratio of 2.2 sworn officers per 1,000 population and a ratio of 6.2 sworn officers per square mile. The city spends \$32.43 per capita on police operations.

### b. Courts, Prosecution, and Defense

The City of Dallas is the county seat of Dallas County. The county encompasses an area of 892 square miles and has a population of 1,327,321.

Dallas County has 19 district courts of which seven try criminal cases. Three county criminal courts hear misdemeanor cases and a county criminal court of appeals hears appeals from justice and municipal courts. There are also two juvenile courts.

On January 1, 1971, 9,252 felony cases were pending in these courts. During the year, 15,476 new cases and separately docketed matters were added and there were 14,310 dispositions, leaving 10,418 cases pending on December 31, 1971. This figure represents an increase of 1,166 in the backlog. In addition, there were 8,115 juvenile referrals in 1971. Court orders were issued in 1,445 of these; the remainder were handled informally.

A project was initiated in 1972 to provide administrative assistance to the district judges trying criminal cases and a clerical staff to coordinate calendars, assist in preparation of dockets, and otherwise relieve the judges of some administrative responsibilities. Four reviewing attorneys also have been provided to assist the judges with legal research.

The district attorney of Dallas County prosecutes all felony and misdemeanor matters. His office has a staff of 64 attorneys, 13 investigators, 27 clerical employees, and two court reporters. In addition, a Criminal Justice Council grant funds a director of training to develop and coordinate a program for prosecutors' continuing education and prosecutors' manual. CJC also funded purchase of a magnetic tape typewriter project to develop snap-out forms for preparation of complaints, indictments, and warrants. CJC has funded a pretrial release program for Dallas

County which is sponsored by the Dallas County Bar Association.

A grand jury is available at all times in Dallas County to hear evidence concerning criminal activities. However, one of the principal problems in every urban county is delay in prompt hearing and final adjudication of cases. Dallas County is no exception, and needs more courts trying criminal cases.

Another common problem in urban areas is the lack of adequate support staff for the courts to relieve the judges of many nonjudicial tasks. There also is a need for accurate, detailed, current information on all aspects of a case from arrest through the determination of eligibility for release on recognizance, indictment or waiver, appointment or retention of counsel, trial, and appeal. With such information supplied by pretrial release agencies or from electronic information systems, the pretrial process can be managed intelligently. Dallas County has a pretrial release agency. The regional criminal justice information project should be used to the fullest extent to help in the information need.

Often metropolitan prosecutors' offices are not operated with maximum possible efficiency. They should be examined regularly by administrative staffs and by management consultants seeking systems and procedures to increase operational efficiency.

In this and other urban counties in Texas, the method of selecting counsel for indigent defendants needs improvement. Either a public defender's office or a legal assistance agency as described in program 73-E3 would provide better representation earlier in the case history.

#### *c. Corrections*

The Dallas city jail has an average population of 250 inmates, including 25 females, and a staff of 107 persons, including administrators. The population of the jail has run as high as 300, but this overcrowding has been reduced by a pretrial release program funded by CJC and by a magistrate's court sitting 24 hours a day. The jail exhibits the common problems—no rehabilitation programs and no space for their implementation, poor kitchen and dining facilities, poor security, and an outmoded physical plant.

The Dallas county jail was reported in the 1970 jail census to have a population of 1,681. The county jail has 109 employees, a ratio of 15 inmates for each employee. (This ratio is much higher when considered in the "on duty" basis.) Of the total inmate population 84 were females, 299 were being held for other authorities and had not been arraigned, 965 had been

arraigned and were awaiting trial, and 119 persons had been convicted and were awaiting further action. Sentences of one year or less were being served by 111 inmates and 187 were serving sentences of more than one year. The percentage of unconvicted inmates in the county jail (75 percent) far exceeds the national average of 52 percent. A recent federal court order directed changes to bring the Dallas County facility into compliance with state law and the Constitution. A study of the area's jail needs is nearing completion and the Dallas area also will be studied by the Texas Department of Corrections planning unit to determine the feasibility of regional correctional facilities.

#### *d. Probation*

Adult probation activities are supervised and carried out in the Dallas County area by the Dallas County Adult Probation Department. The department is supported by resources from the county and the Criminal Justice Council. The department operates with a \$377,229 budget, including salaries for 35 staff members of which 27 are professionals. The staff works with the seven criminal district courts.

The department uses the services of Texas Department of Corrections, Texas Rehabilitation Commission, Texas Department of Mental Health and Mental Retardation, and Texas Employment Commission. The department has arrangements for interstate compact, intrastate supervision, and computer services.

Additional resources available to the Dallas probation department include the University of Texas at Arlington, Sam Houston State University, the regional police training academy, and an attorney for interpretation of legal questions.

The department cites as its most glaring weaknesses the lack of manpower and the need for in-service training. Priorities cited by the department include misdemeanor probation supervision, increased staff, in-service training, and an increase of community resources.

Juvenile probation is handled by the Dallas County Juvenile Probation Department. This department offers psychological services and intake of prospective probationers and renders special services as needed.

The Detention Home has a staff of 40 persons, including 28 professionals. The department has an annual budget of \$378,052 and handles an average yearly admission of 5,487 youths. The Sunshine Home has a staff of 16, of which two are profes-

sionals, and operates with an annual budget of \$134,714. The Sunshine Home averages 95 cases per year.

Child support activities are handled by a staff of 13, including four professionals. This division has an annual budget of \$123,591 and administers 14 million dollars annually in conjunction with the Domestic Relations Court. These activities are supported by county resources and the Criminal Justice Council.

The juvenile probation department has a staff of 107, including 77 professionals. The department's annual budget is \$1,320,895. It handles 8,115 cases each year. The department operates from two offices—the administrative office and the domestic relations office. The department uses the services of Texas Youth Council, Texas Rehabilitation Commission, Texas Department of Mental Health and Mental Retardation, and Department of Public Welfare. The department has cooperative arrangements for interstate compact and courtesy supervision from other counties, arrangements with schools on truancy, a first offenders program, arrangements for public school teachers to work in detention homes, and cooperative agreements with Dallas County Boy's Home, Girls Day-Care, and Cross-Roads.

Additional resources are made available to the department from Sam Houston State University, North Texas State University, Texas Woman's University, East Texas State University, Bishop College, and local junior colleges. Additionally, the police academy provides some training to department employees. The Dallas Bar Association and Southern Methodist University provide legal aid clinics. Texas Woman's University provides training through social work seminars.

The department's major weaknesses include office space shortage, lack of manpower, and a need for a master's level training program for departmental personnel.

### 3. San Antonio

#### a. Police

The City of San Antonio had a 1970 population of 650,188 and encompassed an area of 197.8 square miles. The San Antonio Police Department has an authorized personnel strength of 1,189. Of this number 1,004 are authorized to be sworn personnel, while 185 are authorized for civilian personnel. On September 1, 1972, the department employed 981 sworn personnel and 195 civilian personnel, a ratio of 5.4 sworn officers to each civilian employee. The

city's operating budget for fiscal year 1972 was \$56,738,704. The police department budget was \$12,757,719, or 22 percent of the total city budget.

In 1971, the department handled 220,673 arrests. Of these, 6,498 were index crimes; 30,759 nonindex crimes; and 183,416 moving-traffic offenses. A total of 188,559 crimes were reported to the police in 1971. In addition, the department received 41,782 requests for service of a noncriminal nature.

The city has ratios of 1.5 sworn officers per 1,000 population and 5.1 sworn officers per square mile. The city spends \$19.62 per capita on police operations.

#### b. Courts, Prosecution, and Defense

San Antonio is the largest city in Bexar County, which has a population of 830,656 and covers an area of 1,247 square miles.

There are 11 district courts in Bexar County, four of which try criminal cases. Two others hear criminal cases as their civil dockets permit. Three county courts at law have both civil and criminal jurisdiction. One district court is designated as the county's juvenile court for a period of six months. Each serves its turn in rotation.

On January 1, 1971, there were 1,317 felony cases pending. During the year 3,155 new cases and separately docketed matters were added. There were 2,491 dispositions, leaving 1,981 cases pending at the end of the year, a backlog increase of 664 cases. There were 7,622 misdemeanor cases filed in the three county courts in 1971, and 7,280 dispositions. Juvenile referrals in 1971 totaled 5,096, of which 1,295 were disposed of by court order and the balance handled unofficially.

In 1972, the Criminal Justice Council funded an administrative unit for the Bexar County district courts trying criminal cases. This project provided a court administrator and four deputies, one for each of the four district courts regularly trying criminal cases. A "back-up" court reporter also was funded to allow faster processing of court records. The project is expected to free judges of purely administrative duties, to increase the efficiency of case handling, and to increase judicial control of the dockets.

The office of criminal district attorney is staffed with 48 attorneys, 18 investigators, and 30 clerical employees. In late 1971, CJC funded a reorganization project in the district attorney's office, adding efficient handling of the mass of forms and paperwork. Four investigators were added, as was a special crimes section. A felony evaluation and processing section

was created and staffed. An attorney was added to the appellate section.

A grand jury is regularly available in Bexar County.

The Criminal Justice Council has assisted San Antonio in funding a pretrial release project. It also has funded a night magistrate program, which places a magistrate, an assistant district attorney, and a clerk at the jail during the late evening and early morning hours. An attorney with the pretrial release program is also present and this team determines whether personal recognizance release is appropriate.

All judges appoint attorneys to represent indigent defendants and juveniles.

#### *c. Corrections*

The Bexar County jail at the time of the 1970 census had 700 inmates and 138 employees, a ratio of five inmates to each employee. Ninety inmates were females, 365 had been arraigned and were awaiting trial, 105 had been convicted and were awaiting further legal action, 117 were serving sentences of one year or less, and 20 were serving sentences of more than one year. The county jail is relatively new, but it already is overcrowded. San Antonio will be studied by the Texas Department of Corrections planning unit to determine the feasibility of a regional correctional center.

#### *d. Probation*

Adult probation activities are handled by the Bexar County Adult Probation Department. Probation supervision is provided by a staff of 37 persons, of whom 18 are professionals. This unit handles about 3,739 cases per year and operates on a budget of \$369,198. These activities are supported by funds from the county government and the Criminal Justice Council.

The probation department serves five criminal district courts. It utilizes the services of several state agencies including Texas Rehabilitation Commission, Department of Public Welfare, Texas Department of Mental Health and Mental Retardation, Texas Department of Corrections, and Texas Employment Commission.

The department has cooperative agreements concerning interstate compacts, intrastate supervision, and regional supervision. A pilot program involving use of volunteers is underway.

The department's projected needs include additional personnel, education for probationers on a

crash-course program, increased vocational counseling, and the additional support systems to complement these programs.

Juvenile probation activities are handled by the Bexar County Juvenile Probation Department. This department has a staff of 39 persons, of whom 25 are professionals. The department handles an annual caseload of 5,096 and operates with a \$332,762 budget. The detention staff consists of 29 persons of whom two are semiprofessionals. The detention facility provides 11,601 days/care per year and operates on a \$169,790 budget. Seven persons, none of whom are professionals, comprise the child support staff, which has a \$51,650 budget. The child support section handles \$1,500,000 annually in accounts. In addition, seven persons, including five professionals, staff a Model Cities project with an annual caseload of 1,672 and a \$55,540 budget. The juvenile probation activities are supported by the county, Model Cities, and CJC.

The juvenile board is composed of 11 district judges and the county judge. The juvenile probation department coordinates with the chairman of the juvenile board.

The juvenile probation department utilizes the services of Texas Youth Council, Texas Mental Health and Mental Retardation Department, Texas Rehabilitation Commission, and Texas Department of Public Welfare. In addition, a volunteer program, the Junior League, and Worden School of Social Work interns provide services to the department.

Projected needs of the department include a satellite office, an interim home for potential delinquents, and additional salaries for staff members.

### **4. Fort Worth**

#### *a. Police*

According to the 1970 census, the City of Fort Worth had a population of 393,476 and covered an area of 236.18 square miles. The police department has a total authorized strength of 860, of which 684 positions are for sworn and 176 for civilian personnel. On September 1, 1972, the city employed 666 sworn and 149 civilian persons, a ratio of 3.9 sworn officers to each civilian employee.

The city's operating budget for fiscal year 1972 was \$48,814,026. The police department budget for the period was \$8,570,106, which constitutes 17.5 percent of the total city budget. The city spends \$22.08 per capita for police operations.

In 1971 the police department handled 168,216

arrests. There were 1,368 index crimes, 25,767 non-index crimes, and 141,091 moving-traffic offenses. In 1971, 60,672 crimes were reported to the department and it received 49,356 requests for services of a noncriminal nature.

Fort Worth has a ratio of 1.8 sworn officers per 1,000 population and of 2.9 sworn officers per square mile.

#### *b. Courts, Prosecution, and Defense*

Fort Worth is the county seat of Tarrant County, which has a population of 711,387 and an area of 860 square miles.

Tarrant County has 10 district courts, of which four are criminal district courts. There are three county criminal courts at law, one of which hears all appeals from justice and municipal courts as well as license suspension and check cases. One of the county's courts of domestic relations is designated the juvenile court.

On January 1, 1971, 2,334 felony cases were pending. During the year, 2,653 new cases and separately docketed matters were added, and 2,611 cases disposed. There were 2,376 cases pending on December 31, a backlog increase of 42. In two county criminal courts at law, 1,298 misdemeanor cases were filed and 1,166 dispositions made in 1971. In the third county court, 8,624 appeals, etc., were filed and 1,750 disposed. Juvenile cases referred in 1971 totaled 2,862, of which 655 resulted in court orders and 2,207 were handled unofficially.

The office of the criminal district attorney is staffed by 31 attorneys. The staff works in sections including complaints, organized crime, juvenile, grand jury, appeals, and postconviction writs. The office also performs those civil duties normally handled by a county attorney. It is expected that after January 1, 1973, the new district attorney will seek funding for additional activities. An application is pending.

A grand jury is available regularly.

Under Article 341, *Vernon's Annotated Civil Statutes*, any indigent charged with a criminal offense or a party in a juvenile proceeding in Tarrant County must be represented by a public defender or other practicing attorney appointed by the court. Each district judge appoints a public defender for his court.

A principal problem in every urban county is delay in hearing and final adjudication of cases. Although only four district courts in Tarrant County try criminal cases, a court administrative staff for all the district courts would help move the docket, probably allowing time for hearing criminal cases in several

additional courts. An application is pending. More courts are needed to try criminal cases.

Another problem is the need for accurate, detailed, current information on all aspects of a case from arrest, through determination of eligibility for release on recognizance, indictment or waiver, appointment or retention of counsel, trial, and appeal. Only with such information supplied by pretrial release agencies or an electronic information system can pretrial progress be managed intelligently. An application for an information system is being processed.

A common problem in urban areas is the lack of adequate support staff for the courts, to relieve the judges of many nonjudicial tasks.

Often metropolitan prosecutors' offices are not operated with maximum efficiency. These operations should be examined regularly by administrative staff and management consultants to seek new systems and procedures for increased efficiency.

In this and every other urban county in Texas, the methods for selecting counsel for indigent defendants need reorganizing. Either a revision of the public defender system or adoption of a legal assistance agency, as described in Program 73-E3, might provide better representation provided earlier in the history of the case.

#### *c. Corrections*

The Tarrant County jail, at the time of the federal jail census (April 15, 1970), held 481 inmates and had 40 employees, a ratio of 12 inmates to one employee. The inmates included 22 females and 19 juveniles. Forty-eight were being held for other authorities or had not yet been arraigned, 282 had been arraigned and were awaiting trial, 37 had been convicted and were awaiting further legal action, 48 were serving sentences of one year or less, and 66 were serving sentences of more than one year.

At the time of the census the Fort Worth rehabilitation farm had 137 inmates and five employees, a ratio of 27 to one, one of the most disparate ratios on record in the United States. The figure is even more disparate on realization that all five employees do not work 24 hours a day. The 137 prisoners were all males serving sentences of one year or less.

The city jail held 108 inmates and had 24 employees, a ratio of 5 to one. The total number of prisoners included seven females. Of the total, 78 were being held for other authorities or not yet arraigned, and 30 were serving sentences of one year or less.

The Fort Worth area will be included in studies now being conducted to determine the need for regional correctional facilities.

#### *d. Probation*

Adult probation activities are handled by the Tarrant County Adult Probation Department. This department not only supervises probationers but also aids in their employment. The department is supported through county resources.

The department has a staff of 19 persons, 13 of whom are professionals. The annual workload is about 2,713 cases; budget, \$184,135. The department operates from the courthouse. The department serves four criminal district courts.

The department utilizes the services of a number of state departments including Texas Department of Corrections, Department of Public Safety, Texas Rehabilitation Commission, and Department of Parole Supervision. The department has cooperative arrangements involving interstate compacts and intrastate supervision. Primary problems include a lack of space, manpower, and the need for a volunteer probation system.

Juvenile probation activities are handled by the Tarrant County Juvenile Probation Department. The department is involved in supervising delinquents, child custody investigation, child support cases, detention, youth center for predelinquents, children's homes (dependent and neglected), and a volunteer section.

It is supported through resources from Tarrant County and the Criminal Justice Council.

The delinquency section has a staff of 32 persons, including 25 professionals, and handles a caseload of 2,860 referrals. The delinquency section operates from the courthouse and satellite offices.

Five professionals staff the child custody section. The section handles an annual caseload of 717 from its offices in the civil courthouse building. Five other sections in the juvenile probation department employ 53 persons, including 27 professionals. One section, dealing with detention, operates five children's homes.

The juvenile probation department is subordinate to a juvenile board composed of 14 judges. The chief probation officer reports to the juvenile board and consults with a citizens advisory panel.

The juvenile probation department utilizes the services of several state agencies, including Texas Youth Council, Texas Rehabilitation Commission, Texas Department of Mental Health and Mental

Retardation, Texas Department of Public Welfare, and Texas Employment Commission. The department has cooperative arrangements for interstate compacts, intrastate supervision, and courtesy supervision from other counties, and policy agreements with city agencies, schools, and police departments.

A number of resources other than those of law enforcement and government agencies are available to the juvenile probation department. These include a citizens advisory group, volunteer program, civic organizations, consultant research, and interns provided by Texas Christian University, the University of Texas at Arlington, Texas Wesleyan College, and Sam Houston State University.

Future needs of the department include reducing caseloads, increasing volunteer staff, reducing recidivism and revocation rates, and achieving more active community involvement in the program.

## **5. El Paso**

### *a. Police*

According to the 1970 census, the City of El Paso had a population of 317,462, and covered an area of 129.13 square miles. The police department has an authorized personnel strength of 543 persons, 462 sworn and 81 civilian. On September 1, 1972, the city actually employed 455 sworn and 67 civilian personnel, a sworn-to-civilian ratio of 5.7:1.

The city's operating budget for fiscal year 1972 was \$26,580,317. Police department budget for the same period was \$4,878,470, or 18.3 percent of the total city budget. The city spends \$15.37 per capita for police operations.

The police department handled 79,263 arrests in 1971. Of this number, 3,250 were index crimes, 7,749 nonindex crimes, and 68,264 moving-traffic offenses. Crimes reported to the department in 1971 totaled 48,713 and the department received 91,797 requests for services of a noncriminal nature.

El Paso has a ratio of 1.4 sworn officers per 1,000 population and a ratio of 3.6 sworn officers per square mile.

### *b. Courts, Prosecution, and Defense*

The City of El Paso is in El Paso County, which has an area of 1,054 square miles and a population of 359,291.

The county has six district courts, one of which, the 34th, tries criminal cases and also sits in Hudspeth and Culberson Counties. There are three county

courts at law and one court of domestic relations, which has been designated the county juvenile court.

On January 1, 1971, 703 felony cases were pending. During the year 1,451 new cases and separately docketed matters were added. There were 1,630 dispositions, leaving 524 cases pending on December 31, a backlog decrease of 179. There were 2,483 misdemeanor cases filed in El Paso County courts, and 2,308 were disposed of. Juvenile referrals in 1971 totaled 2,826, only 12 of which resulted in court orders.

In 1971, "A Study of Court, Law Enforcement, Probation, Detention and Community Services for Juveniles in El Paso County, Texas," published by the National Council on Crime and Delinquency, was partially financed by the Criminal Justice Council. In 1972, CJC funded a project furnishing the county's new juvenile court with a clerk and legal secretary and equipment enabling the court to develop and sustain efficient processing and adjudication of all juvenile matters.

The district attorney prosecutes felony cases in El Paso, Hudspeth, and Culberson counties. A project for modernizing the district attorney's office was funded by CJC in 1972, bringing the staff to 12 attorneys, seven secretaries, and two investigators. The project restructured the office and added personnel and equipment to meet current needs.

The county attorney prosecutes in the county courts and has a staff of seven attorneys, three secretaries, and one investigator. This office also has the usual civil responsibilities.

A grand jury is available two days a week.

The adult probation department gathers information to make possible pretrial release on recognizance.

A principal problem in every urban county is the delay in prompt hearing and final adjudication of cases. In El Paso County, although only one district court tries criminal cases, a court administrative staff for all the district courts would assist in moving the docket, probably allowing time for hearing of some criminal cases in several courts. In any case, it appears that more criminal courts are needed.

Accurate, detailed, current information on all aspects of a case from arrest, through making a determination of eligibility for release on recognizance, indictment or waiver, appointment or retention of counsel, trial, and appeal also is needed. Only with such information supplied by pretrial release agencies or an electronic information system can pretrial progress be managed intelligently. El Paso has a pretrial release agency. The Criminal Justice Council has

funded West Texas Council of Governments for a criminal justice information system that should be used to the fullest extent possible for these purposes.

Often metropolitan prosecutor's offices are not operated with maximum possible efficiency. These operations should be examined regularly by administrative staff and by management consultants to seek new systems and procedures to increase efficiency. Both problems have been alleviated by a project implemented in 1972, but deserve continued attention.

In this and every urban county in Texas, methods for selecting counsel for indigent defendants needs improving. Either a public defender office or a legal assistance agency, as described in Program 73-E3, might provide better representation provided earlier in the history of the case.

#### *c. Corrections*

On February 1, 1972, the city and county jails were consolidated, with total operation and responsibility for the jail function placed under the county. Consolidation will save the city about \$125,000 a year. The city now contracts with the county for the care and custody of prisoners and pays the county \$50,000 annually for this service.

The El Paso county jail shares the problems common to the jails of the United States. It has a capacity of 450 inmates, but the average for the first six months of 1972 was 575, with a peak of 668. It is anticipated that the average will reach 700 by the end of 1972. The county has made preliminary plans to add facilities for an additional 300 inmates. Existing facilities also must be renovated to comply with state law, including rearrangement of booking facilities, holding tanks, recreational areas, dayrooms, sunrooms, visiting facilities, and libraries. In October, 1972, CJC funded a planning project to determine what needs to be done to upgrade programs and facilities at this jail.

#### *d. Probation*

Adult probation activities are handled by the El Paso County Adult Probation Department. This department handles supervision, investigation, and recommendations for personal recognizance bonds. The department is supported through resources provided in the county budget and by Criminal Justice Council funds.

The department employs 11 probation officers, five administrators, and one commercial resource.



The department operates on an annual budget of \$148,885 and handles a caseload of 1,123. The probation department is subordinate to the 34th Judicial District Judge.

Several state agencies provide services to the department. They include Texas Department of Mental Health and Mental Retardation, Texas Rehabilitation Commission, Texas Department of Corrections, and Texas Employment Commission.

The department has a number of cooperative arrangements including an interstate compact and intrastate transfer, regional cooperative agreement, and local youth services bureau for interns. In addition, the University of Texas at El Paso provides interns and other agencies assist in providing in-service training.

Needs of the department include a diagnostic unit staffed by a psychologist, community resources and support, and an increase in staff.

Juvenile probation activities are handled by the El Paso County Juvenile Probation Department. Its activities include referral, intakes, screening and court services, probation services, detention, family studies, and placement. The department is supported by the county and CJC.

The department employs 40 persons. Nineteen of these employees are involved in detention facilities, which operate with an annual budget of \$120,000. Intake services operate with an annual budget of \$92,000, handle 3,000 referrals annually, and have an eight-member staff. The probation services operate with a \$50,000 budget, with six professionals and two secretaries handling a caseload of 200. The chief juvenile probation officer receives input from a citizens advisory committee but is responsible only to the juvenile board, which consists of six district judges, one domestic relations judge, and one county judge.

The juvenile probation department utilizes the services of several state agencies including Texas Department of Public Welfare, Texas Rehabilitation Commission, Texas Youth Council, Texas Department of Mental Health and Mental Retardation, and Texas Employment Commission.

The department has cooperative arrangements including multistate and interstate compacts and agreements concerning transfers from other counties, and cooperates with law enforcement agencies. In addition, other resources are available to the department from a citizens advisory committee, various civic groups, the University of Texas at El Paso, and the National Council on Crime Delinquency.

New juvenile justice center facilities, a training

program, prevention center, legal services, employee bilingual training, residential treatment, unit for the emotionally disturbed, and psychological services are among the department's needs.

## 6. Austin

### a. Police

In 1970, the City of Austin had a population of 264,904 and covered an area of 87.84 square miles.

The police department has a total authorized strength of 511 persons. Of this number, 349 positions are for sworn personnel and 162 for civilians. On September 1, 1972, the department had on its payroll 348 sworn officers and 152 civilians, a ratio of 2.15 sworn police officers for each civilian employee.

The city operating budget for fiscal year 1972 was \$62,954,388. The police department budget was \$5,734,582, which is 9.1 percent of the total operating budget. The city spends \$21.64 per capita for police operations.

In 1971 the department handled 78,776 arrests, including 2,570 index crimes, 12,635 nonindex crimes, and 63,571 moving-traffic offenses. Calls to police included 44,761 crimes reported and 156,547 requests for services of a noncriminal nature.

Austin has a ratio of 1.3 sworn officers per 1,000 population and 3.9 sworn officers per square mile.

### b. Courts, Prosecution, and Defense

Austin is in Travis County, which has an area of 1,015 square miles and a total population of 289,597.

Travis County has six district courts; two of which hear criminal cases, and another of which is designated a juvenile court. Two county courts at law hear both civil and criminal cases.

On January 1, 1971, 790 felony cases were pending. During the year 2,033 new cases and separately docketed matters were added and 1,900 cases were disposed of, leaving 923 cases pending on December 31, an increase of 133 in the backlog. The number of misdemeanor cases filed in the county courts at law is not known. No disposition statistics are available and there is no requirement that such statistics be kept. Juvenile referrals in 1971 totaled 2,535, with court orders issued in 357.

The district attorney's office prosecutes felony cases only. It is staffed with 12 attorneys, five clerical employees, and two investigators. These figures include 12 persons funded by a CJC grant to process,

investigate, and screen complaints at their inception.

The county attorney's office has a staff of five attorneys and nine clerical employees, two of whom are temporary. This office is responsible for misdemeanor prosecution in the county courts at law, as well as other duties.

The juvenile court has its own prosecutor, as well as a juvenile public defender staff of two defenders, an investigator, two secretaries, and 10 law students, funded in part by a CJC grant. This is considered to be a unique organization of a county juvenile justice system.

A grand jury is available continuously, usually meeting three days a week.

Travis County has a personal bond project to make investigations for pretrial recognizance release.

One of the principal problems in every urban county is delay in hearing and final adjudication of cases. Although only two district courts try criminal cases, in Travis County a court administrative staff for all the district courts would assist in moving the docket, probably allowing time for some criminal cases to be tried in several of the courts.

Another problem is the need for accurate, detailed, current information on all aspects of a case from arrest, through determination of eligibility for release on recognizance, indictment or waiver, appointment or retention of counsel, trial, and appeal. Only with such information supplied by a pretrial release agency or an electronic information system can pretrial progress be managed intelligently. An application for such an information system is pending. Travis County has a pretrial release agency.

A common problem in urban areas is the lack of adequate support staff for the courts, to relieve the judges of many nonjudicial tasks.

In this and every other urban county in Texas, the methods of selecting counsel for indigent defendants need improving. Either a public defender office or a legal assistance agency, as described in Program 73-E3, might provide better representation, provided earlier in the history of the case.

#### *c. Corrections*

Capacity of the city jail is 74 persons, and with annual admissions of 15,000, there is a great deal of turnover. Plans are underway to add space for 74 more inmates.

The county jail has a capacity of 245 and a daily average population of 220. In addition to the normal weekend increase, 10 to 30 persons serve time on weekends and are released to return to work on

Monday. When overcrowding occurs, inmates are placed on the floor or in hallways. Delays in court processing add to population pressures. Some inmates stay in the county jail for two years merely awaiting trial.

There are few rehabilitation programs, little opportunity for exercise, and limited living space for each inmate. The county plans a remodeling project to add space and modernize the facility. During the past year LEAA provided a technical assistance team for a two-week program of training jailers. The planning unit of the Texas Department of Corrections is determining the feasibility of locating a regional correctional center in Travis County.

#### *d. Probation*

Adult probation is handled by the Travis County Adult Probation Department. Its activities include supervision, counseling, recommendations to the court, and carrying out court decisions. The department is financed through county, federal, and state assistance.

The department has an annual budget of \$285,892 and handles a workload of 2,477 probationers, 1,492 felons, and 985 misdemeanants. The department staff consists of a chief probation officer, an assistant chief probation officer, two supervisors, 10 adult probation officers, 14 clerical personnel, and 12 interns. The department also uses the services of 125 volunteers. The department operates from the courthouse and two satellite offices. The adult probation office is subordinate to the judicial district courts and achieves coordination through one district judge.

A number of state agencies including Texas Department of Corrections, Texas Rehabilitation Commission, Texas Department of Mental Health and Mental Retardation, and Texas Department of Public Welfare provides services to the department.

The department has cooperative arrangements of multistate, state, regional, and local nature. In addition, it uses the resources of an advisory council, a community council, volunteers, Alcoholics Anonymous, Austin Council on Alcoholism, Texas Commission on Alcoholism, Travis County Bar Association, Legal Aid, personal bond, Brackenridge Hospital, and Child and Family Service. The University of Texas at Austin and other colleges provide interns consultation, and law school aides and research.

The department needs to reduce caseloads, achieve flexibility in sentencing, achieve a community corrections system, and gain additional working space.

Juvenile probation is handled by Travis County

Juvenile Court. Activities include delinquency prevention, delinquency referral, involvement in family law and divorce proceedings, handling dependent and neglected children, legal counsel for children, adoptions, drug treatment, custodial care, and vocational rehabilitation. The department is supported by the county general tax fund and CJC grants.

The department has 100 employees, 71 of them professionals. Its annual budget is \$1,084,163.

Twenty-one staff members, including eight professionals, are involved in delinquency prevention. This division operates on an annual budget of \$253,000 and handles an annual caseload of 1,700. The delinquency referral section is composed of 25 probation officers. It has an annual budget of \$225,849. Its annual caseload includes 2,535 delinquency referrals; 156 dependent and neglected children cases; and 837 cases involving custody, adoption, and other matters.

The juvenile defender section is funded by a CJC grant and involves 19 staff members, of whom 17 are professionals. This division operates on an \$87,000 budget and handles 1,000 cases annually. A drug treatment program is staffed with 11 persons, including eight professionals. This division has an \$88,000 budget and handles an annual caseload of 328.

Custodial care is provided by a 16-member staff, which includes nine professionals. The operating budget for the division is \$170,697. Annual caseload is 2,449.

The department is responsible to a juvenile board consisting of six district judges and one county judge. The department coordinates with the commissioners courts, a citizens advisory committee, and two juvenile boards.

In addition, the department uses the services of a number of state agencies including Texas Youth Council, Texas Rehabilitation Commission, Texas Department of Mental Health and Mental Retardation, Department of Public Welfare, and Texas Department of Public Safety.

The department has interstate compacts, reciprocal child support arrangements, intrastate supervision, and local cooperation covering such things as habitual school absence and special counseling services for pre-delinquent children.

Other resources available to the department include a citizens advisory group, Big Brothers, YMCA, and Girl's Town. In addition, Southwest Texas State University, the University of Texas at Austin, the University of Texas law school, and Sam Houston State University assist the department.

Priorities for the department include salary subsidies, residential care, construction of additional space, manpower, handling of runaways, vocational training centers, residential treatment, staff development programs, uniform standards for probation officers, uniform statistical reporting, rehabilitation services, and a clearinghouse for staff employment.





## II. THE MULTI YEAR PLAN



## II. The Multiyear Plan

### A. UPGRADING LAW ENFORCEMENT PERSONNEL

#### 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 on June 16, 1972, that 19,459 officers had been certified, 17,000 by training, the remainder by the "grandfather clause." The Task Force Committee on Police Education and Training found in-service refresher training to be deficient statewide, although in-service schools taught by DPS, 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 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 on Law Enforcement and Administration of Justice. It is hoped that during 1973 a 240-hour basic course will be required. Local academies need to be improved to meet the training need. In-service, refresher, management, and advanced specialized training is critically needed statewide. Training equipment may be purchased by certified police academies when absolutely necessary for implementation of the training objective.

##### 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 degreed 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.

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. Cities and counties may apply for educational incentive pay to encourage officers to enter law enforcement degree programs.

Qualitatively, the direction of police education in the multiyear plan will in part be dictated by the recommendations of an International Association of Chiefs of Police 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 Texas Commission on Law Enforcement Officer Standards and Education will develop a program of advanced placement tests for law enforcement degree programs

under a discretionary grant. This program will be developed to encourage officers to attend institutions of higher learning and earn credit toward a degree.

The first priority is to enroll qualified graduating high school seniors and 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 provide information necessary to develop an efficient law enforcement officer.

The second priority will be the continued upgrading of law enforcement curricula to meet the needs of a transitional society. Priority will be to systematize training and education programs. With the upgrading of curriculum content, the definitive line separating basic functional training from education will be established. A continuing effort is made to identify areas in which training can be supplemented with educational components and appropriate academic recognition given. Several colleges and universities have done this successfully during the past year.

### *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 and procedures in many of the listed areas. Their conclusion was that each department has its own system. Some are good; others are completely disorganized.

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 made the following recommendation on police personnel administration which clearly identifies the needs in Texas:

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. 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 in local government should be considered on their own merits and should not be joined with the demands of other departments.

Promotion eligibility requirements should stress ability above seniority. Promotion 'lists' should be compiled not only on the basis of scores on technical examinations but also 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 one 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. These findings indicate 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 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 generally are 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 a decision by the city or county government to participate. Some local pension systems are reported to lack actuarial soundness. These systems provide varying benefits, none of which compares 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 percent of his average pay for the best five consecutive years out of the last 10. 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 and life insurance, 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 percent 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 percent. 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 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 Police 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.

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 about 25 years ago, against a backdrop of political history that 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 selection and promotional processes. It should provide for lateral entry along the lines of the President's Commission 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 urged to adopt it to encourage the true professionalization of police service.

## (2). Personnel Qualification

Texas has never had effective statutory or adminis-

trative 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. There is also a need for a career development plan outlining standards for all promotions throughout the officer's professional career.

## (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 programs 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, Waco, Eagle Pass, Orange, 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 state and federal 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 models and

modified to meet this state's unique legal and procedural conditions. Upon completion, the model should be disseminated widely and its adoption urged by all local agencies. Some funding may be done in local agencies for revision of their manuals to meet local needs.

A grant will be made to the Commission on Law Enforcement Officer Standards and Education for subscriptions of the *IACP legal points* for all requesting police agencies.

## 2. General Statement of Priorities and Programs

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.

### a. Peace Officer Training

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 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 with maximum effectiveness. The plan for implementing

the training and education programs for 1973 has been based in part on a 1970 IACP study of Texas police education and training and on experience and programs of 1971 and 1972.

With regional academies, junior colleges, and local academies involved in training programs, all anticipated academies have been made operational in 1972. These academies are 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 on curriculum development, upgrading of instructional personnel, and extension of the training programs to the 400-hour minimum.

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

Two consultants of the Commission on Law Enforcement Officer Standards and Education have been provided through grants each year, 1969 through 1972, to assist the planning regions and local units in structuring their regional training academies and in strengthening their local training programs. A grant to the commission will fund a consultant to administer and coordinate all special grants made to the commission for equipment and programs used statewide.

In addition to the basic recruit training programs, regional academies and training programs also will teach 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 DPS.

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 train-

ing, preparation of training officers, and high level training in advanced and specialized subjects. This academy is expected to be in operation by the first of 1973.

*b. Professional Police Education*

In the field of formal professional education, the long-term objectives are those delineated by the Pre-

sident's Commission on Law Enforcement and Administration of Justice. They are 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 the baccalaureate degree as a minimum requirement for all supervisory and executive positions.

**TABLE 4**  
**Summary of Police Training Plan**

|   | 1973      | 1974                            | 1975      | 1976      | 1977      |
|---|-----------|---------------------------------|-----------|-----------|-----------|
| 1. 10 students—Southwestern Law Enforcement Institute @ \$1,600 each (3 months)*                                      | \$ 16,000 | \$ 16,000                       | \$ 16,000 | \$ 16,000 | \$ 16,000 |
| 2. 40 students—Southwestern @ \$400 each (1 month)*   | 16,000    | 16,000                          | 16,000    | 16,000    | 16,000    |
| 3. 25 students—Southern Police Institute @ \$1,800 each (14 weeks)  | 45,000    | 45,000                          | 45,000    | 45,000    | 45,000    |
| 4. University of Texas management workshops   |           | Phased into DPS Program in 1973 |           |           |           |
| 5. Department of Public Safety Management and Supervisory Workshop*   | 65,000    | 75,000                          | 90,000    | 90,000    | 90,000    |
| 6. 800 students—local middle management training @ \$50 each*   | 40,000    | 40,000                          | 40,000    | 40,000    | 40,000    |
| 7. 800 students—local supervisory training @ \$50 each*   | 40,000    | 40,000                          | 40,000    | 40,000    | 40,000    |
| <b>Specialized and Advanced Training</b>  |           |                                 |           |           |           |
| 8. 1,500 students—various subjects @ \$25 each  | \$ 37,500 | \$ 37,500                       | \$ 37,500 | \$ 37,500 | \$ 37,500 |
| 9. 70 students—technical training (data processing chemists, toxicologists, polygraph operators, etc.) @ \$1,200 each | 84,000    | 84,000                          | 84,000    | 84,000    | 84,000    |
| <b>Basic Training Course (Recruit and In-Service)</b>   |           |                                 |           |           |           |
| 10. 1,000 students—agency academies   | \$ 80,000 | \$ 95,000                       | \$ 95,000 | \$110,000 | \$110,000 |

|  |         |         |         |         |         |
|--|---------|---------|---------|---------|---------|
| 11. 1,000 students—regional<br>police academies            | 200,000 | 200,000 | 200,000 | 200,000 | 200,000 |
| 12. 600 students—local<br>training programs @ \$25<br>each | 15,000  | 15,000  | 15,000  | 15,000  | 15,000  |
| 13. Unscheduled in-service<br>refresher                    | 25,000  | 25,000  | 25,000  | 25,000  | 25,000  |

#### Technical Assistance for Training

|  |           |           |           |           |           |
|--|-----------|-----------|-----------|-----------|-----------|
| 14. Comm. on L.E. Officers<br>Standards and Education<br>and outside consultants<br>for program evaluation | \$150,000 | \$155,000 | \$160,000 | \$160,000 | \$160,000 |
| 15. Training equipment for<br>new innovations to assist<br>present programs                                | 325,000   | 325,000   | 350,000   | 350,000   | 350,000   |

\*Phased into partial credit academic program.

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

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 Control 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 where needed 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 past years, but substantial increases are planned for the future. 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 an inducement for police officers to pursue an education in off-duty time.

The professional college education program also will provide assistance to local agencies for implementing police cadet and intern 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. LEEP programs, special seminars, and scholarships will be handled through the LEAA regional office in Dallas.

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

Texas now has 43 institutions of higher learning authorized by the Coordinating Board, Texas College and University System, to grant the Bachelor of Science and Associate of Arts degrees in law enforcement. Pan American College at Edinburg, Sam Houston State University, Southwest Texas State University, and Texas Christian University also offer the Master of Arts degree in police science and in political science and public administration with concentration in law enforcement. Sam Houston offers a certificate in law enforcement and police science for the nondegree student desiring college level course work in law enforcement and the related behavioral sciences. Sam Houston has a Ph.D. program in crim-

inal justice. Other senior colleges offer course work in the behavioral sciences that help prepare the student for a career in law enforcement, and both Texas A&M University and Southern Methodist University have extensive nondegree police training programs. Sam Houston offers 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.

*c. Improved Personnel Administration*

A study of existing police personnel administration procedures and regulations is proposed and will begin early in 1973. It will be updated 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.

**TABLE 5**  
**Texas Schools Participating in LEEP**  
**With Law Enforcement Enrollment and Majors**  
**Fall, 1971**

|                                    | Total LE Program Enrollment | Law Enforcement Majors |
|------------------------------------|-----------------------------|------------------------|
| Alvin Junior College               | 70                          | 56                     |
| Amarillo College                   | 73                          | 72                     |
| Bishop College                     |                             |                        |
| Brazosport Junior College District |                             |                        |
| Central Texas College              |                             |                        |
| Killeen and Austin                 | 363                         | 345                    |
| Christian College of the Southwest | 276                         |                        |

|   |              |              |
|---|--------------|--------------|
| College of the Mainland                   | 37           | 33           |
| Cooke County Junior Jr. College           | 62           | 55           |
| Dallas Baptist College                    | 85           |              |
| Del Mar College                           | 110          | 107          |
| East Texas State University               |              |              |
| El Centro College                         | 310          | 190          |
| Galveston County Junior College           | 64           | 37           |
| Grayson Junior College                    | 60           | 60           |
| Hardin-Simmons University                 | 130          | 128          |
| Henderson County Junior College           | 74           | 50           |
| Howard County Junior College              | 26           | 20           |
| Kilgore College                           | 149          | 86           |
| Lamar University                          | 140          | 64           |
| Lee College                               | 49           | 34           |
| Laredo Junior College                     | 51           | 23           |
| Mary Hardin-Baylor College                |              |              |
| McLennan County College                   | 78           | 79           |
| Midwestern University                     |              |              |
| North Texas State University              |              |              |
| Odessa College                            | 100          | 99           |
| Prairie View A&M College                  |              |              |
| Sam Houston State University              | 3,067        | 879          |
| San Antonio Union Junior College District | 244          | 200          |
| San Jacinto College                       | 58           | 50           |
| South Texas Junior College                | 148          | 103          |
| Southwest Texas State University          | 781          | 253          |
| St. Edward's University                   |              |              |
| St. Mary's University                     |              |              |
| Stephen F. Austin St. University          |              |              |
| Tarrant Co. Junior College                | 325          | 300          |
| Texarkana College                         | 79           | 77           |
| Texas A&I University                      | 23           | 23           |
| Texas Christian University                | 23           | 23           |
| Texas Wesleyan College                    |              |              |
| Tyler Junior College                      | 77           | 50           |
| University of Texas at Arlington          | 475          | 60           |
| University of Texas at Austin             |              |              |
| University of Texas at El Paso            |              |              |
| University of Houston                     |              |              |
| Victoria Junior College                   | 95           | 30           |
| Wharton County Junior College             |              |              |
| <b>Total</b>                              | <b>7,702</b> | <b>3,586</b> |

Action programs will be inaugurated to improve the recruitment of police officers and the procedures utilized in selecting personnel. Some studies will be funded in individual agencies to improve their recruitment and selection procedures. Others 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 recruitment at colleges and 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. The study will be updated in succeeding years. 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 Studies

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 increase 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.

A study of police officers' retirement and pension systems will be made with recommendations for local and state legislative action to create a model statewide and possibly state administered pension system. The system would be actuarially sound, provide adequate benefits for the specialized work of police

service, and provide for transference of benefits between all police agencies in Texas. Requests for proposals have been sent to several agencies, and bids will be taken soon for this study.

#### (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 1973. 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. They will be urged to adopt it to encourage true professionalization of police service. Requests for proposals have been mailed to several research and consultant firms, and bids are expected by January, 1973.

#### (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 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. This planning project will begin in early 1973.

It is anticipated that the improved personnel administration program, by the end of the multiyear 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.

*d. Publications and Reference Material*

At the end of the multiyear 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 biannually 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 6**

**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<br>Police pension study | A3 Personnel Administration Systems<br>D1 Management Analysis |
| 4. Lack of publications                    | Availability of publications  | Model police guidance manual                                       | A4 Law Enforcement Publications                               |

**3. Multiyear Financial Plan**

**TABLE 7**

**a. Planning Projects Proposed\***

| <b>Program Description Titles</b>          | <b>1973</b> | <b>1974</b> | <b>1975</b> | <b>1976</b> | <b>1977</b> |
|--|-------------|-------------|-------------|-------------|-------------|
| Education and training study               | \$ -0-      | \$ 25,000   | \$ -0-      | \$ 25,000   | \$ 25,000   |
| Personnel administration regulations study | 10,000      | -0-         | 15,000      | -0-         | 10,000      |
| Model selection program                    | -0-         | -0-         | 5,000       | -0-         | 10,000      |



|  |        |        |        |        |        |
|--|--------|--------|--------|--------|--------|
| Model police guidance manual           | -0-    | 10,000 | -0-    | 10,000 | -0-    |
| Police compensation and benefits study | 20,000 | -0-    | 10,000 | -0-    | 10,000 |

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

#### b. Action Programs

| Program Description Titles       | 1973        | 1974        | 1975        | 1976        | 1977        |
|----------------------------------|-------------|-------------|-------------|-------------|-------------|
| Peace officer training           | \$1,189,000 | \$1,500,000 | \$1,500,000 | \$1,500,000 | \$1,700,000 |
| Professional college education   | 210,000     | 700,000     | 700,000     | 700,000     | 700,000     |
| Personnel administration systems | 212,000     | 200,000     | 250,000     | 250,000     | 250,000     |
| Law enforcement publications     | 89,000      | 50,000      | 55,000      | 55,000      | 60,000      |

### 4. Multiyear Forecast of Accomplishments

#### a. Peace Officer Training

By the end of the multiyear period all police officers working in Texas should have completed the minimum prescribed course for a basic certificate. All recruits entering service since September 1, 1970, are 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 240 hours to comply with recommendations of the President's Commission. All large and medium-sized cities and all large sheriffs' offices will have strong training programs in their own academies, having been funded out of action funds for creation of an academy or for the expansion of the current 22 certified academies.

It is expected that all regional police academies will be funded and 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. 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 24 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 multiyear 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 meet substantially 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:

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 acad-

emies. 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 by the appointment early in 1973 of a Police Training Task Force. Planning funds will be used to defray expenses of this task force.

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.

1977

Continue support of existing academies and specialized training.

At the end of the multiyear 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 multiyear 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 fall semester, 1971, approximately 9,149 persons were enrolled in law enforcement courses in colleges throughout the state. Of this number, approximately 2,716 were police officers. Encouraging this activity through technical and financial assistance will be the key to a successful state police educational system.

The 43 colleges and universities with law enforcement degree programs seem to be adequate to serve the professional education needs of the police in Texas at the present time. 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 and upgrade these programs. Goal for the next five years should be quality and not quantity.

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. Commission representatives 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 internships and police cadet programs in which qualified high school graduates will be employed parttime in the police agency and enrolled in a professional college course, going into full-time employment on graduation. LEEP funds will be depended on for tuition and fees.

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 used to reconcile basic communication gaps in education programs.

The multiyear 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 multiyear program follows.

**TABLE 8**  
**A Comparison of Enrollment**  
**In Law Enforcement in Texas Colleges & Universities**  
**(Law Enforcement Majors)**

| LAW ENFORCEMENT MAJORS                | Fall 1970 | Fall 1971 |
|---------------------------------------|-----------|-----------|
| 1. Alvin Junior College               | 32        | 56        |
| 2. Amarillo College                   | 40        | 72        |
| 3. Bishop College                     | *         | *         |
| 4. Central Texas College (Austin)     | *         | 220       |
| 5. Central Texas College (Killeen)    | 105       | 125       |
| 6. Cisco Junior College               | *         | 15        |
| 7. College of the Mainland            | 17        | 33        |
| 8. Christian College of the Southwest | 44        | 276       |
| 9. Cooke County Junior College        | 35        | 55        |
| 10. Dallas Baptist College            | *         | 40        |
| 11. Del Mar College                   | 76        | 107       |
| 12. El Centro College                 | 330       | 190       |
| 13. El Paso Community College         | *         | *         |
| 14. Galveston College                 | 54        | 37        |
| 15. Grayson County Junior College     | 71        | 60        |
| 16. Hardin-Simmons University         | 101       | 128       |
| 17. Henderson County Junior College   | 30        | 50        |
| 18. Houston Community College         | *         | *         |
| 19. Howard County Junior College      | 38        | 20        |
| 20. Kilgore Junior College            | 71        | 86        |
| 21. Lamar University (AA)             | 38        | 64        |
| 22. Lamar University                  | 57        | *         |
| 23. Laredo Junior College             | *         | 23        |
| 24. Lee College                       | 61        | 34        |
| 25. McLennan Community College        | 50        | 79        |
| 26. Midland College                   | *         | 54        |
| 27. Midwestern University             | *         | *         |
| 28. Navarro County Junior College     | *         | 35        |
| 29. Odessa College                    | 65        | 99        |
| 30. Pan American University           | *         | 74        |
| 31. Panola County Junior College      | *         | *         |
| 32. St. Edward's University           | *         | *         |

|  |       |       |
|--|-------|-------|
| 33. St. Mary's University                | *     | 29    |
| 34. San Antonio College                  | 29    | 200   |
| 35. San Jacinto Junior College           | 59    | 50    |
| 35. Sam Houston State University         | 1,075 | 879   |
| 37. South Plains Junior College          | *     | 16    |
| 33. South Texas Junior College           | 71    | 103   |
| 39. Southwest Texas State University     | 160   | 253   |
| 40. Stephen F. Austin State University   | *     | *     |
| 41. Sul Ross State University            | *     | 29    |
| 42. Tarrant County Junior College        | 245   | 300   |
| 43. Temple Junior College                | *     | 40    |
| 44. Texarkana College                    | 55    | 77    |
| 45. Texas Christian University           | 13    | 23    |
| 45. Texas Southmost College              | *     | 20    |
| 47. Tyler Junior College                 | *     | 50    |
| 48. The University of Texas at Arlington | 30    | 60    |
| 49. The University of Texas at El Paso   | *     | *     |
| 50. Victoria College                     | 18    | 30    |
| 51. Wayland Baptist College              | *     | *     |
| 52. Western Texas College                | *     | 29    |
| Total, Law Enforcement Majors:           | 3,070 | 4,220 |

\*No information available.

1973

Continue changes as suggested by IACP report. Draw up necessary legislative changes; put task forces on these changes. 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. 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–nontransfer 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.

1977

Implement recommendations, upgrade, and evaluate the college and university program.

### *c. Improved Personnel Administration*

Continuing through 1973 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 multiyear 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 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 multiyear program will proceed in the following manner:

1973

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

A statewide police compensation and benefit study by SMSA will be conducted in 1973. The study will be updated in 1975. 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 updated in 1974.

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.

1974

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

1975

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.

1976

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.

1977

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 multiyear 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. *Texas Peace Officers Guide*, *State of Texas Narcotics and Dangerous Drug Laws* handbook, *IACP legal points*, and a field discretion manual will be produced or reproduced for distribution to officers in the field.

1973

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.

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.

1977

Continue support for prime publications.

## **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 that may prevent crime should receive careful attention.

*a. Lack of Public Information on Crime and the 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 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 en-

couraged to focus their knowledge and expertise on the crime problem.

Drug abuse and narcotics-related crimes are increasing rapidly in Texas, and it is believed that public education will prove to be one of the most effective tools in controlling the problem. Special attention, therefore, must be given to educating the public about the abuse of narcotics and about organized crime.

*b. Inadequate Crime Repression Because of Lack of 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 to maximize crime prevention by police presence.

The Texas Research League, in the report referred to previously, 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. It is believed that this agency now answers the previously stated need.

*c. Vulnerability of Traditional Crime Targets*

Adequate consideration has not been given to re-

ducing 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 about 50 percent of all index crimes committed in the Dallas and Fort Worth metropolitan areas in 1971. 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 deterring 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.

#### *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 involvement, 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 in Children*

A void exists in the development of objective methodologies and measures for early detection of tendencies toward antisocial behavior in juveniles and providing corrective treatment equitably and systematically. Far too often juveniles are exhibiting delinquent traits long before they come to the attention of appropriate social service agencies or law enforcement authorities. There is a serious need for programs involving schools, juvenile authorities, youth service agencies, and other appropriate resources to identify, within our constitutional framework, early tendencies toward criminality and to implement corrective measures. Although recently developed diagnostic techniques offer promise in this area, the need for intensified action in resolving this dilemma is evidenced by the fact that in 1970 34.8 percent of all index crimes solved involved persons under 18.

#### *f. Lack of Basic Research*

A need exists for additional research in every area of crime prevention; therefore, research must become an integral component of each action project. Field agencies and educational institutions need to form coalitions in ongoing research projects that will improve the methodology for crime prevention. Likewise, criteria for evaluating the effectiveness of countermeasures require greater sophistication.

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.

## 2. General Statement of Priorities and Programs

During 1973 and the four succeeding years, CJC will develop a multiprogram 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 identification of potential delinquent 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) Programs acquainting young people and adults 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; and (3) programs designed to acquaint citizens with methods of protecting themselves from crime.

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 the viewing of the entire process, including criminal investigation, arrest, prosecution, judicial processes, correctional programs, probation, parole, and other treatment programs, rather than seeing it 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 "Crime Prevention and Public Education Units" and "Meritorious Projects in Public Education."

In the "Public Education Units and Crime Prevention 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, DPS, 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 that 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 40-man DPS Safety Education Service performs many of the functions of the crime prevention unit defined here; however, most of the Safety Education Service's work has been traffic oriented.

The program titled "Special Meritorious Projects" is a wide-ranging one based in part on 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 multidiscipline 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.

*b. Increased Crime Repression by Police Presence*

A police five-year objective of the program titled "Information Systems" 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*

Three formal crime prevention units structured in the manner prescribed by the National Crime Prevention Institute now are operating in the state. Seven more units in the larger cities and three or four regional units in selected metropolitan areas should be added. Additionally, 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, and minimum street lighting standards for various types of land-use areas. Such a study already has been done in the Panhandle region for residences and a similar study on commercial properties will be made in the near future.

(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 provided wherever possible), and 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 Projects" 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.

**TABLE 9**  
**Category B: Prevention of Crime**

| <b>Problems</b>  | <b>Needs or Objectives</b>  | <b>Planning Projects</b>  | <b>Action Programs</b>  |
|--|---|---|---|
| 1. Lack of public information on crime and the criminal justice system | Optimum public education program  | Public education task force   | B1 Crime Prevention and Public Education Units                            |
| 2. Inadequate crime repression through police presence                 | Effective police preventive patrol  | Local computer design studies   | B3 Special Meritorious Projects   |
| 3. Vulnerability of crime targets                                      | Harden crime targets (make crime harder to commit)                                  | Planning study on "hardening" crime targets                                     | No action program until study completed                                   |
| 4. Lack of citizen participation in crime prevention and control       | Full citizen participation in crime prevention and control                          | Staff study of police response time   | B2 Public Contact with Police Agencies<br>B3 Special Meritorious Projects |
| 5. Inability to detect and treat predelinquent behavior in children    | Early detection and treatment of predelinquent behavior in children                 | (Handled in Category C)   | (Handled in Category C)   |
| 6. Lack of basic research  | Extensive research into the causes of crime and the most effective counter-measures | Planning study on "hardening" crime targets<br>Action projects under Program B4 | B4 Research and Development   |

**3. Multiyear Financial Plan**

**TABLE 10**

**a. Planning Projects\***

| <b>Program Description Titles</b>               | <b>1973</b> | <b>1974</b> | <b>1975</b> | <b>1976</b> | <b>1977</b> |
|---|-------------|-------------|-------------|-------------|-------------|
| Reduction of opportunities for burglary**       | \$ 10,000   | \$ 12,500   | \$ 15,000   | \$ 15,000   | \$ 15,000   |
| Reduction of opportunities for violent crimes** | 10,000      | 12,500      | 15,000      | 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 1973. If not successful, a private consulting firm will be used.

## b. Action Programs

| Program Description Titles                  | 1973      | 1974      | 1975      | 1976      | 1977      |
|---|-----------|-----------|-----------|-----------|-----------|
| Crime prevention and public education units | \$110,000 | \$240,000 | \$260,000 | \$280,000 | \$280,000 |
| Public contact with police agencies         | \$ 10,000 | 275,000   | 300,000   | 300,000   | 300,000   |
| Special meritorious projects                | 50,000    | 50,000    | 50,000    | 50,000    | 50,000    |
| Research and development                    | 25,000    | 100,000   | 100,000   | 100,000   | 100,000   |
| Meritorious projects in public education    | 185,000   | 200,000   | 200,000   | 200,000   | 200,000   |

## e. Detecting and Treating Potential Delinquent Behavior in Children

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

## f. Basic Research

A demographic study of crime and system response is envisioned to start in early 1973 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. It is anticipated that information gained from the Dallas Impact Program will meet the needs of this study.

Based on the needs of the criminal justice system, the research and development planning programs anticipated and desired fall into two categories: equipment 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 law enforcement problems and needs. Chief objective is to update law enforcement agencies with the tools of today and tomorrow.

Research also is required in the area of information or diagnosis 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 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.

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 CJC. 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.

## 4. Multiyear Forecast

## of Accomplishments

The multiyear 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. DPS 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 police departments. The units will be structured as prescribed by the National Crime Prevention Unit. A total of 15 to 16 metropolitan and regional units are to be developed in the five-year period.

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" or "crime stop" programs to initiate contacts. Ten 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 20 locations.

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.

1973

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, CJC will encourage functional projects by or in conjunction with the operating departments. Another goal will be to survey substantial portions of approximately 10 major Texas cities to determine the adequacy of public emergency police contact systems and to remedy identified deficiencies. Attainment of this goal should result in reducing by approximately

one-fourth to one-half the average time required for individuals to place emergency calls to police. It is planned also to have a standard emergency telephone number in most areas of Texas by the end of the multiyear period.

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

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

1974

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 multilingual curriculum in Pan American University law enforcement program.

1975

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

1976-1977

Continue ongoing programs that appear to be worthwhile. Evaluate 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 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 multiyear plan 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 under CJC direction, 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, 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, have been 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 potentially delinquent children.

2. Failure of proper training—beyond police science as such—of police in the behavioral sciences and child development as it pertains to work with the potentially 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 assis-

tance 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 to provide undergraduate students with adequate on-the-job experience for professional entry into the criminal justice field. Failure to provide adequate quantity or quality of continuing education opportunities and research for correctional personnel.

10. Failure to provide adequate community-based residential group homes for potentially delinquent and selective delinquent children.

11. Failure to provide for foster-home care for potentially delinquent and some delinquent children.

## **2. General Statement of Priorities and Programs**

Specific goals and objectives will be met by several broadly based programs in prevention and control of juvenile delinquency that are included in the multi-year plan. These programs are beginning to make significant inroads in many of the areas listed and will be continued in the multiyear plan. Titles of these program descriptions are:

73-C1. Community Service Centers for Youthful Offenders

73-C2. Day Care Program for Delinquents

73-C3. Vocational Education and Training—Potential Delinquents and Young Offenders

73-C4. Improvement of Correctional Personnel, Assistance, and Programming

73-C5. Youth Service Bureaus

73-C6. Delinquency Prevention—Academic and Social Adjustment Programs

73-C7. Juvenile Interim Homes

73-F2. Training, Placement, and Specialized Units

73-B5. Meritorious Projects in Public Education

As indicated in Part I, legislation will be required to implement many of the multiyear plan programs. Existing community service centers will be encouraged to create, modify, and expand their services to include components that direct their attention to the disparity of needs manifested by the troubled or troublesome juvenile and young adult. Frequently, young persons who demonstrate antisocial characteristics are severely neglected by existing youth-serving resources until their actions warrant retaliation by the community and the criminal justice system.

Community agencies, including the school system, need to alter their priorities drastically, from “system

needs" to "youth advocacy needs." Enlightened approaches in dealing with the preconviction and post-conviction youthful offender require not only increased financial support but adequate technical assistance as well. Innovative techniques in working with the criminality of young persons need to be catalogued and disseminated to youth-serving personnel. Encouraging results from established demonstration projects can help alleviate the sense of frustration developed in dealing with troublesome young persons. Frustration and lack of knowledge in treating these youths has resulted in an era of "problem-child avoidance" by community agencies and schools. This historical trend of negativism toward the atypical child must be vigorously realigned into an era of positive attitudes toward delinquency prevention and control.

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 viable resource to the juvenile justice system.

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 potential 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.

One of the most successful examples in Texas of agency reorientation of priorities to meet the needs of children in conflict with the law has been that of the Texas Rehabilitation Commission. To alter the poor self-concept of delinquents and young adult offenders, the CJC-sponsored projects conducted by the Texas Rehabilitation Commission are offering alternatives to institutionalization. These projects will continue to offer vocational training, job placement, vocational evaluation and adjustment, personal social adjustment, and continuing supervision to support skill training for continued employment. They further will demonstrate how agencies outside the justice system can interact effectively with police, pro-

bation, and judicial components to increase the spectrum of viable alternatives to short-term or long-term incarceration of troubled youth. Diversion of young people from the correctional system also will reduce the unrealistic strain presently thwarting the justice system.

It has long been a practice in graduate schools of social work to have students work in the field 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 preparing to go into the field of criminal justice 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 criminal justice 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." A child who shows potentially 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 an actual delinquent act occurs.

Through reorientation of teacher training, future teachers should learn to detect behavior that gives warning of possible delinquency later on, so that preventive treatment may be initiated. Every effort should be made to bring in teachers who are working with children of predelinquent age and 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.

County jails in Texas are not designed or constructed to house juvenile delinquents. When it is necessary to detain a juvenile for any reason, in the vast majority of Texas counties such detention must be accomplished 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. To remedy this grave situation immediately, regional detention facilities that can provide adequate care for juveniles should be created throughout the state.

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 be removed temporarily from the home while the professional worker assists in resolving the conflict between child and parents.

A new concept is the interim home program, locally supported, in which a child would be placed to avoid committing him to a correctional institution. During a four-year period, interim homes will be established. In conjunction with the interim home a need has been developed for several types of community residential facilities to assist juvenile courts throughout the state in their quest for proper placement of youths with problems. On the premise that homes can be developed for troubled youths, a research project should be established to find a method to develop community residence and service based on the individual child's need. Through community involvement, representative civic groups could jointly sponsor suitable residences in the 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 multicounty 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. Approximately one-third of male juveniles committed to the Texas Youth Council's correctional facilities are perpetrators of victimless crimes or noncriminal offenses such as runaway, habitual truancy, and incorrigibility. An extraordinary number of juvenile girls also are com-

mitted to correctional facilities for such offenses. It is evident that these statutes do not reach the causes behind delinquency and are in need of drastic change. Due to the "problem-child avoidance" phenomena described earlier in this section, primary institutions such as the home and schools exert unrealistic demands on the secondary institutions in the juvenile justice system. The functions of the juvenile justice system become obscured and the resources to meet these public demands are not forthcoming; thus, an inordinate number of children are unnecessarily cast into oblivion.

It therefore is recommended that noncriminal offenses be deleted from the statutes as CJC funds are directed into community-based resources to deal with these noncriminal children. 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 necessarily need 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 on Law Enforcement and Administration of Justice 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, other than 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 the near future.

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.

Probation services for juveniles and adults may be found in metropolitan areas, but there is a noticeable

lack of probation services 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 little or no services at all. Unless CJC can assist the multicounty judicial districts in creating departments there will continue to be a lack of adequate services. Therefore, a program has been 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.

Therefore, a unique statewide probation training program will be implemented that will afford a significant percentage of juvenile and adult probation officers with practical management, community organization, and casework skills. These regional training workshops will spill over into individual probation departments by way of in-service training. Furthermore, these statewide probation training programs will add impetus for improving standards and practices in Texas' probation system.

**TABLE 11**  
**Category C: Prevention and Control of Juvenile Delinquency**

| <b>PROBLEMS</b>  | <b>NEEDS OR OBJECTIVES</b>  | <b>PLANNING PROJECTS</b> | <b>ACTION PROGRAMS</b>  |
|--|---|--------------------------|---|
| 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 predelinquent and delinquent child | Police officer assigned to juvenile department must receive training in the behavioral sciences and child development |                          | C4 Improvement of Correctional Personnel, Assistance, and Programming           |
| 3. Community failure to provide adequate services for the delinquency-prone child short of court action  | Establishment of the Youth Service Bureaus Program for professional help and guidance                                 |                          | C5 Youth Service Bureaus<br>C1 Community Service Centers for Youthful Offenders |
| 4. Community failure to provide adequate temporary residential facilities for children who must be detained  | Establishment of proper temporary juvenile residential facilities   |                          | C7 Juvenile 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 Improvement of Correctional Personnel, Assistance, and Programming |
| 6. Lack of facilities for temporary detention  | Establishment of proper temporary detention facilities for juveniles   |   |
| 7. 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   | C4 Improvement of Correctional Personnel, Assistance, and Programming |
| 8. 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 Improvement of Correctional Personnel, Assistance, and Programming |
| 9. 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                                   |

### 3. Multiyear Financial Plan

TABLE 12

| Program Description Titles   | 1973       | 1974       | 1975       | 1976       | 1977       |
|--|------------|------------|------------|------------|------------|
| Community service centers for youthful offenders                             | \$ 300,000 | \$ 300,000 | \$ 200,000 | \$ 200,000 | \$ 200,000 |
| Day care programs for delinquents  | \$ 150,000 | \$ 150,000 | \$ 150,000 | \$ 150,000 | \$ 150,000 |
| Vocational education and training—potential delinquents, and young offenders | \$ 320,000 | \$ 250,000 | \$ 200,000 | \$ 150,000 | \$ 150,000 |
| Improvement of correctional personnel, assistance, and programming           | \$ 150,000 | "          | "          | "          | "          |
| Youth service bureau   | \$ 500,000 | -0-        | \$ 250,000 | \$ 300,000 | \$ 400,000 |

|   |             |             |            |            |            |
|---|-------------|-------------|------------|------------|------------|
| Delinquency prevention—<br>academic & social adjustment<br>Programs | \$ 325,000  | \$ 400,000  | \$ 400,000 | \$ 400,000 | \$ 400,000 |
| Juvenile interim homes  | \$ 400,000  | \$ 350,000  | \$ 400,000 | \$ 500,000 | \$ 500,000 |
| Meritorious programs in public<br>education                         | \$ 185,000  | "           | "          | "          | "          |
| Training, placement, & specialized<br>units                         | \$2,480,000 | \$4,000,000 | \$3.5      | \$3.5      | \$3.5      |

#### 4. Multiyear Forecast of Accomplishments

The juvenile justice system in Texas long has suffered fiscal limitations, public apathy, official misunderstanding, and general ignorance about prevention and control of juvenile delinquency.

It is expected that during the next four years many obstacles to a humane and scientific approach to prevention and control will be met head on, and will be overcome.

Existing programs in this *Plan* coupled with future innovative programs are expected to be the key factor in removing many of the obstacles mentioned previously.

Community-based juvenile corrections programs should encourage community involvement in community problems. Such programs will continue to be created and expanded with CJC funding during the next four years.

Set out below are the existing programs and a forecast regarding them and new programs to be considered during 1974-1977.

- 73-C1. Community Service Centers for Youthful Offenders. (Discussed previously.)
- 73-C2. Day Care Program for Delinquents. Should be continued during the five-year period with special emphasis on expansion and new concepts.
- 73-C3. Vocational Education-Training — Potential Delinquents and Young Offenders. This program is a cooperative effort of local communities, Texas Rehabilitation Commission, and CJC. It should continue to expand, with the program content being constantly revised on the basis of experience. CJC assistance should continue at the request of the Rehabilitation Commission and local communities at least five years.

73-C4. Improvement of Correctional Personnel, Assistance and Programming. Lack of qualified personnel and of programs based on sound research rank high among obstacles to a positive approach to juvenile delinquency control. Any program to lessen the obstacles should be an ongoing program and must be at least a five-year projection in the 1973 *Plan*.

73-C5. Youth Service Bureaus. Youth service bureaus have been funded by CJC three years. Nine bureaus now exist, and CJC does not contemplate funding any new one. Rather, in depth evaluation of existing bureaus will be undertaken to determine their effectiveness as a community-based program and their real impact on the juvenile justice system. If, as a result of evaluation, positive factors are identified, the following four years should include establishment of new bureaus.

73-C6. Delinquency Prevention—Academic and Social Adjustment Program. It is anticipated that this program will continue to be useful and in demand during the next several years as independent school districts throughout the state, in cooperation with the Texas Education Agency, phase in the recently created Plan-A. This plan encompasses many aspects of the CJC program and after it is phased into more school systems, the CJC programs can be discontinued.

73-C7. Juvenile Interim Homes. Until early detection techniques and prevention programs are improved, interim homes must remain an integral part of the juvenile justice system

and will be carried forward in subsequent criminal justice plans.

New programs planned for the five-year period include model projects demonstrating state subsidy of local juvenile probation departments. This program will encompass innovative ideas generated in the state, coupled with experience from other states. It will assist experimentally in creating a design for a workable subsidy formula for future statewide juvenile probation.

Concrete and positive assistance to local and regional juvenile detention facilities must be a high priority program in future plans to hasten the day when Texas can remove children from jails.

Research and development of innovative projects must be ongoing if public apathy, official misunderstanding, fiscal limitations, and general ignorance are to be overcome in prevention and control of juvenile delinquency. Such research and development will be included in the 1974 *Plan* and made a high priority of subsequent years.

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

##### 1. Problems and Needs

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 crime rate are reflected in tables and narrative in Part I.

Because society depends on the criminal justice system to create an adequate deterrent to 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 statistics presented in Part I indicates that the police component has failed to make inroads in crime occurrences. The apparent failure may be attributed to the inadequacy of police crime prevention activities—public education programs and programs to harden crime targets; the inadequacy of crime repression activities; lack of effective police presence; and the failure of police service to make its maximum contribution to the creation of an adequate deterrent to crime by promptly detecting and apprehending a sufficient number of perpetrators of crimes. This failure in crime detection and solution 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 27 percent in 1967.

The 1970 clearance rate increased to 27 percent, but this rate dropped again in 1971 to 26 percent. Refer to tables showing 1971 clearance rate (Table 13) and comparison for years 1967 through 1971 (Table 14).

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 13**  
State of Texas  
1971 Crime Clearance

| OFFENSE             | KNOWN OFFENSES | OFFENSES CLEARED | PERCENT    | PERCENT    |
|---------------------|----------------|------------------|------------|------------|
|                     | REPORTED       | BY ARREST        | CLEARED    | CLEARED    |
|                     | 1971           | 1971             | 1971       | 1970       |
| Murder and homicide | 1,298          | 1,118            | 86%        | 91%        |
| Rape                | 2,409          | 1,533            | 64%        | 61%        |
| Robbery             | 12,810         | 4,414            | 34%        | 36%        |
| Burglary            | 112,882        | 22,110           | 20%        | 24%        |
| Aggravated assault  | 28,288         | 19,733           | 70%        | 71%        |
| Theft               | 202,577        | 46,960           | 23%        | 21%        |
| Auto theft          | 37,677         | 7,193            | 19%        | 39%        |
| <b>TOTAL</b>        | <b>397,941</b> | <b>103,061</b>   | <b>26%</b> | <b>27%</b> |

NOTE: Above data taken from reports of cities or counties reporting monthly during 1971. These are not estimated figures.

**TABLE 14**  
**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%            |
| 1971 | 482,386      | 13,324                      | 2.8%       | 4,302.3         | 26%            |

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

*a. 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 resulting in an inadequate police response to crime. There are 254 sheriffs' offices, approximately 663 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 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 that 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 areas of law enforcement services such 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 intrajurisdictional 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 then will be needed to implement the recommended structure.

*b. 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 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.

### *c. Limited Use of Staff*

The President's Commission reports that police departments generally have 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. Four metropolitan criminal justice planning and coordinating units have been formed in large city areas. Two other large cities should set up such units to improve the criminal justice system. More effective use of professional staff in policy development and personnel administration; legal, statistical, and psychiatric advisors; planning; and research is 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. DPS has an attorney on its headquarters staff, but it has none in field headquarters. A need for a full-time legal advisor exists in four large and several medium-sized cities, and such services are needed part-time in several smaller cities. Pilot projects for regional police legal advisors have been established in two areas, one through an action grant and one through a discretionary grant. Evaluation of these projects indicates that consideration should be given to broadening this program to other selected areas.

### *d. Ineffective Operations in Agencies*

(1). *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 during the last several years the clearance rate has remained at 26 to 27 percent of the known index crimes reported.

(2). *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. It 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.

(3). *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. Acceptable measures for these items are acceptance rate of 98 percent, indictment rate of 95 percent, and conviction rate of 90 to 95 percent for all major offenses.

(4). *Inadequate criminal intelligence.* The Texas Research League reports a general lack of coordination in criminal intelligence collection and evaluation. DPS reports a need for better coordination at state level. Under the direction of the Texas Organized-Crime Prevention Council, DPS has established an organized-crime intelligence unit and local metropolitan units that are now functioning to form a statewide network. Although much headway has been made in the area, development of general criminal intelligence units still lags.

(5). *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 that should be increased as the laboratories are expanded.

### *e. Understaffing in Police Agencies*

Regional plans and other studies reveal that most police agencies in the state are understaffed by 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 suffi-

cient 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 inventory of personnel needs and 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.

#### *f. 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 of both 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 records and reporting 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 recognized the need for a criminal justice information system utilizing computerized data depositories interfacing with a statewide communications network to provide rapid data access to all areas of the state. Regional studies and plans also have reported this need. Such a system would store all necessary data for information retrieval, management reports, and research statistics in computerized environments interfacing with each other and making the system available to all elements of law enforcement on a need basis.

Concomitant with the implementation 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. A uniform reporting system requiring reports from police, prosecutors, courts, correctional agencies, and probation and parole agencies will necessitate statutory changes. A crime and law enforcement reporting law requiring this uniformity should be proposed to the Legislature not later than January, 1973.

#### *g. 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:

A patrolman who leaves his car often 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, most have added 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 radio, 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 for introducing technology. 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 radio and landline communications equipment. This need will have been resolved substantially with implementation of the statewide law enforcement landline communications system. Additional landline communication loops, expansion of existing loops, and upgrading of terminal devices are needed to serve the needs of tactical communications,

as well as those of administrative communications.

In mobile communications the lack of an orderly plan for each region and the state as a whole had produced severe problems. A statewide study of law enforcement radio communications was 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 attainable system. All studies and personal contacts have shown a pressing need for programs that will provide assistance for extensive capital expenditures required for purchasing equipment to implement recommendations of the studies. This need is widespread and is just as critical in rural as in metropolitan areas.

As a part of a basic communication system, each police officer should carry a light portable radio at all times so that he can report and obtain information rapidly, call for help if he is in trouble, and react quickly to citizen requests for service.

### 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, 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

Generally reported in the regional plans is a shortage of routine police equipment such as mobile radios, 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. 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. Almost nothing has been said about television for airborne surveillance of major incidents, for remote training, or for remote viewing of lineups; night vision devices; recordkeeping improvements; fingerprint recognition techniques; facsimile transmission of photographs, fingerprints, or other graphic information; burglary alarm 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 and the 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 it. All of the applications of technology mentioned by Dr. Blumstein are badly needed in police service in Texas.

#### *h. Municipal Law Enforcement 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, 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.

#### *i. 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 increasing the efficiency of the English police system while 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. It should 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.

*j. Inadequate Law*

(1). *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.

(2). *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 the incidence of index and drug abuse crimes, assist in reducing recidivism and, where possible, assist in the control of organized crime. Hopefully, index crimes cleared by arrest can be raised from the 26 percent reported in 1971 to more than 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. 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 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 index crimes 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 tactical operations and to produce statistical data for 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. 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 con-

stitutional and statutory changes.

This study will be begun in 1973. It will be presented to the Legislature in January, 1975. If enacted by the Legislature and approved by the voters, extensive funding will be needed in 1975 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 countywide consolidation of law enforcement was initiated with a grant to Hardeman County in 1971. Second-year funding has been made to continue this project, as it has demonstrated a high degree of success. Other consolidation projects expected to develop in late 1972 are in Garza County, the North Clear Lake area by NASA, and the Nederland—Groves—Port Neches area.

The 1971 Legislature passed legislation (H.B. 646) enabling agencies to contract with municipal, county, and state agencies for services the agency is unable to perform for itself or for those the state can perform more efficiently.

With enabling legislation it is anticipated that full consolidation could reduce the more than 900 active local police agencies to the desirable number of 400 to 600. Partial consolidation of staff functions could be implemented in as many as 50 agencies during the next two years.

#### *b. Organizational and Administrative Efficiency in Agencies*

Concerning this topic, the President's Commission made the following recommendations:

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 person-

nel 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 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.

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 as issuance of orders to citizens regarding their movements or activities, handling minor disputes, safeguarding 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. Nine grants have been made through 1972 for comprehensive surveys in police agencies. By the end of the multiyear period CJC expects through action grants to have aided in conducting such surveys in every one of the 24

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 such an investment will be conducive to their implementing the sound recommendations with the necessary reorganization, new administrative policies and procedures, and needed operational improvements. Grants will be made for implementation.

As a result of the surveys previously described and through utilization of planning funds, extensive coordination between agencies will be achieved in staff service areas, such as purchasing records and communications.

The administration of police agencies will be facilitated by development and adoption of a model police guidance manual. 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 (10) and three or four regional advisors will be funded. 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 and two medium departments 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 large and medium cities have such programs operational, plans will be implemented for full- or part-time police legal advisors in smaller cities. One regional program is now being conducted as a pilot project to determine the feasibility of serving a number of small departments with one central advisor.

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 73-D3.

*c. Operational Efficiency—Programs,  
Tactics, Techniques*

The recommendations of the President's Commission 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 research necessary to make more sophisticated means of analysis available to all laboratories.

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, 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.

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 multiyear 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 use of tactical squads, task forces or strike forces, special weapons and tactics teams, team policing, and crime sensing and alerting systems.

It is anticipated that tactical units will be operational in 15 cities and five counties, special units for special problems in 40 cities, and criminal intelligence units in 20 cities.

A prime priority in this subcategory has been improving police response time by updating communications systems. A statewide study on communication facilities was conducted and recommendations for improvement made. During 1971 implementation was begun. It will be completed in approximately three years, if funds are available. It is believed that response time can be reduced sharply by improving communication with police officers. This improvement will include providing personal radios to enable an officer to remain in constant contact with headquarters, even when out of his vehicle. Other reductions can be made in the command and communications centers by decreasing the time and effort required to handle the various functions. Normally, an internal procedures audit will suggest improvements without the addition of excessive special purpose equipment.

The long-term objective is to have every police agency responding to crimes in progress and major emergencies within five minutes, striving for 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. Such studies may be made either "in house" or by consultants. Agencies first must have set up a system of reports and records including dispatching records to document response time.

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 forms for a number of studies in agencies of varying size that 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. Uniform and mandatory reporting from all agencies of all components of the criminal justice system is necessary to satisfy the input requirements that are critical in any integrated information system. Expected results of activity in this endeavor are:

(a). The design of standardized forms for criminal justice reports and records;

(b). A recommended statute for establishing uniform and mandatory reporting. Model statutes were to be completed by late 1972, for presentation to the Legislature in January, 1975. Planning funds were used in 1970 and 1971 for initial research, and action funds will be used for implementation in 1973 and 1974.

#### *d. Adequate Staffing in Agencies*

The recommendations of the President's Commission 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.

In this area of emphasis, CJC feels that action funds are not 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, planning action is needed 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 73-D3, "Professional Aides for Police," and 73-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 of course will 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 enhance understanding of needs.

Action program 73-D1, "Management Analysis," will identify the needs for personnel in each agency surveyed. Surveys such as those reported herein 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 1973, if planning funds are available, 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*

In this area, the President's Commission made the following recommendations:

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 of coordinating action locally left to local government discretion.

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 for increasing their officers' capability. Planning projects and surveys funded in the action program should encourage local governing bodies to provide adequate conventional equipment already utilized in routine programs.

In 1973 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. New data provided by the National Institute and IACP will be utilized. 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. 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 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 conform-

ity with the plan. Extensive funds will be needed the next two 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, 1971, and 1972 with the purchase of additional scientific equipment and added personnel.

In 1972, a major expansion was begun with the funding of additions to regional laboratories at Dallas, Houston, Corpus Christi, Midland, Lubbock, and McAllen. The increased size of these physical facilities will allow full implementation of the expansion program planned for those localities.

In five years, 14 regional laboratories will be in operation at strategic locations, enabling most police agencies to be within 100 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 multiyear 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, 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 that recently have revised their penal codes. CJC made an award to the *Penal Code* Revision Committee of the State Bar to accelerate the study completed in 1970 and presented to the Legislature in January, 1971. The Legislature failed to act; however, a revision will be presented again in 1973. Enactment of a model code will give 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 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 future Legislature.

In general, the multiyear 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 15**  
**Category D: Improvement of Detection and Apprehension of Criminals**

| <b>PROBLEMS</b>                      | <b>NEEDS OR OBJECTIVES</b>            | <b>PLANNING PROJECTS</b>            | <b>ACTION PROGRAMS</b>  |
|--------------------------------------|---------------------------------------|-------------------------------------|-------------------------|
| 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 survey—Action Program D1<br>Criminal justice reports and records<br>Police guidance manual   | D1 Management Analysis  |
| 3. Limited use of staff operations  | Organizational and administrative efficiency in agencies<br>Operational efficiency—programs, tactics, and techniques in agencies | Annual inventory of crime and resources—staff<br>Annual publication of analysis of inventory<br>Staff monitoring of new developments in techniques, tactics, and equipment with publication and dissemination  | D3 Professional Aides for Police<br>D5 Special Units and Programs<br>J1 Information Systems   |
| 4. Ineffective operations in agencies:<br>Low clearance rates<br>Slow police response time<br>Low prosecutor acceptance, indictment, and conviction rates<br>Inadequate criminal intelligence<br>Lack of evidence-technicians' services | Operational efficiency—programs, tactics, and techniques in agencies   | Local surveys—Action Program D1<br>Criminal justice reports and records study<br>Staff monitoring of new developments in techniques, tactics, and equipment with publication and dissemination   | D1 Management Analysis<br>D4 Technical Improvements<br>D5 Special Units and Programs<br>J1 Information Systems<br>J2 Technological Improvements<br>J3 Law Enforcement Radio Communications<br>J4 Document Storage and Retrieval |
| 5. Understaffing in police agencies   | Adequate staffing in agencies  | Annual inventory of crime and resources—staff<br>Annual publication of analysis of inventory<br>State aid for local police   | D1 Management Analysis<br>D3 Professional Aides for Police<br>D5 Special Units for Programs   |
| 6. Inadequate criminal justice information  | Operational efficiency—programs, tactics, and techniques in agencies   | Annual inventory of crime and resources study<br>Annual publication of analysis of inventory<br>Records task force<br>Texas Criminal Justice Information System Center study<br>SEARCH study<br>Records and reporting study  | D4 Technical Improvements<br>J1 Information Systems<br>J3 Law Enforcement Radio Communications<br>J4 Document Storage and Retrievals  |
| 7. Inadequate application of technology:<br>Inadequate crime laboratory services<br>Inadequate communications<br>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<br>Statewide crime laboratory study<br>Statewide police mobile communications study<br>Technology "brainstorming" project<br>Police equipment task force | D4 Technical Improvements<br>J1 Information Systems<br>J2 Technological Improvements<br>J3 Law Enforcement Radio Communications<br>J4 Document Storage and Retrieval  |
| 8. Inadequate police facilities (housing)   | Adequate housing for police agencies   | None   | None  |



|  |   |  |                        |
|--|---|--|------------------------|
| 9. No state financial aid to local police  | State subsidy to local police agencies              | State aid to local police  | None—Lacks Legislation |
| 10. Inadequate laws:<br>Adjective law ( <i>Code of Criminal Procedure</i> )<br>Substantive law ( <i>Penal Code</i> ) | Effective legal tools—substantive and adjective law | Penal Code revision project<br>Code of Criminal Procedure revision | E5 Law Reform          |

### 3. Multiyear Financial Plan

TABLE 15

#### a. Planning Projects

| Program Description Titles  | 1973      | 1974      | 1975      | 1976      | 1977      |
|---|-----------|-----------|-----------|-----------|-----------|
| State study of police component   | \$ 50,000 | \$ 25,000 | \$ 25,000 | \$ 25,000 | \$ 25,000 |
| Local surveys—action program 73-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 | 10,000    | 10,000    | 10,000    | 10,000    | 10,000    |
| Statewide crime laboratory study  | -0-       | 20,000    | -0-       | -0-       | -0-       |
| Technology "brainstorming" project  | 2,000     | 2,000     | 2,000     | 2,500     | 2,500     |
| <i>Penal Code</i> revision project ***  |           |           |           |           |           |
| <i>Code of Criminal Procedure</i> 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  | 5,000     | -0-       | 5,000     | -0-       | 5,000     |
| State aid for local police  | 5,000     | 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       | 1973       | 1974       | 1975       | 1976       | 1977       |
|----------------------------------|------------|------------|------------|------------|------------|
| Management analysis              | \$ 119,000 | \$ 100,000 | \$ 100,000 | \$ 100,000 | \$ 100,000 |
| Police consolidation             | 102,000    | 2,000,000  | 2,000,000  | 2,000,000  | 2,000,000  |
| Professional aides for<br>police | 158,000    | 160,000    | 160,000    | 160,000    | 160,000    |
| Technical improvements           | 1,775,000  | 5,000,000  | 5,000,000  | 5,000,000  | 5,000,000  |
| Special units and programs       | 957,000    | 1,000,000  | 1,000,000  | 1,000,000  | 1,000,000  |

#### 4. Multiyear Forecast of Accomplishments

##### a. Planning Projects

##### (1). State-Level Study of the Police Component

This project will be finished by midyear, 1973, 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 will produce in 1973 a model statute providing compulsory reporting for all agencies in each component of the criminal justice system and by the end of 1974 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

programs 73-D4 and 73-D5 will be available to 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 detection and apprehension and in the technological field is an ongoing project. Materials and publications are being collected and pertinent data will be published and transmitted to every police agency in the state periodically.

##### (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, produced a conceptual design of an optimum system for each region and for the state as a whole. Detailed designs are being prepared to produce a plan for spectrum utilization in the future. Implementation will require extensive funding in Action Program 73-J3, "Law Enforcement Radio Communications," to upgrade all law enforcement radio communications in the multiyear period. Substantial 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 and Law Reform."

(11). Code of Criminal Procedure Revision Projects

This project is covered in the "Improvement of Prosecution and Court Activities and Law Reform" 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 73-D4, "Technical Improvements."

(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 updated periodically. The project will produce

a model manual for Texas police agencies in the areas of police discretion, using the New York and Philadelphia models as a guide. It will lead to funding in Action Program 73-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 73-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 multiyear 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

#### 1973

Of high priority will be 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 will be made and published for distribution to agencies. Study will be conducted on state aid to local police and presented to 1973 Legislature.

#### 1974

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.

1975

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.

1976

Projects will be evaluated, recommendations studied, and implementation begun.

1977

Projects will be evaluated, recommendations studied, and implementation begun.

#### b. Action Programs

##### (1). Organization, Administration, and Operations Survey

By the end of the multiyear 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.

##### (2). Police Consolidation

This program has had limited funding because major expenditures were 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.

##### (3). Professional Aides for Police

By the end of the multiyear 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 used in the four largest cities.

##### (4). Technical Systems and Equipment

By the end of the multiyear 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

By the end of the multiyear period this program will have established and put into 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 control, and will provide such specialized services as evidence technology, identification, records, and juvenile.

##### (6). Other Action Programs

Action Program 73-E1, in the category, "Improvement of Prosecution and Court Activities and Law Reform," 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 73-E5, 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 evi-

dence 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. Category J, "Improvement of Communications and Information Systems," 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 multiyear 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

1973

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 J) will continue. Present professional aide projects for police are being continued and additional projects initiated. Equipment to individual departments for improving their technical capabilities have been stressed. 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.

1974

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 the second year and greatly increased funding in technical equipment is required.

1975

Continue evaluation of computer applications. Consolidation of police services will continue and in-

creased funding will be provided. Crime laboratory service expansion will be funded.

1976

It is anticipated that studies being completed may furnish new direction in research. Continue programs of merit.

1977

Continue programs of merit.

## E. IMPROVEMENT OF PROSECUTION AND COURT ACTIVITIES AND LAW REFORM

### 1. Courts

#### a. Problems and Needs

The original structure of the Texas courts system 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 must be considered as a part of the total concept of the courts 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 nonattorney 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 that 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, and active or retired appellate or district judges as commissioners in aid to court, to serve the court. The 62nd Legislature has appropriated funds to pay the salaries of the two commissioners and the equivalent of two commissioners in aid to court.

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 pretrial or prehearing stage adequate reports on the individual, including psychiatric examination, psychological testing, medical examination, potential rehabilitative capabilities, and unique or special problems of the person charged with a criminal offense or facing a 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. 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 presentence reports, he has before him the facts for a just and proper determination. This does not necessarily follow if a jury assesses punishment, because jurors are not allowed information contained in the presentence report.

Jurors who are called to serve are, too often, not informed of the process of their selection in a particular case or given 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 under-

stand his role and responsibilities. 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 pretrial and postconviction 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.

Particularly in the metropolitan counties, there is imperative need for information systems that will produce daily information on defendants in jail and on bond, date of arrest, date of indictment or waiver, appointment or retention of counsel and which counsel, and all other factors court and prosecution personnel need to know to insure that cases are tried with utmost promptness and that no cases or defendants are lost.

In Texas, every district court and such other courts as statutes may provide are 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 that is in session during the majority of the working day

leaves the clerk with little time to complete his duties that 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 on 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 acquaint them with the efforts of those who have modernized the operation of their offices.

No surveys have been made to determine the need for additional staff within a district or county clerk's office to establish criteria for an adequate clerical staff so that each court may function at an optimum pace. Nor has a survey been made to establish the need for new and sophisticated equipment in the district or county clerk's office for improvement of recording and retrieval of information the clerk is required by law to maintain.

Many courts, particularly in the metropolitan areas, have developed a uniform jury information questionnaire that 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 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," exemplifies the problems of the courts and these functions, in and out the courts' jurisdiction, discussed herein.

These problems apply to the entire state. They increase disproportionately as the population of the court's jurisdiction increases. Texas has 23 standard metropolitan statistical areas which contain 39 of the 254 counties. Approximately 80 percent of all Texans live in these areas. While the rural areas may

continue to dispense justice, the metropolitan areas are facing a total breakdown unless these problems are rectified promptly. The population density 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 encompass all courts in the state, with administrators also being provided for the nine administrative judicial districts and the multidistrict counties in metropolitan areas.

In 1971 and 1972, approximately 80 Texas judges attended conferences and training sessions such as the National College of State Trial Judges, metropolitan courts conference, appellate judges seminar, Federal Judicial Council, National Conference on the Judiciary, American Academy of Judicial Education, National Conference on Juvenile Judges, and the annual Juvenile Court Judges Institute.

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 use. 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 recommendations for final determination. Commissioners or referees could be used in both metropolitan areas

and rural judicial districts comprising several counties.

The need for pretrial, prehearing, presentence, and predetermination reports is critical and must be resolved as soon as possible 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 that 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 or computer-aided transcription implemented where justified to reduce delays in appeals.

Clerical personnel assigned to or employed by the courts should be provided 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, and materials for those attending seminars approved but not funded by CJC and conducted in the state or elsewhere.

#### *b. General Statement of Priorities and Programs*

The multiyear 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, in and out of the court's jurisdiction, must receive simultaneous consideration:

- (1). To design and implement a court administrator system with 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 nonlegal 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 pretrial, prehearing, presentence, and pre-determination 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.

(7). To determine the factors contributing to the lack of a prompt hearing and final determination and, after this determination, to make recommendations that 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 trial-court records.

(9). To provide continuing legal and nonlegal 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 to the related functional areas on a statewide, regional, or local basis, and for travel, subsistence, tuition, fees, books, and materials for those attending seminars approved but not funded by CJC and conducted in the state or elsewhere.

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."

The future direction of the state planning effort will be toward development and implementation of a

unified court system that 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. In addition, action programs will assist in the establishment of diagnostic services on an area basis, preferably from a single unit providing all necessary services to the trial courts in 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.

(7). To develop and conduct a statewide survey of the factors that 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 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 or computer-aided transcription capability. 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, and materials for those attending seminars approved but not funded by CJC and conducted in and out of the state.

The scope in realizing the multiyear objective of a unified court system will encompass those functions, in and out of 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:

(1). The review and evaluation of the principles, effectiveness, and acceptability of nonjudicial statewide administrative or coordinating systems or boards in all states that may be adaptable to a court administrator system.

(2). 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.

(3) Review and evaluation of approaches other than commissioners or referees as used by other states.

(4). 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.

(5). Preparation and distribution of a publication comparing the present system of "pleas of guilty" and the "negotiated plea." The cooperation of the State Bar of Texas and the American Bar Association will be solicited so a joint effort may be made for the implementation of "negotiated pleas" in Texas.

(6). Financial assistance in implementing or attending seminars and the preparation, publication, and distribution of handbooks for clerks and their personnel.

(7). A survey of the trial courts in Texas as to the utilization of a jury information questionnaire that meets the needs of the trial courts.

(8). Financial assistance in implementing or attending seminars for all judges and related personnel not included above.

General improvement over the multiyear period is the ultimate objective of a unified court system with adequate support from those functions, in and out of the courts' jurisdiction, which affect the court's operation. Included in the general improvements are:

(1). Planning efforts that in their direction and

scope will affect the 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 nonlegal education and training of all judges of courts that 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 in 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 diagnostic services on an area basis.

(6). Implementation of the "negotiated plea."

(7). Assessment of punishment in all cases by the trial judge.

(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 or computer-aided transcription capability where needed to take and transcribe trial records.

(10). Continued legal and nonlegal education and training of all clerks and their personnel.

(11). Development of a uniform jury information questionnaire to meet the needs of all trial courts.

(12). The continued legal and nonlegal education and training of all judges and related functional personnel not included above.

#### *d. Multiyear Forecast of Accomplishments*

##### Past Progress

1972

Four court coordinators or administrative projects were provided in three metropolitan counties and one multicounty area to assist the judges in handling their nonjudicial workload and in managing their dockets.

A project was funded to prepare a procedural handbook for district and county clerks.

The Texas Civil Judicial Council was funded for a project to revise the statistical data gathered by the Civil Judicial Council, to propose new juvenile court procedures, to prepare and publish a juvenile judges handbook, to investigate causes of delay in disposition of criminal cases and record means of reducing it, and to develop a plan for reorganization of Texas criminal courts. In the autumn, CJC funded the State Bar of Texas to hold conferences around the state to discuss the proposed court reorganization.

**TABLE 17**

**Category E: Improvement of Prosecution and Court Activities and Law Reform**

| <b>Problems</b>   | <b>Needs or Objectives</b>   | <b>Planning Projects</b>   | <b>Action Programs</b>  |
|---|--|--|---|
| 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<br>E5 Law Reform                                 |
| 2. Insufficient information for proper determination of pretrial release and sentencing   | Implementation of personal bail bond programs and diagnostic services  |  | J1 Information Systems<br>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 information services for judges and court related personnel concerning legal and nonlegal 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<br>E2 Prosecutors Aides and Assistance |
| 6. Inefficient operation of prosecutors' offices  | Optimum utilization of staff and technical equipment   |  | E2 Prosecutors Aides and Assistance   |
| 7. Lack of uniform methods of providing 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   |

**c. Multiyear Financial Plan**

**TABLE 18**

|             |             | <b>Action</b> |              |              |
|-------------|-------------|---------------|--------------|--------------|
| <b>1973</b> | <b>1974</b> | <b>1975</b>   | <b>1976</b>  | <b>1977</b>  |
| \$2,868,000 | \$6,600,000 | \$8,800,000   | \$11,000,000 | \$13,200,000 |

Assistance to the Court of Criminal Appeals was increased to provide two additional commissioners for the court, two administrative assistants, an assistant state's attorney, and two briefing attorneys to assist the court with its growing workload.

In 1972, three psychiatric diagnostic clinics were refunded.

A night magistrate project was refunded in one metropolitan county. Pretrial release projects were initiated or refunded in four metropolitan counties.

Funding enabled approximately 900 judges and court-released persons to participate in national, statewide, regional, or local seminars. These included the annual Criminal Justice Conference, the Governor's Juvenile Justice Conference, and courses in administration of criminal law for justices of the peace.

The Texas Center for the Judiciary was established to plan and execute continuing education, training programs, and publications for judges and related personnel.

#### Planned Progress

1973

Proposals for revision of Article V of the Texas Constitution will be presented to the 64th Legislature.

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 1973. Since these services eventually will function as a component of multicounty 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 in 1973 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 30 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 one handbook containing operating procedures, forms, and pertinent statutory and constitutional provisions will be prepared in 1973 for all justices of the peace and municipal judges.

Administrative assistants and supportive staff will be continued in the Court of Criminal Appeals. 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.

One or two court management studies will be made in 1973 to determine the problems and needs of specific courts and to recommend solutions that 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 interfacing with the courts.

It is anticipated that two or three action grants will be funded in 1973 to implement recommended assistance to the courts suggested 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 public relations and information program will be designed and implemented before 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.

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.

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. 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 inter-

facing with the courts.

Four or five action grants will be funded in 1974 to implement recommended assistance to the courts suggested 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 affecting 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.

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. Action grants will be made to provide supportive staff to eight or nine trial courts or administrative judicial districts.

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 interfacing with the courts.

Four or five action grants will be funded to implement recommended assistance to the courts encompassed by these studies.

1976

It is anticipated that review and assessment of any proposed changes rejected by the Legislature in 1975 will have been completed and made available to prepare the necessary statutory and constitutional revisions to 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.

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 those 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 interfacing with the courts.

Four or five action grants will be funded in 1976 to implement the recommended assistance to the courts encompassed by these studies.

1977

It is hoped that the Legislature will have passed the statutory recommendations and the necessary concurrent resolutions not heretofore acted on to implement the proposed changes in the courts and the functions affecting the courts' operation.

Approximately 25 national, statewide, regional, or local seminars will be held or attended, with total attendance of 1,050.

It is anticipated that all handbooks considered heretofore will be in the process of preparation, publication, distribution, or revision.

An action grant will be funded providing for participation of approximately 50 judges and clerks in visitation projects.

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 1977.

Approximately six management studies will determine the problems and needs of these courts and make recommendations for solutions.

Four or five action grants will be funded in 1977

to implement the recommended assistance to the courts encompassed by these studies.

## 2. Prosecution

### *a. Problems and Needs*

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 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 requests of the district and county attorneys for increased 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 personnel 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.

In 1971 and 1972, approximately 85 Texas prosecutors have attended the summer career course and specialized courses of the National College of District Attorneys, regional prosecutors' seminars and conferences on drugs and narcotics sponsored by the National District Attorneys Association, and an organized-crime control conference.

These problems are further discussed in Part I, "Existing Criminal Justice Systems and Available Resources."

The problems apply to the entire state. They increase on a disproportionate scale as the population increases. Texas has 23 standard metropolitan statistical areas, containing 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 population density in segments of the metropolitan areas 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 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 multiyear objective is to design and implement a uniform prosecution system in Texas. A concurrent objective is adequate compensation for prosecutors and their staffs. Prosecutors' offices must be provided with adequate staffs and sophisticated equipment to enable them to perform at the optimum level.

Included in the multiyear 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; and (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 have been discussed in Part I, "Existing Criminal Justice Systems and Available Resources."

The future direction of state planning efforts will be toward developing and presenting a unified prosecution system to meet 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; and (3) provision for funding by CJC for seminars on a statewide, regional, or local basis, and for transportation, subsistence, tuition, fees, books, and materials for those attending seminars approved but not funded by CJC and conducted in and out of the state.

The scope in realizing the multiyear 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 affecting 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); and (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 multiyear period is the ultimate objective—a unified prosecution system. This system must 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; and (3) continued legal and nonlegal education and training of all prosecutors and their assistants.

**c. Multiyear Financial Plan**

**TABLE 19**

|           |           | Action    |           |            |
|-----------|-----------|-----------|-----------|------------|
| 1972      | 1973      | 1974      | 1975      | 1976       |
| 1,565,000 | 4,000,000 | 6,000,000 | 8,000,000 | 10,000,000 |

*d. Multiyear Forecast of Accomplishments*

Past Progress

1972

A prosecutor's office management survey was com-

pleted and a final report delivered in 1971. This report dealt with staffing requirements, compensation of the prosecutor and his staff, space requirements and use, management systems, and use of new and sophisticated equipment within the office. It has been used as a guide for staffing, compensation, and other

requirements in improvement of five prosecutors' offices.

Prosecutors' offices were funded for projects designed to improve internal operations and expedite the work flow within these offices.

Projects were funded to employ investigators in 15 district attorneys' offices. A special crimes bureau was established in one metropolitan district attorney's office.

The Texas District and County Attorneys Association again was funded to provide statewide and regional seminars for prosecutors, keep abreast of all proposed legislation affecting criminal prosecution and Texas prosecutors, stay abreast of all phases of criminal prosecution, provide assistance to prosecutors' offices on request, and administer the stipends program for training and education meetings for prosecutors.

Two more management surveys were completed in 1972 and the findings distributed to prosecutors' offices throughout the state.

Funding was made available to approximately 500 prosecutors who attended national, statewide, regional, and local seminars.

#### Planned Progress

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 local seminars will be held or attended with a total participation of about 600.

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 interfacing with the prosecutor's 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.

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.

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.

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.

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 Texas District and County Attorneys Association and similar agencies that 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. 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 to increase the effectiveness of prosecutors.

Management studies of an additional eight to 10 prosecutors' offices will be conducted and funding will be available to implement recommended changes in these offices.

Ten 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 1976 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. Approximately 20 national, statewide, regional, or local seminars will be held with 750 participating.

Management studies of an additional eight to 10 prosecutors' offices will be conducted in 1976 and funding will be available to implement necessary changes.

Ten 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.

1977

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. 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 that will increase the effectiveness of prosecutors.

Management studies of an additional eight to 10 prosecutors' offices will be conducted and 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.

### 3. Defense

#### a. Problems and Needs

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 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 that 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" exemplifies the problems of representation of indigent defendants.

While these problems apply to the entire state, the density of population in segments of the metropolitan areas produces an extremely high incidence of crime committed by those classified as indigents.

*b. General Statement of Priorities and Programs*

The multiyear 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."

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 multiyear 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 multiyear period is the ultimate objective: an adequate system that provides competent and experienced counsel for each indigent before the court with the counsel being provided adequate compensation and investigative resources.

**c. Multiyear Financial Plan**

**TABLE 20**

| 1973    | 1974      | Action<br>1975 | 1976      | 1977      |
|---------|-----------|----------------|-----------|-----------|
| 228,000 | 1,250,000 | 1,750,000      | 2,250,000 | 2,750,000 |

*d. Multiyear Forecast of Accomplishments*

Past Progress

1972

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 expanded, affording inmates professional legal assistance in securing post-conviction remedies. This practice also reduced the number of writs of habeas corpus originating in the state prison system.

A juvenile public defender project involving use of law students to assist counsel in a metropolitan area was continued in 1972 and another juvenile public defender project implemented in another county.

Planned Progress

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. A 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.

One or two public defender offices with supportive staff will be funded in a metropolitan area or combination of counties in 1973.

Consideration will be given to funding one or two legal assistance agencies, staffed by attorneys, investigators, and nonprofessional personnel 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 to 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.

One or two legal assistance agencies, staffed by attorneys, investigators, and nonprofessional 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 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.

One public defender office with supportive staff will be funded in a metropolitan area or combination of counties in 1975.

One or two legal assistance agencies, staffed by attorneys, investigators, and nonprofessional persons 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 any

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.

One public defender office with supportive staff will be funded in a metropolitan area or combination of counties.

One or two legal assistance agencies, staffed by attorneys, investigators, and nonprofessional 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.

1977

It is hoped that the Legislature will have passed recommendations into law, subject to necessary constitutional amendments. 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.

One public defender office with supportive staff will be funded in a metropolitan area or combination of counties in 1977.

One or two legal assistance agencies, staffed by attorneys, investigators, and nonprofessional persons 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.

#### 4. Probation Systems

In Texas, probation officers operate as an arm of the court in the discharge of their duties. The judicial processes section will cooperate with postsentence processes to 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."

## 5. Uniform Mandatory Reporting System

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 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*.

## 6. Bail Bond Reform and Personal Bond

### a. Problems and Needs

There are three ways to post "bail" in Texas—personal bond, cash bond, and bail bond with sureties. 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. 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 professional bail bondsmen statewide. 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 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 ask each defendant about 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. Because it is necessary that an indictment be returned by a grand jury before trial of the offense, the accused must bide his time in the company of hardened criminals. All these factors induce criminal recidivism.

While this is an undesired result in all 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 until the trial. Although the determination of the amount of bail should not be a matter of rote, 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 information for the determination of the type and amount of bail in each instance.

### b. General Statement of Priorities and Programs

The multiyear 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 primarily will 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 multiyear 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 multiyear 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. Multiyear Forecast of Accomplishments*

#### Past Progress

1972

Funding was continued for the two personal bond projects implemented previously in metropolitan areas under Program E1, "Courts and Aides and Assistance." Another personal bond project was implemented in a metropolitan county in 1972. All these programs have alleviated crowded jail conditions in those areas. The bond forfeiture rate has been extremely low.

#### Planned Progress

1973

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. Two or three personal bond projects included in the "Courts Aides and Assistance" program will be initiated, preferably in

the metropolitan areas. 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. 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 program to promote public relations and information will be implemented before offering this legislation in 1975. 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. 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. Two or more new personal bond projects will be initiated.

1977

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.

## 7. Curriculum in Law Schools

### *a. Problems and Needs*

Through the efforts of the law schools and the Coordinating Board, Texas College and University System, and many interested persons, Texas now has solid and progressive improvement in the curriculum of its law schools that will provide many tools necessary 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 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 that 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 multiyear objective is to assist in the development of curricula in law schools in Texas to provide a definite foundation for future judges, prosecutors, and defenders.

The direction of the state planning efforts will be toward the funding of projects contained in the program description, "Criminal Justice Projects—Law Schools."

The scope of the multiyear 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 multiyear period through continued financial support of these projects.

**c. Multiyear Financial Plan**

**TABLE 21**

|  | Action |         |         |         |         |
|--|--------|---------|---------|---------|---------|
|  | 1973   | 1974    | 1975    | 1976    | 1977    |
|  | 76,000 | 500,000 | 650,000 | 800,000 | 950,000 |

*d. Multiyear Forecast of Accomplishments*

Past Progress

1972

Four projects funded in this program area involved the employment of law students in prosecutors' offices. Two involved summer internships through law schools, another the temporary exchange of jobs between a prosecutor in a metropolitan prosecutor's office and a law professor.

Planned Progress

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.

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 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.

Three to five 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.

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.

Four 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 six law professors will participate in this project.

1976

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.

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.

1977

It is anticipated that the projects funded in 1976 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.

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.

## 8. Law Reform

### a. Problems and Needs

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 1971 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.

Revision of Article V of the state constitution to achieve a unified, efficient court system for Texas must be promoted by various means.

Financial support is needed to complete the revision of the *Penal Code* and Article V 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 and constitutional change is the need for public information and community relations programs to acquaint citizens with the necessity for the changes and assure their passage. In addition, community relations programs must be encouraged that 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 multiyear 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 obtaining adequate legislation and constitutional reform for ir-

proving the entire criminal justice system.

The scope of the multiyear 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. Multiyear Financial Plan**

**TABLE 22**

|         |         | Action  |         |         |
|---------|---------|---------|---------|---------|
| 1973    | 1974    | 1975    | 1976    | 1977    |
| 132,000 | 500,000 | 650,000 | 800,000 | 950,000 |

*d. Multiyear Forecast of Accomplishments*

Past Progress

1972

In 1972 support was given to the House interim committee studying judicial reform. The District and County Attorneys Association and the Texas Criminal Defense Lawyers Association received awards for committees to study revision of the *Penal Code*.

A community relations project was refunded in a metropolitan school district and involved the use of innovative teaching methods and lawyers and personnel employed in the criminal justice system. This project was implemented with the assistance of the State Bar of Texas and the local bar association.

The Texas Civil Judicial Council was funded to study revision of the state's judicial system and drafting a revision of Article V of the state constitution.

The District and County Attorneys Association and the Texas Criminal Defense Lawyers Association each were funded to prepare a proposed revision of the *Texas Penal Code*, with conforming amendments to the *Code of Criminal Procedure*.

The State Bar of Texas was funded to hold a series of conferences around the state to discuss and consider the proposed revisions.

Planned Progress

1973

Financial support will be made available to legislative interim committees studying proposed constitutional and statutory changes affecting the criminal justice system. In 1973 it is anticipated that 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* will propose constitutional and statutory changes to the Legislature that will greatly 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 further 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.

A well defined public relations and information program will be planned and implemented to secure acceptance of legislative reform.

1974-1976

Approximately 15 national, statewide, regional, or local seminars will be held with 700 participating each year.

Grants will be considered for the printing and distribution of handbooks to increase the effectiveness of prosecutors.

Management studies of an additional eight to 10 prosecutors' offices will be conducted and 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.

1977

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.

Management studies of an additional eight to 10 prosecutors' offices will be conducted in 1976 and 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 that can be provided to prosecutors throughout the state.

## F. INCREASE IN EFFECTIVENESS OF CORRECTIONS AND REHABILITATION

### 1. Problems and Needs

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 adult or juvenile 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 likely to accomplish notable improvements in the system.

Correctional programs primarily reflect commonly held opinions and there is little research or experi-

mentation. 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 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. *Inadequacy of Probation*

From many different standpoints—economy, rehabilitation potential, sentencing consistency, and the needs of individual offenders—the inadequacy of probation is the state's ranking correctional problem.

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 for 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 sufficient and adequate presentence investigations and reports to aid the judges in making intelligent dispositions of convicted offenders. Poor salaries make difficult the recruitment and retention of probation officers with desirable educational backgrounds. Officers are too few, 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 will continue to be discouragingly difficult, research extremely difficult until financial assistance can be obtained through state legislation.

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 authorizing 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 to 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 presentence 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. Inadequacy of Jails*

Although we have ranked the inadequacy of probation, in terms of missing opportunities, as the most significant deficiency of Texas corrections, jails unquestionably 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 less than 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 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 (although the structures are typically poor), but because they are lacking in personnel, and the employees 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. 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. 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 parole is extended to only 39 percent.

## Needs

1. Feasibility study. The Board of Pardons and Paroles should be funded to study 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 no longer need such services.

### *d. Lack of Community-Based Programs*

The deplorable condition of the jails in nearly 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 incarceration. Texas Department of Corrections has four units that use work release programs, and it has authority to extend the program generally.

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 can 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 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 exoffenders through direct grants or through state agencies such as the Texas Rehabilitation Commission under Safe Streets Act funding.

### *e. 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 research and development capability in TDC, Sam Houston State University, and CJC. 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. 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 on either a temporary or a 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.

**TABLE 23**

**Category F: Increase in Effectiveness of Corrections and Rehabilitation**

| <b>PROBLEMS</b>                  | <b>NEEDS OR OBJECTIVES</b>  | <b>PLANNING PROJECTS</b>   | <b>ACTION PROGRAMS</b>  |
|----------------------------------|---|--|---|
| Inadequacy of probation          | Legislation for statewide probation system<br>Improvements in salaries<br>Increases in number of probation officers | Task Force survey of existing probation systems  | F2 Training, Placement, and Specialized Units   |
| Inadequacy of jails              | Personnel improvements<br>Regional jails<br>Local facility improvements   | TDC planning unit for regional facilities<br>Local planning projects for jail improvements | F1 Correctional Personnel Training and Education<br>F3 Rehabilitation-Reintegration Programs<br>F4 Improvement of Corrections Programs and Practices<br>F6 Planning and Construction of New or Improved Correctional Facilities<br>F7 Planning and Construction of Regional Correctional Facilities<br>F5 Improvement of Parole |
| Inadequacy of parole             | Parole expansion<br>Additional resources<br>Early release from supervision  | Feasibility study for parole expansion   | F3 Rehabilitation-Reintegration Programs<br>F4 Improvement of Corrections Programs and Practices<br>F5 Improvement of Parole  |
| Lack of community-based programs | Regional correctional facilities<br>Halfway houses<br>Community treatment resources                                 | TDC planning unit for regional facilities  | F7 Planning and Construction of Regional Correctional Facilities<br>F3 Rehabilitation-Reintegration Programs<br>F4 Improvement of Corrections Programs and Practices  |

|                     |  |  |  |
|---------------------|--|--|--|
| Prison Improvements | Additional training re-<br>sources<br>Industrial modernization | TCC planning unit for re-<br>gional facilities | F6 Planning and Construc-<br>tion of New or Im-<br>proved Correctional<br>Facilities |
|---------------------|--|--|--|

## 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 that

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

## 3. Multiyear Financial Plan

TABLE 24

| Program Description Titles   | 1973       | 1974       | 1975       | 1976       | 1977       |
|--|------------|------------|------------|------------|------------|
| Correctional Personnel   |            |            |            |            |            |
| Training and Education   | \$ 255,000 | \$ 100,000 | \$ 100,000 | \$ 100,000 | \$ 100,000 |
| Training, Placement, and<br>Specialized Units                              | 3,110,000  | 4,000,000  | 3,500,000  | 3,500,000  | 3,500,000  |
| Rehabilitation-  |            |            |            |            |            |
| Reintegration Programs   | 500,000    | 300,000    | 400,000    | 500,000    | 500,000    |
| Improvement of Corrections   |            |            |            |            |            |
| Programs and Practices   | 255,000    | 500,000    | 500,000    | 500,000    | 500,000    |
| Improvement of Parole  | 400,000    | 200,000    | 200,000    | 200,000    | 200,000    |
| Planning and Construction of<br>New or Improved Correctional<br>Facilities | 285,000    | 2,000,000  | 2,500,000  | 2,500,000  | 2,500,000  |
| Planning and Construction of<br>Regional Correctional<br>Facilities        | 1,000,000  | 5,000,000  | 5,000,000  | 5,000,000  | 5,000,000  |
| Construction of State<br>Facilities  | 500,000    | -0-        | -0-        | -0-        | -0-        |

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.

#### *b. Construction*

There has been relatively little 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.

Requirement for the construction of new facilities in Texas, particularly to replace local jails, has grown to such proportions that only a beginning can be made with the limited financing likely to be available in the foreseeable future. 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) reasonable use is being made of such alternatives to incarceration as referral and bail, diversion from court, fines, and probation; (2) undue use of incarceration is minimized by realistic parole practices, work release, halfway houses, and similar programs; and (3) 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 will 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 preliminary planning and facility design, grantees will be required to consult with the National Clearinghouse for Correctional Architecture at the University of Illinois at Urbana.

The guidelines developed for administration of Part E of the Act are intended to encourage all possible innovation in program planning and architectural design, and this will be the policy of CJC.

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 Texas Rehabilitation Commission, 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.

During the last year CJC funded establishment of a planning unit in the TDC research department, to do the necessary studies and preliminary planning for regional correctional centers. Studies have been completed in the Waco-Temple, Beaumont-Port Arthur, San Antonio, and Austin areas. Studies have been initiated also in the Houston, Amarillo, Dallas-Fort Worth, Corpus Christi, Brownsville, San Angelo-Odessa, and Pecos areas.

Because construction of new facilities is a long-range program and there 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.

#### *c. Rehabilitation and Reintegration Programs*

As previously indicated, rehabilitation programs are scarce in Texas except in the Department of Corrections. Few community-based programs exist, probation is weak or nonexistent, and local jails are almost totally lacking in rehabilitative effort. TDC, although it already has a wide range of programs, needs to increase them to accommodate the growing prisoner population.

Parole services are also limited, comprised of not much more than intermittent supervision.

An aggressive and broad-based effort must be made to minimize the state's heavy dependence on the costly use of incarceration in TDC. Use of local facilities for a variety of purposes that typically do not include rehabilitation also should be curtailed. This use, too, is a costly alternative and one that tends to deepen criminality rather than to mitigate it.

#### *d. Research and Development*

Because 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 when they are established. Over an extended period this should enable the state to

achieve an effective corrections system, since the ineffective programs can be weeded out as soon as they are identified and the state's available resources concentrated on programs that 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 should eventually fit any formula which may be adopted by criminal justice systems in other states and by the federal government. At present, it is impossible to compare and evaluate evaluation data emanating from correctional projects, because criteria for success or failure vary 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 of those correctional problems requiring remedial legislation.

### **4. Multiyear Forecast of Accomplishments**

1973

In-service training opportunities will be provided for 250 correctional workers, including jail, probation, and TDC personnel. One workshop in jail management involving about 180 sheriffs and COG representatives will be held. Another workshop involving about 40 probation and parole personnel will be held.

Rehabilitation-reintegration programs to be funded include two work release programs, three crisis intervention units at local jails, two pretrial intervention programs in large metropolitan communities, two vocational programs at TDC, and approximately 10 educational programs at local jails.

Further funding will be given the TDC research division, and approximately 10 management studies at local jails will be undertaken.

Grants will be made to the Board of Pardons and Paroles to establish specialized caseloads in the larger metropolitan areas, train parole officers as community treatment managers, and train and utilize volunteers, paraprofessionals, and exoffenders in a variety of roles.

Twenty county jails will be given grants to plan renovations and remodeling; and 10 renovation projects at local jails will be undertaken.

One grant will be made to fund the architectural drawings and begin construction of one regional correctional center.

Preliminary planning will be completed in 10 multicounty areas as to the feasibility of regional correctional facilities. Detailed architectural planning will be undertaken for three such facilities, and construction funded for one facility.

A grant will be made to continue the construction of the Center for Continuing Education at Sam Houston State University at Huntsville.

1974

Through 1977 approximately the same level of activity will be funded for the education and training of corrections personnel.

The funding of rehabilitation-reintegration programs through 1977 will continue to emphasize community-based programs and the use of community resources and agencies, with an increased effort to provide supportive services needed to place offenders in employment and assure their continuance in such employment.

Through 1977 the research division of TDC will continue to be supported and contractual arrangements made by CJC and local agencies to evaluate the effectiveness of rehabilitation-reintegration programs and to identify needed improvements.

Efforts similar to those in 1973 to expand the resources and uses of parole in Texas will be continued through 1977. At least 10 more planning projects leading toward the improvement of jail facilities will be funded, and as many physical renovations or improvements funded. Consideration will be given to funding the construction of one new county jail, and two dormitories at TDC.

The architectural planning of three additional regional correctional facilities will be undertaken, and the construction of two additional facilities funded, as well as the final phase of constructing the regional facility begun in 1973.

1975

Approximately 15 planning projects for jail improvements and 10 construction projects to renovate or remodel jails will be funded. One new county jail will be built, and three educational facilities at units of TDC.

The architectural planning of three additional regional correctional facilities will be undertaken, and the construction of two additional facilities funded.

1976

The same level of planning and construction incident

to the improvement to jail facilities as in 1975 will be funded. Two new county jails and an additional dormitory at one unit of TDC will be built.

The architectural planning of one additional regional correctional facility will be undertaken, and the construction of two additional facilities funded.

1977

The same level of planning and construction incident to the improvement of jail facilities as in 1975 and 1976 will be continued. Construction of three new county jails will be funded.

The construction of two additional regional correctional facilities will be undertaken.

## G. REDUCTION OF ORGANIZED CRIME

### 1. Problems and Needs

Intelligence reports from local law enforcement agencies, the Department of Public Safety, and out of state sources indicate that organized crime exists to some degree in all major communities in Texas. The activities of organized crime now in operation in various communities of this state have been identified as (1) illegal gambling, (2) illegal drug traffic, (3) loan sharking, (4) labor racketeering, (5) automobile theft, (6) prostitution, and (7) pornography. The perpetrators of these activities have been identified as members of organized criminal groups with at least part of their activities being directed by a national crime confederation. The inability of the components of the criminal justice system to deal effectively with organized crime has permitted these racketeers to derive millions of dollars each year from the sale of illegal goods and services to a large minority of the citizens of this state.

The fundamental need in relation to this problem is for the components to develop the capability needed for the investigation, apprehension, and successful prosecution of these perpetrators of organized crime. 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.

Many problems and needs could be enumerated but the following are considered to be the most pertinent:

a. Among agencies involved in the investigation and prosecution of organized crime, there is a general lack of knowledge of its actual extent and serious-



ness. 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.

b. 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.

c. 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.

d. 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.

e. 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, is 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.

f. 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.

g. 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 procedural law no provision is made for the use of electronic surveillance, and no general immunity statute exists as such. The restriction on accomplice testimony is extremely rigid and other sections are too restrictive for effective prosecution. For example, a search warrant may be obtained to search only for items that are (1) tools used to perpetrate a crime, (2) fruits of the crime, or (3) contraband. This authority should be expanded to permit searches for evidentiary items needed to connect an individual to a certain crime.

## 2. General Statement of Priorities and Programs

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. To accomplish this broad objective the following lesser objectives or goals are identified:

a. To develop a precise detailed definition and description of organized crime as it exists in Texas and the United States.

b. 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 in-

investigating body may be a statewide grand jury or an organized-crime prevention commission with subpoena power, as recommended by the President's Commission on Law Enforcement and Administration of Justice. The prosecution authority properly can be vested in the attorney general by giving his office full concurrent authority with local 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, improving the general immunity provision, and strengthening the use of accomplice testimony.

c. 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 1973 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 an action grant made to CJC under Program 73-G1. The council has 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:

a. A major regional and statewide capability for intelligence gathering, analysis, and dissemination will be developed.

b. 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.

c. The capabilities of existing police and prosecuting agencies will be strengthened by training and by adding personnel and equipment.

d. A major public education effort concerning organized crime is being prepared by DPS and will be completed in 1973. This educational program is 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 multistate 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 multiyear period.

During FY 1971, DPS developed a statewide organized-crime intelligence unit with a discretionary grant and additional block grant funds. This unit was increased and its operations expanded during FY 1972 to assist the increased number of local organized-crime control units. Refunding was provided by another discretionary grant from LEAA. 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 investigation and prosecution capabilities will be augmented by the activation of additional organized-crime control units throughout the state. At the present time eight organized-crime control units have been funded and are operational. The units located in Bexar County (San Antonio), Dallas County (Dallas), El Paso County (El Paso), Galveston County (Galveston), Harris County (Houston), Potter-Randall Counties (Amarillo), and Tarrant County (Fort Worth) have the countywide responsibilities while the one in Wichita Falls is restricted to the City of Wichita Falls. It is estimated that additional countywide organized-crime control units will be established in Cameron County (Brownsville), Jefferson-Orange Counties (Beaumont), and Nueces County (Corpus Christi) prior to January, 1973. These units are composed of representatives of state and local law enforcement and regulatory agencies with responsibilities in organized-crime control. Special conditions imposed by CJC require each unit to contribute orga-

nized-crime intelligence to a central unit, the Organized Crime Intelligence Unit, Texas Department of Public Safety. The central unit is a repository or clearinghouse of organized-crime intelligence for all law enforcement agencies.

During the multiyear 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 and extended sentencing, as well as electronic surveillance, general immunity, and improved perjury and conspiracy statutes.

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 25**  
**Category G: Reduction of Organized Crime**

| <b>Problems</b>   | <b>Needs or Objectives</b>   | <b>Planning Projects</b>   | <b>Action Programs</b>  |
|---|--|--|---|
| 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.<br>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 Organized-Crime Prevention Council<br>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 | G1 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 for Law Enforcement Agencies<br>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 on 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. Multiyear Financial Plan

TABLE 26

#### a. Planning Projects\*

| Program Description Titles  | 1973      | 1974      | 1975      | 1976      | 1977      |
|---|-----------|-----------|-----------|-----------|-----------|
| Director of crime prevention council to study inter and intrastate problems | \$ 10,000 | \$ 10,000 | \$ 10,000 | \$ 10,000 | \$ 10,000 |

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

#### b. Action Programs

| Program Description Titles                                 | 1973      | 1974      | 1975      | 1976      | 1977      |
|--|-----------|-----------|-----------|-----------|-----------|
| Organized-crime prevention council                         | \$ 10,000 | \$ 10,000 | \$ 10,000 | \$ 10,000 | \$ 10,000 |
| Organized-crime control units for law enforcement agencies | 750,000   | 900,000   | 900,000   | 900,000   | 900,000   |
| Technical equipment for organized-crime control            | 41,000    | 100,000   | 100,000   | 100,000   | 75,000    |
| Training for organized-crime control                       | 20,000    | 75,000    | 75,000    | 75,000    | 75,000    |
| Organized-crime intelligence collection                    | 149,000   | 400,000   | 400,000   | 400,000   | 400,000   |
| Public education on organized crime                        | 65,000    | 65,000    | 65,000    | 65,000    | 65,000    |
| Statewide corruption control units                         | 75,000    | 150,000   | 150,000   | 150,000   | 150,000   |

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 12 of these units will be established. They will be composed of various specialties needed for effective organized-crime control, including attorneys, accountants, investigators, administrative technicians, and intelligence analysts.

The multiyear 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.

#### **4. Multiyear Forecast of Accomplishments**

##### *a. Planning Projects*

##### **(1). Basic Research on Organized Crime in Texas**

High priority will be given this project in 1973 if the planning funds are available. 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.

##### **(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 training schools to be conducted by DPS. They are designed to assist in developing the needed capability to understand and control organized crime and are proved successful.

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 73-G2, "Organized-Crime Control Units for Law Enforcement Agencies," and 73-G5, "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 73-G1, "Organized-Crime Prevention Council."

The operations subcommittee presented a recommendation to establish an executive committee consisting of the subcommittees on (a) intelligence, (b) personnel, training, and equipment, (c) public education, and (d) legal and legislative. It further recommended that the operations subcommittee be disbanded and its members be absorbed by the executive committee. It was approved and implemented.

The public education subcommittee presented a plan that was approved and adopted for implementation under Action Program 73-G6, "Public Education on Organized Crime."

##### *b. Action Programs*

##### **(1). Organized-Crime Prevention Council**

By the end of the multiyear 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 that 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 Units for Law Enforcement Units

It is expected that additional organized-crime control units will be established soon in the Brownsville-McAllen-Harlingen area, Beaumont, and Corpus Christi. During FY 1973, additional organized-crime control units are expected to be established in Austin, the Longview-Kilgore-Tyler area, and the Odessa-Midland-Big Spring area. By the end of the multiyear period, 14 separate areas in the state should have organized crime control units in full operation, funded by local governments.

(3). Technical Equipment for Organized-Crime Control

Funding under this program will be limited until the Legislature enacts a state statute authorizing the use of this equipment. The Legislature will be in session during 1973.

(4). Training for Organized-Crime Control

The training for organized-crime control has been limited to sending nine officers to a police seminar at Silver Springs, Maryland, and 21 police officers, prosecutors, and judges to an organized-crime control school in San Diego, California. DPS conducted five training schools in Austin that were attended by 400 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 multiyear 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

The only funding under this program has been to DPS to establish the Organized-Crime Intelligence Unit, a centralized organized-crime intelligence analysis unit with statewide intelligence gathering capability. The special conditions of the grant require the assimilation, storage, and dissemination of intelligence produced by organized-crime control units and intelligence units of local law enforcement agencies of the state. This unit is headquartered in Austin and has agents stationed in each metropolitan area that has an organized-crime control unit and in other strategic areas.

By the end of the multiyear period, this unit will include in its scope of operation 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

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 and research has resulted in action grants totaling \$149,000 to DPS for 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 multiyear period, it is calculated that the majority of the citizens of Texas will understand the cost and danger of organized crime when it is permitted to exist and operate in a community.

## H. PREVENTION AND CONTROL OF RIOTS AND CIVIL DISORDERS

### 1. Problems and Needs

The major problem is that great inequities exist in 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. Other

groups and organizations, some involving persons of all economic levels, have in the past caused major disturbances by mass demonstration, expressing their views and dislikes for certain state and national events and policies.

Texas has had no major riot, but there have been several major confrontations that could have had serious consequences. Although there have been fewer mass demonstrations throughout the country during the last two years, the potential still exists. Future aggressive activities of these groups will likely involve offensive tactics such as bombings, selective sniper activity, hit-and-run tactics, and other means of guerrilla warfare, as opposed to mass destructive demonstrations. Although in the last two years law enforcement agencies in Texas have greatly increased their capabilities to handle such violence, full coordination and cooperation between all law enforcement agencies has not been achieved.

Freedom of expression must be protected, but the capability to deal properly with unlawful destruction must be developed fully.

Many problems and needs could be enumerated, but the following are considered most pertinent:

*a. Greater Potential for Community Tensions and Disorders*

(1). Increased Population in Urban Areas

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 urban population. 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). Increased Concentration of Racial Minority Groups

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.

**TABLE 27**  
**Texas City Population**  
**1970**  
**Bureau of Census**  
**50,000 Population and Over (27)**

|                 |             |
|-----------------|-------------|
| Abilene         | — 89,653    |
| **Amarillo      | — 127,010   |
| Arlington       | — 90,643    |
| *Austin         | — 251,808   |
| **Beaumont      | — 115,919   |
| Brownsville     | — 52,522    |
| *Corpus Christi | — 204,525   |
| *Dallas         | — 844,401   |
| *El Paso        | — 322,261   |
| *Fort Worth     | — 393,476   |
| 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    |
| *Over 200,000   | (7)         |
| **Over 100,000  | (3)         |
| Over 50,000     | (17)        |

**TABLE 28**  
**Ethnic and Racial Breakdown**

|       |           |       |
|-------|-----------|-------|
| 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 |       |

**TABLE 29**  
**Texas College Enrollment**

| 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 |

### (3). Increased College Enrollments

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). Increased Militant Actions

Increasing militancy is a serious problem often resulting in destructive, anarchistic action offering no rational alternative to existing conditions. Striking out blindly at the "establishment," usually the political power structure, brings confrontation with the police as the visible "establishment" representative. The police need to be organized, trained, and equipped to deal coolly, rationally, and firmly with such confrontations. Wider participation in the benefits and responsibilities of citizenship is needed to avoid setting one segment of society against another.

#### *b. Inadequate Planning, Organization, and Training*

In the larger law enforcement departments, 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 local police agencies are properly 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.

With the assistance of the Texas Civil Disorders Technical Assistance and Coordination Unit, many

law enforcement agencies throughout the state have prepared riot and civil disorder control plans. These plans need to be updated continuously, tested by practice implementation exercises, and reviewed periodically so personnel will remain acquainted with all aspects of the plan.

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.

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.

#### *c. Inadequate Equipment in Police Agencies*

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.

The need for equipment in certain strategic locations is critical.

#### *d. Lack of Cooperation and Coordination*

Better coordination and cooperation among all agencies involved needs to be developed—among state agencies, between state and local agencies, and among local agencies.

## **2. General Statement of Priorities and Programs**

The primary objective is to avoid all incidents of major civil disorder or riot in the state. 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 that 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 is employed full time in this program. The State Technical Assistance Unit is 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*

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.

The organizational structure of each local law enforcement agency is determined by that individual agency. Many local agencies have passed resolutions and ordinances that allow for mutual assistance among local agencies when outside assistance is needed in emergency situations.

DPS has an organizational and operational plan that it follows closely when it is requested to assist local agencies in disorder control. The DPS plan also provides for coordination with the National Guard in the event of major disturbances or disasters.

Continued efforts will be exerted toward maximum organization and coordination of all available law enforcement manpower resources.

*c. Training*

In training for riot control and disorder prevention programs, it is estimated that training programs will be conducted in 20 to 25 locations, providing at least 2,500 officers with the techniques of riot control.

Riot control seminars, briefings, and technical assistance programs may 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.

Command-level officers from local and state police agencies will continue to be sent to the riot and civil disorder control planning and training program at Fort Gordon, Georgia. Fifty to 200 officers will attend specialized training courses related to riot and civil disorder control, such as bomb scene control, handling explosive devices, and antisniper training. Other law enforcement personnel will attend the annual police-community relations seminar held at Texas A&M University and other police-community relations training programs offered in and out of the state.

*d. Equipment*

During the year, riot control equipment for tactical operations, as well as special weapons and tactics teams, will be brought up to minimum standards in most 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. The goal of the equipment program is to equip local governments for quick, effective, coordinated response to a potential disorder.

**TABLE 30**  
**Category H: Prevention and Control of Riots and Civil Disorders**

| <b>Problem</b>  | <b>Needs or Objectives</b>   | <b>Planning Projects</b>        | <b>Action Programs</b>              |
|---|--|---------------------------------|-------------------------------------|
| 1. Increased population in urban areas; increased concentration of racial minority groups; increased college enrollments; increased militant actions; therefore, greater possibility of community stress and disorder | Train, educate, and equip law enforcement personnel to plan preventive measures and suppress disorders | State technical assistance unit | H1 Planning, Training and Equipment |

|   |   |   |   |
|---|---|---|---|
| 2. Inadequate planning, organization, and training              | Develop regional and local plans of action<br>Coordinate state, regional, and local plans<br>Adequate training at line, supervisory, and command levels | State technical assistance unit working with regions and agencies will develop comprehensive regional plans                     | H1 Planning, Training and Equipment<br>A1 Peace Officer Training<br>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   |
| 4. Lack of full cooperation and coordination among all agencies | Increase the coordination and cooperation among state agencies, and between state and local agencies  | State technical assistance unit will assist in developing regional plans fully coordinating with each other and state agencies. |   |

### 3. Multiyear Financial Plan

TABLE 31

#### a. Planning Projects

| Program Description Title              | 1973     | 1974     | 1975     | 1976     | 1977     |
|--|----------|----------|----------|----------|----------|
| Literature Collection and Distribution | \$ 5,000 | \$ 5,000 | \$ 5,000 | \$ 5,000 | \$ 5,000 |

#### b. Action Programs

| Program Description Title         | 1973      | 1974      | 1975      | 1976      | 1977      |
|-----------------------------------|-----------|-----------|-----------|-----------|-----------|
| Planning, Training, and Equipment | \$139,000 | \$200,000 | \$200,000 | \$300,000 | \$300,000 |

### 4. Multiyear Forecast of Accomplishments

#### a. Planning Projects

##### (1). Literature Collection and Distribution

The CJC staff will collect information on 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.

Information will be distributed 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 on request.

Regional seminars may 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

1973

Literature collection and distribution will be a continuing program throughout the multiyear period. As new tactics and techniques in operations are developed, statewide distribution will be made. Implemen-

tation will be accomplished through action programs. Staff planning and technical assistance will be available from the program coordinator. Model plans for organization and operations are available. Where necessary, outside consultants will be available through action grants. Regional seminars may be held to exchange ideas and to increase dissemination of information. All regions with a potential for civil disorder or riot will have adopted a model plan for cooperative and coordinated action.

1974

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. All police agencies in areas with a potential for civil disorder or riot will have a well-developed plan to cope with a situation at its inception.

1975

All ongoing programs will be continued with emphasis on upgrading and updating as new and innovative information and procedures become available.

1976-1977

Meritorious programs will be continued and new and innovative programs will be developed.

#### *b. Action Programs*

##### (1). Planning, Training, and Equipment

By the end of calendar year 1973 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). Throughout the multiyear period this program will continue to update planning, training, and acquisition of new and innovative equipment.

##### (2). Seminars, Briefings, and Technical Assistance

Throughout the multiyear 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. The CJC Technical Assistance Unit will be continued.

#### Summary of Action Programs

1973

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 for coping with situations involving civil disorder and riot control; to provide equipment grants to DPS, local agencies, and combinations of agencies according to need or potential need; and to conduct seminars and briefings on state and regional levels.

1974

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.

Comprehensive plans should 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.

1975

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.

1976-1977

Updating comprehensive plans, continuing training,

and providing 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

### 1. Problems and Needs

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 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.

Of the many problem areas in the field of community relations, law enforcement needs to look to (a) nonacceptance of police by minority communities as "their" police, (b) social changes and militancy, (c) poor police relations with minority groups, and (d) inadequate police communications with minority groups.

#### *a. Nonacceptance of Police by Minority Communities as Their Police*

Police must become knowledgeable of the minority community's problems and work with the community to correct them. The police are viewed by the minority community as part of an establishment that is manifested against it. Minority community members do not accept the police as "their" police. The individual officer, because of background, poor training, or lack of basic self-understanding, may create many additional problems for a law enforcement organization.

#### *b. Social Changes and Militancy—Community Tensions*

Sociologically, many problems are created that law enforcement cannot rectify. Masses of people living in small areas and economic and cultural deprivation, for example, are conditions that the criminal justice system cannot solve.

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.

#### *c. Poor 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.

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.

#### *d. Inadequate Police Communications with Minority Communities*

The necessary motorization of the police has prevented development of personal contacts with community members that 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, or have not taken the opportunity, 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. Police-citizen contacts of a non-enforcement nature should be expanded in both the adult and juvenile "circles" of minority neighborhoods.

## 2. General Statement of Priorities and Programs

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 that 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.

### *a. 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 effective 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. 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 multiyear period, CJC plans to place emphasis on three aspects of police-community rela-

tions. All three will be directed toward the major cities, and all will be aimed primarily at officers, young persons, 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 interdisciplinary community problem solving.

### *c. Improved Interpersonal Communications and Contacts*

The first major emphasis will be placed on increasing the frequency and the quality of interpersonal communication (i.e., nonviolation and nonarrest contacts with citizens).

Police training for community relations is 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 multiyear 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.

### *d. 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. Two current programs are written to further this emphasis. The program titled "Citizen Complaint Processing" is designed to enable one city during FY 1973 to develop a model procedure for processing citizens' complaints. During succeeding years this program will enable 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 multiyear 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 it may operate at the regional level in four or five regions for smaller cities.

*e. Police Participation in Interdisciplinary Community Problem Solving*

In this area of emphasis reliance will be placed on the training programs and on the formal, organized units in agencies to increase police participation. Perhaps the greatest obstacle to their participation in such interdisciplinary 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 to incorporate new developments into operations and training.

The commission has published the *Police-Community Relations Manual*, which is serving as training material and executive reference source.

The staffs of CJC and of the commission will monitor all formal programs and reproduce and distribute descriptions of effective programs, projects, and innovations.

**3. Multiyear Financial Plan**

TABLE 33

**a. Planning Projects\***

| Program Description Titles              | 1973      | 1974  | 1975      | 1976  | 1977      |
|---|-----------|-------|-----------|-------|-----------|
| Police-Community Relations Manual       | \$ 10,000 | -0-   | \$ 10,000 | -0-   | \$ 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.

**b. Action Programs**

| Program Description Titles                       | 1973      | 1974      | 1975      | 1976      | 1977      |
|--|-----------|-----------|-----------|-----------|-----------|
| Police-Community Relations Units                 | \$482,000 | \$450,000 | \$450,000 | \$450,000 | \$450,000 |
| Minority-Group Police Officer Recruitment        | 20,000    | 50,000    | 50,000    | 50,000    | 40,000    |
| Off-Duty Police in Civic and Recreation Programs | 70,000    | 150,000   | 150,000   | 150,000   | 150,000   |
| Citizen Complaint Processing                     | 15,000    | 20,000    | 20,000    | 20,000    | 20,000    |

**4. Multiyear 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 should 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 the commission.

## (3). Seminars and Conferences

Seminars and individual conferences with chiefs 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

1973

This year's objective is to continue monitoring, collecting, and distributing information of interest in the field of police-community relations to police agencies. Seminars and conferences will be held that will include, at a minimum, all cities of more than 100,000 population.

1974

To continue all ongoing projects and to expand seminars and conferences to include all cities of 50,000 population and over will be the principal aims of this year's activities.

1975-1977

To continue all ongoing projects, seminars, and conferences to include all cities of 20,000 population and over will be the chief objective of these years' activities.

### b. Action Programs

#### (1). Police-Community Relations Units

Although several major cities in Texas are credited with having effective police-community relations programs, reports indicate a need for refinement and im-

provement. 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 that will help establish better police relations with young people and racial minority groups, and that will result in a general reduction of tensions.

The objective of the "Police-Community Relations Units" program is to assist in establishment or improvement of community relations units in each city of more than 100,000 and in some of 50,000 to 100,000 population in the next five years. Assuming the continued growth of middle-sized cities, approximately 35 to 40 projects could be funded during fiscal year 1973 and the four succeeding years.

#### (2). Peace Officer Training

Police training for police-community relations is an integral part of "Peace Officer Training" and is funded in Category A.

#### (3). Off-Duty Police in Civic and Recreation Programs

During the multiyear period, this project will be funded in most 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 efforts for recruiting 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

1973

Continuing ongoing programs and evaluating pending programs will be this year's primary activities. Citizen complaint processing will be expanded in 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.

This project will produce several full-scale efforts for recruiting 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.

1974

This year's activities will be evaluating the previous year's citizen-complaint processes and to initiate new programs. Supporting a new and innovative program leading to interpersonal and community relations models and emphasizing college education will be extended activities. Additional police-community relations units and minority recruiting projects will be funded.

1975-1977

Continuing and expanding ongoing projects and adding police-community relations, minority recruitment, and complaint processing units in local agencies will be the extent of activities for these years.

**TABLE 32**

#### Category I: Improvement of Community Relations

| Problem  | Needs or Objectives  | Planning Projects                        | Action Programs   |
|--|--|--|---|
| 1. Nonacceptance of police by minority communities as their police | Police participation in interdisciplinary community problem solving  | Technical assistance unit and CJC office | 11 Police-Community Relations Units<br>12 Minority-Group Police Officer Recruitment   |
| 2. Social change and militancy                                     | Improved interpersonal communication and contacts<br>Adequate response to citizens grievances  | Technical assistance unit and CJC office | 11 Police-Community Relations Units<br>12 Minority-Group Police Officer Recruitment<br>13 Off-Duty Police in Civic and Recreational Programs<br>14 Citizen Complaints Processing  |
| 3. Poor police relations with minority groups                      | Police-community relations units in police agencies for improved interpersonal communications<br>Police training for community relations<br>Minority group police officer recruitment<br>Adequate response to citizens' grievances | Technical assistance unit and CJC office | 11 Police-Community Relations Units<br>12 Minority-Group Police Officer Recruitment<br>13 Off-Duty Police in Civic and Recreational Programs<br>14 Citizen Complaint Processing<br>15 Minority-Group Police Officer Recruitment |
| 4. Inadequate police communication with minority groups            | Police-community relations units in police agencies<br>Police training for community relations; intensified<br>Police-citizen relationship (non-arrest)  | Technical assistance unit and CJC office | 11 Police-Community Relations Units<br>13 Off-Duty Police in Civic and Recreational Programs  |



## J. IMPROVEMENT OF COMMUNICATIONS AND INFORMATION SYSTEMS

### 1. Problems and Needs

The deficiencies in Texas' criminal justice information and communications systems have been emphasized in past years by the inadequate response of criminal justice agencies to the general problem of increasing crime. A fragmented response to crime and inadequate structure of information and communications services available to those with a need to know were among the difficulties affecting all areas of the criminal justice process. Vast improvements have been made in recent years through CJC funding assistance, but the many deficiencies that still exist are recognized in the planning for 1973.

The present Texas criminal justice information and communications system has been described as a voluntary association of allied governmental agencies, bound together through the performance of services that share a common goal: the control of antisocial or criminal conduct. Each agency enjoys a high order of independence despite the frequent overlap between jurisdictional and functional boundaries. This definition includes as "agencies" the police, the courts, prosecuting attorneys, the Department of Public Safety, the FBI, and correctional agencies. All organizations involved in any way in the pursuit of the "common goal" must be considered as part of the present system and subject to some impact from revised information and communications systems. The magnitude of change and the new role of agencies in input-output will depend on their function in the overall effort, and on the demands of the total system.

The present criminal justice information and communications system is characterized as being deficient in many respects. Some of the problem areas include the following:

a. Criminal justice information in general can be described as being incomplete, disassociated, manual, and, consequently, difficult to retrieve in a timely manner.

b. Want, warrant, vehicle, and property information is fragmented among the many municipal, county, and state law enforcement agencies.

c. There is a lack of communication and common usage of information between the various criminal justice agencies.

d. Common definitions and reporting procedures still are limited.

e. Texas Department of Corrections spends a dis-

proportionate amount of time developing complete histories on prisoners brought to them for incarceration.

f. Probation and parole agencies rarely know of police contact with a parolee or probationer if the event did not occur in the immediate supervisory jurisdiction. This problem is particularly true in remote jurisdictions.

g. The courts apparently spend too much time attempting to develop information required to support bail and sentencing decisions, and these decisions are often made without adequate information.

Additionally the following general problems in regard to criminal justice agencies are recognized:

a. They do not always have rapid, accurate access to stored information because of radio and landline communication deficiencies.

b. They are unable to provide adequate dissemination of information to remote locations at a point in time consistent with the need.

c. Data is not furnished in adequate form or content to assist administration in decision making.

d. The decision maker is not provided with sufficient feedback of information to aid in evaluating the result of previous decisions.

Although great strides have been made with the assistance of LEAA funding, an integrated statewide criminal justice information and communications system only partially exists in Texas. As a result of these problems, the complete process of justice administration is hampered and the goal of reducing crime is delayed.

Limited information is rapidly available to law enforcement officers. Although the actions of one criminal justice agency impact heavily on the activities of other agencies, it is difficult to trace a subject through the criminal justice system. It is usually 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 the best source to go to for criminal information; it is difficult to know whether complete information 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 with timeliness whether a subject is a parolee or a probationer.

The courts must either 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.

Improvement of radio communications systems is the highest priority of more than half the planning regions in the state. The 1972 regional criminal justice plans contained 19 high priority indications requesting more than five million dollars to satisfy local needs for radio communications improvements. In addition to DPS, approximately 780 county and municipal departments are using more than 8,000 radio transceivers to provide law enforcement communications throughout the state. In the past, effective communication in individual departments has been emphasized at the expense of communications between individual departments. This priority system has resulted in heavy message traffic on low band frequencies with wait times from 30 seconds to two minutes. Delays of this magnitude can reduce the crime clearance rate significantly because of late arrivals at the crime scene.

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 with a terminal into the Texas Law Enforcement Net is necessary. There are areas of the state beyond radio range of a dispatcher with a law enforcement terminal. Distance of more than 30 miles is assumed to be beyond radio range; consequently, more terminal-equipped dispatch centers are needed.

In summary, there is a great need to computerize additional law enforcement data at the state level and to encourage automation of judicial and management information systems at regional and local levels. Both radio and landline communications must be updated continually 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 on 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 integrated information systems, interfaced with an independent communications network 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.

The Texas Criminal Justice Information System (TCJIS), a comprehensive information system serving the needs of the criminal justice community, will provide for an effective, coordinated interface between separately-maintained criminal justice information systems and personnel in Texas.

A master plan projecting the necessity for and the planned implementation schedule of TCJIS and providing other guidelines for federal, state, and local officials was published by the Governor's Office of Information Services coordinating the efforts of six state agencies: Department of Public Safety, Texas Highway Department, Texas Department of Corrections, Texas Youth Council, Board of Pardons and Paroles, and Texas Civil Judicial Council. The director of each agency supported this master plan, which has been designated by Governor Smith as the comprehensive plan for development and implementation of criminal justice information systems in Texas.

Realizing that the goal of the Act is to reduce crime and that criminal justice agencies at the local level must participate in accomplishing this goal, the required objectives listed by priority are:

a. A law enforcement information system developed and maintained by DPS containing complete and accurate law enforcement information and rapidly available to all law enforcement agencies in the state.

b. Adequate law enforcement radio communications systems providing the command and control link between the officer on the beat and his headquarters and assuring that the patrolman is supported to the fullest extent with all support necessary for him to carry out his duties effectively.

c. Continual improvement of the Texas law enforcement landline communications network with

dedicated control switchers to insure that inquiry into and response from data bases are not delayed due to terminal limitations or line speeds. Additionally, the system should handle administrative traffic between law enforcement agencies.

d. Major metropolitan area judicial information systems providing the local courts, prosecutors, probation and parole departments, and law enforcement agencies with offender-oriented information to expedite judicial processes and provide management information on workloads in order to plan adequately for departmental operations.

e. Mandatory uniform reporting legislation to facilitate collecting, synthesizing, and analyzing criminal justice statistics.

f. Effectively designed storage and retrieval systems allowing ready access to images of stored documents reducing the storage space needed to maintain the actual document.

g. Interface with the Texas Department of Corrections inmate tracking system and the Texas Criminal Justice Information System.

h. Adequate information on juvenile offenders.

**TABLE 34**

**Category J: Improvement of Communications and Information 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.<br>Landline communication systems using new technology to expedite message traffic over high speed lines to provide immediate access to computerized data banks | Staff effort to keep abreast of technical advances as they relate to criminal justice utilization   | J3 Law Enforcement Radio Communications<br>J5 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  | J1 Information Systems<br>J4 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 communications switcher  | Systems consultant to design and coordinate the development of regional courts systems. Staff effort to insure state and local efforts are compatible | J1 Information Systems<br>J4 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                    | J5 Landline Communications  |

**3. Multiyear Financial Plan**

**TABLE 35**

**a. Planning Projects**

| Program Description Titles                         | 1973       | 1974       | 1975       | 1976       | 1977       |
|--|------------|------------|------------|------------|------------|
| Support for systems development and implementation | \$ 300,000 | \$ 300,000 | \$ 300,000 | \$ 200,000 | \$ 200,000 |

### b. Action Programs

| Program Description Titles           | 1973        | 1974        | 1975        | 1976        | 1977        |
|--------------------------------------|-------------|-------------|-------------|-------------|-------------|
| Information Systems                  | \$2,865,000 | \$4,000,000 | \$3,000,000 | \$2,000,000 | \$2,000,000 |
| Technological Improvements           | 290,000     | 500,000     | 600,000     | 600,000     | 600,000     |
| Law Enforcement Radio Communications | 3,200,000   | 5,000,000   | 5,000,000   | 2,000,000   | 1,000,000   |
| Document Storage and Retrieval       | 295,000     | 1,000,000   | 1,000,000   | 1,000,000   | 1,000,000   |
| Landline Communications              | 1,285,000   | 3,000,000   | 3,000,000   | 2,000,000   | 1,000,000   |

### c. Discretionary Projects

| Program Description Titles           | 1973        | 1974        | 1975        | 1976        | 1977        |
|--------------------------------------|-------------|-------------|-------------|-------------|-------------|
| Information systems                  | \$1,000,000 | \$1,000,000 | \$1,500,000 | \$1,500,000 | \$1,000,000 |
| Law enforcement radio communications | 2,000,000   | 2,000,000   | 1,000,000   | 1,000,000   | 1,000,000   |
| Document storage and retrieval       | 600,000     | 400,000     | 200,000     | 100,000     | 50,000      |

## 4. Multiyear Forecast of Accomplishments

The five-year goal of the communications and information systems program is to establish a statewide network consisting of communication switching systems to interface local law enforcement agencies with state and national data files. The law enforcement radio communications system will be revamped. Landline communications will be improved to permit real-time access with rapid response to regional and state data files by both mobile and fixed law enforcement stations.

1973

In 1973 specific accomplishment will include:

- Continued implementation of the Texas Criminal Justice Information System.
- Accelerated conversion of criminal history records.
- Computer interface with state criminal histories.
- Implementation of approximately 70 percent of the Texas law enforcement radio communications system.
- Addition of approximately 50 terminals to the law enforcement communications system and conversion of approximately 40 percent of existing terminals to state-of-the-art devices.
- Implementation of additional judicial informa-

tion systems at regional and county levels.

g. Regional landline communications switchers to be installed at regional headquarters in Dallas, Houston, and San Antonio. The CJC preference is to have regional switchers located in Texas DPS facilities.

h. Automation of document storage and retrieval procedures and improvement of criminal identification techniques at DPS.

i. Installation of microfilm systems for units of local government.

j. Establishment of a statewide uniform criminal justice reporting system.

k. Implementation of an inmate tracking system at TDC.

1974

Implementation of the Texas Criminal Justice Information System will continue, and additional regional 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.

1975

Additional improvement will be made to data terminal devices and automatic communications switching systems. Adequate landline communications coverage

is expected to be completed the latter part of the year. Statewide uniform reporting procedures will be implemented in the latter part of 1975. Additional radio equipment will be provided for local law enforcement agencies. Improvement of document storage and retrieval systems will continue.

1976

Development and expansion of criminal justice infor-

mation systems will continue with corresponding improvements in communications equipment and facilities.

1977

Continued support for communications equipment will be provided and automation of criminal justice information will be extended throughout the state.

## **K. ACTION PROGRAMS AND CRIME SPECIFIC GOALS**

### **Goals**

Reduce the incidence of index crime (murder, rape, robbery, aggravated assault, burglary, theft, and auto theft) by 10 percent in five years

### **Strategies**

Upgrade law enforcement personnel through adequate recruit and in-service training for all police officers

Upgrade law enforcement personnel through professional college education

Upgrade law enforcement personnel through improved personnel administration

Upgrade law enforcement personnel through increased availability of professional publications

Prevent crime by educating the public so it can help harden crime targets

Prevent crime by increasing crime reporting capabilities of the general public

Prevent crime by increasing citizen participation

**Objectives**

Offer 400 classroom hours of instruction for each recruit

Offer 35 classroom hours of advanced training for each officer each year

Offer 120 classroom hours of advanced training for each new supervisor

Develop intern and cadet programs in 25 agencies with 450 participants

Develop incentive pay programs in 15 agencies with 1,000 participants

Develop a statewide recruitment guideline program

Establish a state employment clearinghouse in conjunction with a university

Develop proposals and changes to the civil service law through a statewide administrative analysis

Update eight professional publications, reproduce, and distribute a copy to each officer

Develop public education units in 25 police agencies and crime prevention units in 20 police agencies

Develop "crime stop" programs in 10 cities

Develop 25 innovative approaches to crime prevention

**Annual Action Programs**

73-A1 Peace Officer Training

73-A1 Peace Officer Training

73-A1 Peace Officer Training

73-A2 Professional College Education

73-A2 Professional College Education

73-A3 Personnel Administration Systems

73-D1 Management Analysis

73-A4 Law Enforcement Publications

73-B1 Crime Prevention and Public Education Units

73-B2 Public Contact with Police Agencies

73-B3 Special Meritorious Projects

**Goals**

Reduce the incidence of index crime (murder, rape, robbery, aggravated assault, burglary, theft, and auto theft) by 10 percent in five years (continued)

**Strategies**

Prevent crime by research on the causes of crime and effective countermeasures

Improve the detection and apprehension of criminals through better structure of the police component

Improve the detection and apprehension of criminals through better organization and administration of police agencies

Improve the detection and apprehension of criminals through increased operational efficiency

Improve the detection and apprehension of criminals through adequate staffing in police agencies



**Objectives**

Conduct 10 research projects on the causes of crime and effective countermeasures

Reorganize 1,500 local police agencies into not more than 400

Design and implement modern organization in 50 police departments and 20 sheriffs' offices

Achieve a 35 percent clearance rate in urban areas and 50 percent in rural areas in index crimes

Achieve a prosecutor filing rate, indictment rate, and conviction rate of at least 90 percent on all index crimes statewide.

Provide full-time legal advisors in 10 police departments and part-time advisors in 30 others; professional planning aides in 20 city departments; professional personnel administration officers in seven departments

Provide tactical units in 15 cities and five counties; special units for particular crime problems in 40 cities; criminal intelligence units in 20 cities; and evidence technicians available on major cases to all agencies

Conduct studies in 80 agencies to determine personnel needs and to build support for fulfilling those needs

**Annual Action Programs**

73-B4 Research and Development

73-D2 Police Consolidation

73-D1 Management Analysis

73-D1 Management Analysis

73-D2 Police Consolidation

73-D3 Professional Aides for Police

73-D4 Technical Improvements

73-D5 Special Units and Programs

73-D1 Management Analysis

**Goals**

Reduce the incidence of index crime (murder, rape, robbery, aggravated assault, burglary, theft, and auto theft) by 10 percent in five years(continued)

**Strategies**

Improve the detection and apprehension of criminals by providing adequate equipment and improved communications and information systems

Improve the detection and apprehension of criminals through constitutional and statutory changes

Divert juveniles from commission of index crime

Increase by 30 percent the effectiveness of courts in case processing and disposition

## Objectives

Provide four local and 12 state crime laboratories

Provide each agency adequate equipment and support for records and communications systems

Achieve a three to five minute response time in urban areas

Good record and reporting systems at state level and in all agencies

Provide for state salary subsidy for local police

Reform the state *Penal Code* and *Code of Criminal Procedure*

Continue funding of youth service bureaus

Identify and refer for counseling, testing, and treatment juveniles exhibiting antisocial behavior in 50 schools

Provide temporary homes for juveniles in 20 localities as an alternative to incarceration

Provide education and training for 2,000 judges, clerks, and staff members

Provide managerial and administrative support for trial courts

Provide 1,000 courts with pretrial information on the accused

## Annual Action Programs

73-D4 Technical Improvements

73-J1 Information Systems

73-J2 Technological Improvements

73-J3 Law Enforcement Radio Communications

73-J4 Document Storage and Retrieval

73-J5 Landline Communications

73-E5 Law Reform

73-C5 Youth Service Bureaus

73-C6 Delinquency Prevention—Academic and Social Adjustment Program

73-E1 Courts Aides and Assistance

73-C7 Juvenile Interim Homes

73-E1 Courts Aides and Assistance

73-E1 Courts Aides and Assistance

73-E4 Criminal Justice Projects—Law Schools

73-J1 Information Systems

73-J2 Technological Improvements

73-J4 Document Storage and Retrieval

73-E1 Courts Aides and Assistance

73-E4 Criminal Justice Projects—Law Schools

**Goals**

Reduce the incidence of index crime (murder, rape, robbery, aggravated assault, burglary, theft, and auto theft) by 10 percent in five years (continued)

Reduce recidivism of felons by 20 percent

**Strategies**

Increase the effectiveness of prosecutors offices by 20 percent

Provide assistance in the preparation of legislative proposals for constitutional and statutory changes

Divert juvenile delinquents from recidivism

Divert juvenile delinquents and adults from recidivism

Increase by 20 percent the effectiveness of courts in case processing and disposition

## Objectives

Provide education and training for all prosecutors and assistant prosecutors

Provide managerial and administrative support for prosecutors offices

Provide staff assistance to selected organizations

Provide five community service centers to work with 500 juveniles

Provide five day care facilities to work with 250 juveniles

Establish 10 programs offering vocational education as an alternative to institutionalization

Reach seven million Texans with factual information about crime and recidivism

Upgrade the qualifications of 500 probation, parole, and correctional personnel

Provide in-service training and education for all juvenile and adult probation and parole officers; establish, expand, and improve juvenile and adult probation officers to cover the entire state

Provide education and training for 2,000 judges, clerks, and staff members

Provide managerial and administrative support for trial courts

## Annual Action Programs

73-E2 Prosecutors Aides and Assistance

73-E2 Prosecutors Aides and Assistance

73-E4 Criminal Justice Projects—Law Schools

73-J1 Information Systems

73-J4 Document Storage and Retrieval

73-E5 Law Reform

73-C1 Community Service Centers for Youthful Offenders

73-C2 Day Care Programs for Delinquents

73-C3 Vocational Education and Training—Potential Delinquent and Young Offenders

73-B5 Meritorious Projects in Public Education

73-C4 Improvement of Correctional Personnel, Assistance, and Programming

73-F2 Training, Placement, and Specialized Units

73-E1 Courts Aides and Assistance

73-E1 Courts Aides and Assistance

73-E4 Criminal Justice Projects—Law Schools

73-J1 Information Systems

73-J2 Technological Improvements

73-J4 Document Storage and Retrieval

**Goals**

Reduce recidivism of felons by 20 percent (continued)

**Strategies**

Increase the effectiveness of prosecutors offices by 20 percent

Provide assistance in the preparation of legislative proposals for constitutional and statutory changes

Protect the rights of each indigent from charge through appeal

Provide adequate recruit and in-service training for corrections personnel

Provide programs to help offenders reintegrate themselves into society

Provide improved organization and management programs for correctional institutions

Provide for increased capability to supervise paroled offenders

## Objectives

Provide 1,000 courts with pretrial information on the accused

Provide education and training for all prosecutors and assistant prosecutors

Provide managerial and administrative support for prosecutors and assist prosecutors

Provide staff assistance to selected organizations

Create public defender units in five localities

Provide training and education for all public defenders and new defence attorneys

Offer 80 classroom hours of instruction for each recruit and 20 classroom hours of advanced training for each corrections officer each year

Create 50 work release, halfway house, crisis intervention, and vocational programs

Upgrade recordkeeping, personnel administration, and budgeting in 25 institutions

Establish or expand 25 field parole offices

## Annual Action Programs

73-E1 Courts Aides and Assistance

73-E4 Criminal Justice Projects—Law Schools

73-E2 Prosecutors Aides and Assistance

73-E2 Prosecutors Aides and Assistance

73-E4 Criminal Justice Projects—Law Schools

73-J1 Information Systems

73-J2 Technological Improvements

73-J4 Document Storage and Retrieval

73-E5 Law Reform

73-E3 Defense Aides and Assistance

73-E3 Defense Aides and Assistance

73-F1 Correctional Personnel Training and Education

73-F3 Rehabilitation—Reintegration Programs

73-F4 Improvement of Corrections Programs and Practices

73-F5 Improvement of Parole

**Goals**

Reduce recidivism of felons by 20 percent (continued)

Reduce the incidence of drug abuse crimes by 20 percent

**Strategies**

Provide adequate facilities to permit and encourage training, rehabilitation, and reintegration programs

Confront apathetic attitudes through creative public information strategies

Increase by 20 percent the effectiveness of courts in case processing and disposition

Increase the effectiveness of prosecutors offices by 20 percent

Provide assistance in the preparation of legislative proposals for constitutional and statutory changes



**Objectives**

Construct or renovate 50 local correctional facilities

Contract three regional correctional facilities

Complete construction of center for continuing education

Reach seven million Texans with factual information about drug abuse

Provide education and training for 2,000 judges, clerks, and staff members

Provide managerial and administrative support for trial courts

Provide 1,000 courts with pretrial information on the accused

Provide education and training for all prosecutors and assistant prosecutors

Provide managerial and administrative support for prosecutors offices

Provide staff assistance to selected organizations

**Annual Action Programs**

73-F6 Planning and Construction of New or Improved Correctional Facilities

73-F7 Planning and Construction of Regional Correctional Facilities

73-F8 Construction of State Facilities

73-E5 Meritorious Projects in Public Education

73-E1 Courts Aides and Assistance

73-E1 Courts Aides and Assistance

73-E4 Criminal Justice Projects—Law Schools

73-J1 Information Systems

73-J2 Technological Improvements

73-J4 Document Storage and Retrieval

73-E1 Courts Aides and Assistance

73-E4 Criminal Justice Projects—Law Schools

73-E2 Prosecutors Aides and Assistance

73-E2 Prosecutors Aides and Assistance

73-E4 Criminal Justice Projects—Law Schools

73-J1 Information Systems

73-J2 Technological Improvements

73-J4 Document Storage and Retrieval

73-E5 Law Reform

**Goals**

Reduce the incidence of organized crime during the next five years

**Strategies**

Precisely define and describe the extent of organized crime in the state

Provide adequate organized-crime control units for local and state agencies

Provide needed statutory authority for organized-crime control

Improve organized-crime control by providing adequate equipment and expanding organized-crime control training

Improve organized-crime control by educating the public

Improve organized-crime intelligence collection, analysis, and dissemination capability

Increase by 20 percent the effectiveness of courts in case processing and disposition

## Objectives

Maintain adequate staff support for the Organized-Crime Prevention Council

Create local organized-crime control units in 15 areas

Establish interstate intelligence collection capability at state level

Create organized crime control unit at the state level

Create statewide organized-crime investigative body, statewide organized crime prosecution authority, and provide necessary supportive capabilities

Adequately equip 30 agencies with organized-crime control responsibilities

Train 2,000 judges, police officers, prosecutors, and planners in organized-crime control

Develop television films, newspaper feature stories, and radio announcement for public education

Create one statewide organized-crime intelligence system

Provide education and training for 2,000 judges, clerks, and staff members

Provide managerial and administrative support for trial courts

## Annual Action Programs

73-G1 Organized-Crime Prevention Council

73-G2 Organized-Crime Control Units for Law Enforcement Agencies

73-G5 Organized-Crime Intelligence Collection

73-G5 Organized-Crime Intelligence Collection

73-G7 Statewide Corruption Control Unit

73-E5 Law Reform

73-G7 Statewide Corruption Control Unit

73-G3 Technical Equipment for Organized-Crime Control

73-G4 Training for Organized-Crime Control

73-G6 Public Education on Organized Crime

73-G5 Organized-Crime Intelligence Collection

73-E1 Courts Aides and Assistance

73-E1 Courts Aides and Assistance

73-E4 Criminal Justice Projects—Law Schools

73-J1 Information Systems

73-J2 Technological Improvements

73-J4 Document Storage and Retrieval

**Goals**

Reduce the incidence of organized crime during the next five years (continued)

**Strategies**

Increase the effectiveness of prosecutors offices by 20 percent

Promote domestic tranquility in all communities to the end that no major civil disturbance occurs

Provide assistance in the preparation of legislative proposals for constitutional and statutory changes

Increase the ability of police to prevent and control civil disorders by planning, training, and equipping police agencies

Increase the ability of police to prevent and control civil disorder by strengthening police-community relations

Increase the ability of police to prevent and control civil disorder by increasing the employment of minority persons

## Objectives

Provide 1,000 courts with pretrial information on the accused

Provide education and training for all prosecutors and assistant prosecutors

Provide managerial and administrative support for prosecutors offices

Provide staff assistance to selected organizations

Develop and periodically update riot control plans for 24 state planning regions and each local jurisdiction with 15 or more officers

Train 10,000 officers in riot control techniques

Equip officers in 100 police agencies with standard riot control equipment

Provide full coordination between local agencies in the state, including 14 regional administrative seminars

Develop effective police-community relations units in 20 cities

Encourage police participation in interdisciplinary community planning

Develop minority employment programs in 20 agencies and recruit 1,000 minority officers

## Annual Action Programs

73-E1 Courts Aides and Assistance

73-E4 Criminal Justice Projects—Law Schools

73-E2 Prosecutors Aides and Assistance

73-E2 Prosecutors Aides and Assistance

73-E4 Criminal Justice Projects—Law Schools

73-J1 Information Systems

73-J2 Technological Improvements

73-J4 Document Storage and Retrieval

73-E5 Law Reform

73-H1 Planning, Training, and Equipment

73-H1 Planning, Training, and Equipment

73-H1 Planning, Training, and Equipment

73-H1 Planning, Training, and Equipment

73-I1 Police-Community Relations Units

73-I1 Police-Community Relations Units

73-I2 Minority-Group Police Officer Recruitment

**Goals**

Promote domestic tranquillity in all communities to the end that no major civil disturbance occurs (continued)

**Strategies**

Increase the ability of police to prevent and control civil disorder by increasing the police-citizen contract in non-law enforcement situations

Increase the ability of police to prevent and control civil disorder by expeditious handling of citizen complaints

Increase by 20 percent the effectiveness of courts in case processing and disposition by 20 percent

Increase the effectiveness of prosecutors offices by 20 percent

Provide assistance in the preparation of legislative proposals for constitutional and statutory changes

**Objectives**

Encourage police participation in off-duty civic and recreation programs in 20 cities

Increase and improve the ability to establish fair and objective procedures for handling citizen complaints in 75 police agencies

Provide education and training for 2,000 judges, clerks and staff members

Provide managerial and administrative support for trial courts

Provide 1,000 courts with pretrial information on the accused

Provide education and training for all prosecutors and assistant prosecutors

Provide managerial and administrative support for prosecutors offices

Provide staff assistance to selected organizations

**Annual Action Programs**

73-I3 Off-Duty Police in Civic and Recreation Programs

73-I4 Citizen Complaint Processing

73-E1 Courts Aides and Assistance

73-E1 Courts Aides and Assistance

73-E4 Criminal Justice Projects—Law Schools

73-J1 Information Systems

73-J2 Technological Improvements

73-J4 Document Storage and Retrieval

73-E1 Courts Aides and Assistance

73-E4 Criminal Justice Projects—Law Schools

73-E2 Prosecutors Aides and Assistance

73-E2 Prosecutors Aides and Assistance

73-E4 Criminal Justice Projects—Law Schools

73-J1 Information Systems

73-J2 Technological Improvements

73-J4 Document Storage and Retrieval

73-E5 Law Reform



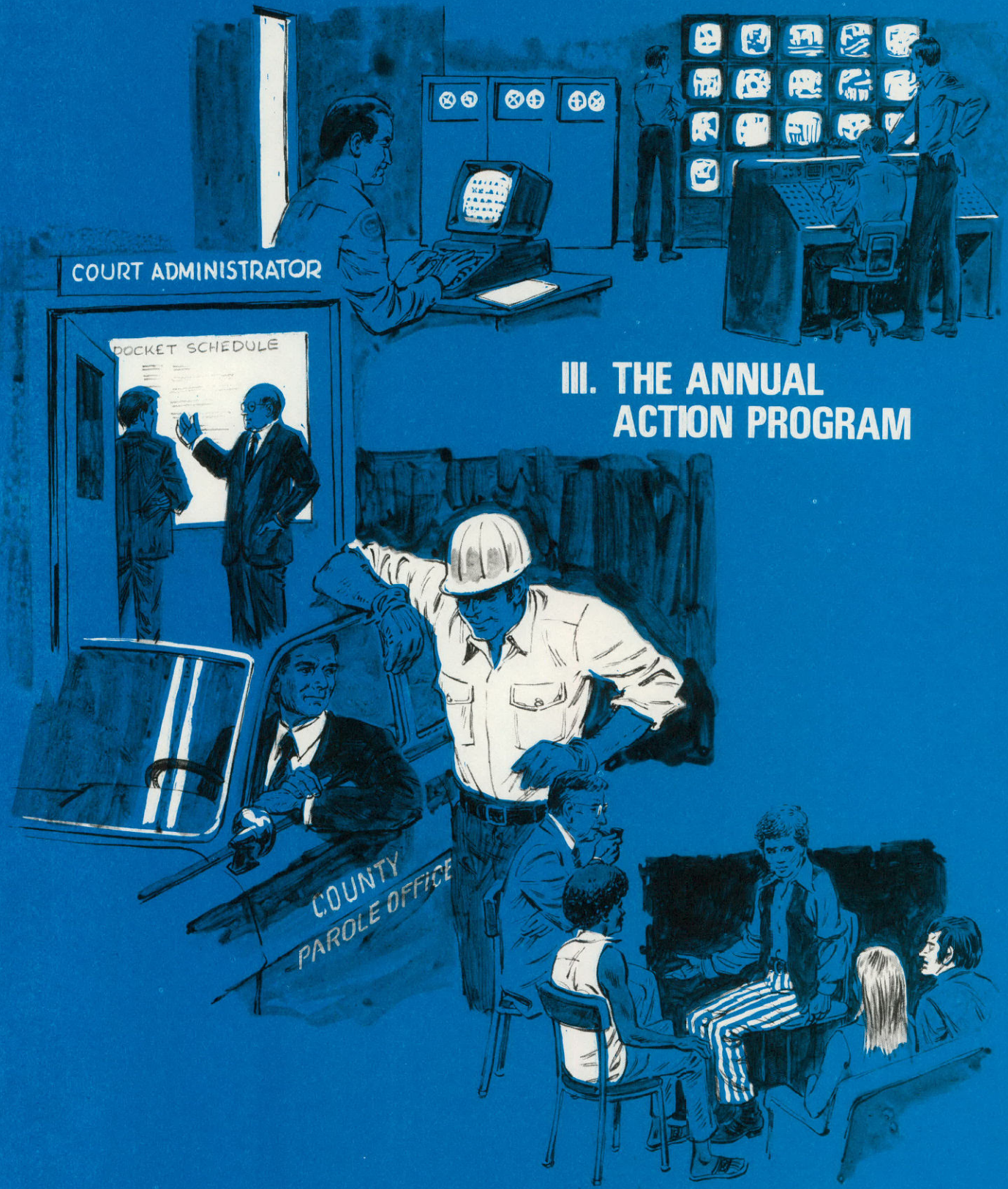


COURT ADMINISTRATOR

### III. THE ANNUAL ACTION PROGRAM

DOCKET SCHEDULE

COUNTY  
PAROLE OFFICE





### III. The Annual Action Program

#### A. UPGRADING LAW ENFORCEMENT PERSONNEL

For grant eligibility purposes, the following definition of police agency, taken from the *Law Enforcement Education Program Manual: 1969*, will be adhered to strictly:

A local or state public agency, having as its *primary function* the enforcement of criminal laws in general, as distinguished from an agency possessing peace officer powers, the *primary function* of which is the implementation of specialized subject matter areas. Excluded are agencies, the *primary function* of which is the enforcement of civil, regulatory, or administrative law. . . Such excluded agencies are ineligible to receive grant funds even though arrest powers may be associated with them, and the power of whose position inure from special police or deputy commissions issued by a unit of local, state or federal government. Some examples of excluded organizations are campus police, game wardens, port authority, or waterfront police where such units are not an organizational part of the local police department, food and drug inspectors whose primary duties are regulatory and compliance enforcement, fire marshals and arson investigators who are not employed by an organizational component of a local police department.

#### 73-A1. PEACE OFFICER TRAINING

Objective is to reduce the incidence of index crimes, drug abuse crimes, organized crime, and recidivism, and to prevent and control riots and civil disturbances by increasing the competency and skill of law enforcement officers.

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 to train recruits entering police service in 1973; provide management and supervisory training for command personnel; and give 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 the officers now working without certification or to those who have only the 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. This type training will allow the officer to become skillful in discharging his duties.

In-service training can be conducted by individual departments and regions utilizing the services of the colleges and universities that have law enforcement degree programs, and in-service schools presented by the federal and state law enforcement agencies.

*Implementation* of recruit training will be through the 24 regional academies and the 21 operated in the larger police departments, sheriffs' offices, and DPS. Recruits in agencies with academies 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 recruit officers from small departments will receive their basic training in 140 or 240-hour regional academy courses. 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 when time and space permit them to attend the regular officers' classes.

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 projects.

Other training projects include giving 20 two-week courses for about 400 first-line supervisors. Two one-week courses will be held for approximately 150 middle management persons. Six one-week laboratory-type workshops will be held for approximately 120 administrators. Special college-based 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.

The police departments, through their regional councils, may apply for funds covering subsistence, tuition, fees, and materials for first echelon police supervisors to the School of Police Supervisors, Southwestern Law Enforcement Institute.

Ten scholarships of \$1,800 each will be granted for tuition, fees, materials, and subsistence for police management personnel to attend the 14-week course in police administration, Southern Police Institute, University of Louisville (Kentucky).

In addition, 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 18 to 20 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, the Texas Police Association, DPS, and regional councils, to operate regional police academies and special programs in their regions. A grant to the commission will fund a consultant to administer and coordinate all special projects of the commission for equipment, material, and programs used on a statewide basis. Cities and counties also may obtain grants for police and sheriffs' departments that have a certified academy. 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 to improve both training and education programs and promote professionalism. This improvement is designed to enhance the individual officer's effectiveness in reducing the incidence of the five major crimes, in accord with the overall objectives and goals of the criminal justice system.

*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 able to justify the position by the volume of training to be conducted. High priority for a full-time director will go to regions presenting a feasible plan to consolidate with adjoining regions. Priority for a part-time director will be given COGs affiliating with an ongoing college program or with already established municipal academies.

*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 information on such factors as: the number of recruits, management personnel, and technical personnel participating in

training projects, 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 to regional councils, units of local government, and state agencies. Twenty to 25 recipients are anticipated. The grants are expected to range from \$10,000 to \$125,000.

### 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 absolutely necessary for implementation of the training objective of the particular unit. A limited number of books and films will be purchased, but only when they are not available from some other agency library on loan or rental basis.

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 that can demonstrate a need for the equipment and a plan for continual utilization.

#### *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 (\$25 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 45 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 45 instructional hours.

8. All regional training projects shall be open to all local law enforcement officers on an equal basis. Special law enforcement officers may attend existing training projects on the same basis as local officers provided there is time and space available for the special officer in the class.

9. All regional training directors, curricula, instructors, materials, and facilities must be approved by the Commission on Law Enforcement Officer Standards and Education.

10. Unless a city or county has a certified police academy, its training needs must be incorporated in the regional police training grant or provided for in a waiver project in a grant to a state or nonprofit organization.

#### *Combined Program Budget:*

|  |             |
|--|-------------|
| CJC (Part C, federal) . . . . .            | \$1,189,000 |
| CJC (state CJPF matching) . . . . .        | \$ 158,533  |
| Minimum grantee matching (state) . . . . . | \$ 70,200   |
| Minimum grantee matching (local) . . . . . | \$ 167,600  |
| Total . . . . .                            | \$1,585,333 |

Ratio: Maximum 75% CJC (Part C, federal), maximum 10% CJC (state CJPF matching), and minimum 15% grantee matching.

**TABLE 36**  
**Summary of Police Training in 1973**

| Number of Officers | Type of School   | Number of Weeks | Number of Schools |
|--------------------|--|-----------------|-------------------|
| 400                | First line supervisor  | 2               | 20                |
| 150                | Middle management  | 1               | 2                 |
| 40                 | Laboratory workshops for administrators                          | 1               | 2                 |
| 10                 | Southwestern Police Academy course (SMU)                         | 12              |                   |
| 10                 | Southern Police Institute<br>Louisville, Kentucky                | 14              |                   |
| 200-275            | Advanced and technical courses (some in-service)                 | 1-2             | 8                 |
| 200-275            | Department of Public Safety management and supervisory workshops | 1-2             | 9                 |
| 300-400            | Various police subjects  | 1-2             | 30                |
| 1,000-1,500        | Basic training—agency and regional academies                     | 4-16            | 24-36             |
| 300-400            | Unscheduled in-service refresher                                 | 1-2             | 25-30             |

**73-A2. PROFESSIONAL COLLEGE EDUCATION**

For convenience, this program is divided into two parts: (1) general education and (2) education incentives.

**1. General Education**

*Objective* is to increase the number of police officers in service who hold academic degrees in police science or similar field of study as a means of increasing the competence of the law enforcement profession. The objectives are to enroll 800 qualified graduating high school seniors, including police cadets, and 4,000 active police officers in degree programs of junior and senior colleges and universities, and to improve basic law enforcement curricula through empirical and applied research.

*Implementation* will be aided by the two consultants of the Commission on Law Enforcement Officer Standards and Education who are assigned to work full time in designated regions to assist the college coordinators in securing instructional materials, instructors, and other technical assistance. They also

work with eligible high schools to get them to teach police administration, a state-authorized subject. Additionally, the consultants encourage junior and senior colleges and universities to improve and upgrade degree programs in the criminal justice field. They 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 continue its participation in the development of special programs.

Cities implementing cadet projects will recruit persons majoring in law enforcement between 17½ 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 (no more than 12 semester hours). 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. Cadet salary will be \$2.00 an hour for 20 hours a week.

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.

Internships may be supported provided they supplement and continue similar characteristics of the Section 406 (f) internship program. This type of internship is intended to recruit third- or fourth-year undergraduate students to pursue a career in the criminal justice system through a work-study experience. Priority is for LEEP loan recipients, but other upper division students may be considered if they are convincing about their serious intention and are law enforcement majors. The payment from federal sources is considered to be both a salary supplement and an incentive. Interns will be paid \$300 a month for a three-month period during the summer.

Cities implementing projects will recruit third- and fourth-year students majoring in law enforcement or criminal justice from one of the colleges or universities in the state to be employed full time during the summer months.

*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. Ten to 20 grants will be made to cities for cadet projects.

#### *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.

The intern must be registered for an "intern course" in his or her senior college or university while he or she is drawing funds from this program. The

student intern shall receive from three to nine college semester hours credit for the intern course from his college; e.g., Internship 101, three hours credit and then Internship 102 the second summer semester for three additional hours, a total of six college semester hours. In case each course gives the student four hours credit, then he would earn eight hours total credit. The internship course shall consist of only two or three hours of classroom time—the student shall be employed full time in the police department during the summer.

The cadets and interns may be chosen by a selection board composed of the chief of police or his personnel officer and the director of the law enforcement or criminal justice department or his assistant. Some form of an application may be used in the selection process. The applicant should meet the law enforcement standards set out by the Texas Commission on Law Enforcement Officer Standards and Education except for age.

The cadets and interns must maintain a professional bearing, dress, and attitude at all times. Any conduct unbecoming a professional officer will be cause for dismissal from the project by the chief of police or his agent.

Educational scholarships and fellowships are available under this plan. The following conditions apply:

1. There is insufficient money under the LEEP program to carry forth the needed programs of academic educational assistance. This lack must be verified by the LEAA regional office at Dallas.

2. Such educational assistance will be available only to in-service law enforcement personnel who execute commitments to remain with their employing agency for at least two years following completion of funded studies.

3. These funds will be made available on the terms and conditions set out in Section 406 (b) and (c), excluding the repayment provisions unless compelling reasons to the contrary are clearly indicated.

Fellowships or scholarships may be funded only for in-service students who are on academic leave for full-time study using LEEP monies for educational costs, if available at the institution, and salary support by employing agency. Preservice students are not eligible for fellowships or scholarships. The employing agency will furnish at least 50 percent of the in-service students salary while on academic leave.

Five to 10 grants will be made to in-service officers under this program. One pilot project grant to a university for 15 scholarships for junior and senior stu-

dents in a model police administration course will be made. The 50 percent salary requirement will be waived on this pilot project.

## 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. This will in turn raise the professional level of performance so as to reduce the incidence of major crimes.

The long-term goal is for every police officer with general police responsibility to hold a baccalaureate degree in a law enforcement program. During 1973, 800 to 1,100 officers will receive incentive pay for completing law enforcement-related college work.

*Implementation* will be through cities or counties applying for grants to pay 50 percent of increased salary payments for men who have completed one year of college work (30 semester hours) 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.

*Grants* will include one to the Commission on Law Enforcement Officer Standards and Education for salaries, travel, and operational expenses for two consultants. Ten to 20 grants will be made to cities for cadet programs.

### *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 (30 semester hours). If a departmentwide effort is made to upgrade the educational qualifications, the two to five year restrictions may be waived. Rate of incentive will be \$2.00 per three semester hours credit for 30 semester hours and above; e.g., 30 semester hours=\$20.00, 33 semesters hours=\$22.00, 36 semes-

ter hours=\$24.00, 39 semester hours=\$26.00, 42 semester hours=\$28.00, 45 semester hours=\$30.00, 60 semester hours=\$40.00, 75 semester hours=\$50.00, 90 semester hours=\$60.00, 105 semester hours=\$70.00, B.S. degree=\$80.00.

### *Combined Program Budget:*

|  |           |
|--|-----------|
| CJC (Part C, federal) .....            | \$210,000 |
| CJC (state CJPF matching) .....        | \$ 28,000 |
| Minimum grantee matching (state) ..... | \$ 18,000 |
| Minimum grantee matching (local) ..... | \$ 24,000 |
| Total .....                            | \$280,000 |

Ratio: Maximum 75% CJC (Part C, federal), maximum 10% CJC (state CJPF matching), and minimum 15% grantee matching.

## 73-A3. PERSONNEL ADMINISTRATION SYSTEMS

Purpose is to improve the capability of 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 to reduce the incidence of major crimes.

### 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 ability to secure a sufficient number of quality police recruits to keep their departmental strength at authorized levels so the police departments may assist in carrying out the criminal justice system's goals.

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 Officer Standards and Education to subcontract for statewide studies to improve the system and to units of governments that 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 affecting both recruitment and advancement; and 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 in each agency funded.

*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 as a means of reducing the incidence of major crimes.

*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 developing the procedure. Technical assistance may be acquired from large industries with major personnel departments or experts from universities. It is anticipated that during 1973 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 affecting 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 grants to an approved consultant, and to cities and counties for their police and sheriffs' departments. It is anticipated that one statewide grant and not more than four local agencies will be funded during 1973. 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 as a means of raising the level of performance of the officer and his department.

*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 concurrent with this study or following it will be in-depth studies of compensation and benefits, personnel qualifications, and other problem areas in personnel policies and procedures not covered fully 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. Because of the administrative structures of the state, it should be an independent study, to begin in 1973 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 affecting both recruitment and advancement; and 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 of Law Enforcement Officer Standards and Education to grant to consultants or companies of demonstrated expertise in the respective fields.

*Special Restrictions:*

Contained in contractual arrangements.

*Combined Program Budget:*

|  |           |
|--|-----------|
| CJC (Part C, federal) . . . . .            | \$212,000 |
| CJC (state CJPF matching) . . . . .        | \$ 28,267 |
| Minimum grantee matching (state) . . . . . | \$ 13,000 |
| Minimum grantee matching (local) . . . . . | \$ 29,400 |
| Total . . . . .                            | \$282,667 |

Ratio: Maximum 75% CJC (Part C, federal), maximum 10% CJC (state CJPF matching), and minimum 15% grantee matching.

**73-A4. LAW ENFORCEMENT PUBLICATIONS**

*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 to bring the competency level to that of a true professional system and enable reduction of major crimes.

*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 revision and which 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 the *Texas Peace Officers Guide*, *State of Texas Penal Code Handbook*, *State of Texas Narcotic and Dangerous Drug Law Handbook*, *Attorney General's Crime Prevention Newsletter*, and other legal periodicals and procedural and penal law handbooks. The Texas Commission on Law Enforcement Officer Standards and Education will provide a policy study manual for police discretion and will provide legal points to local law enforcement officers.

*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 two or three applicants for the handbook projects. 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:*

|  |           |
|--|-----------|
| CJC (Part C, federal) . . . . .            | \$ 89,000 |
| CJC (state CJPF matching) . . . . .        | \$ 11,867 |
| Minimum grantee matching (state) . . . . . | \$ 17,800 |
| Total . . . . .                            | \$118,667 |

Ratio: Maximum 75% CJC (Part C, federal), maximum 10% CJC (state CJPF matching), and minimum 15% grantee matching.

## B. PREVENTION OF CRIME

### 73-B1. CRIME PREVENTION AND PUBLIC EDUCATION UNITS

#### 1. Public Education Units

*Objective* is to establish public education units in criminal justice agencies throughout the state. The primary goals will be to prevent persons from attempting or completing index crimes by increasing the individual citizen's knowledge of methods to protect themselves from personal and property crimes, methods of helping the police detect criminal activity, and the need for support of and participation in the criminal justice system. The first year's objective is to expand or improve from two to five public education units in metropolitan areas.

*Implementation* will be by units of local government and combinations thereof to which grants will be made available for developing or improving special public education units in criminal justice agencies.

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 two to five 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 related items can be provided under this program.

#### 2. Crime Prevention Units

*Objective* is to establish formal crime prevention units in local police departments in all cities of 100,000 population or more and selected metropolitan cities of 50,000 to 100,000 population. These

units must be based on the structure developed by the National Crime Prevention Institute and would direct their attention specifically to burglary and robbery. This project also would provide for funding of "Operation Identification" projects, in which personal property that might be subject to theft is marked with the owner's driver license number.

*Implementation* will be through units of local government for development of formal crime prevention units.

*Evaluation* will be based on documentation of the number of units established, property recovered through marking, and the reduction of the rate of burglary and robbery.

*Grants* will be made to local units of government, with cities over 100,000 receiving preference. A city of 50,000 in a major metropolitan area also would receive preference. Two to five grants ranging from \$20,000 to \$50,000 will be made.

Salaries, travel, subsistence, equipment, and other operating expenses can be provided under this program.

#### *Budget:*

|  |           |
|--|-----------|
| CJC (Part C, federal) . . . . .            | \$110,000 |
| CJC (state CJPF matching) . . . . .        | \$ 14,667 |
| Minimum grantee matching (local) . . . . . | \$ 22,000 |
| Total . . . . .                            | \$146,667 |

### 73-B2. PUBLIC CONTACT WITH POLICE AGENCIES

*Objective* is to make the commission of index crimes more difficult and increase the possibility of apprehension if committed. 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 projects 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 projects 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 projects 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 project to insure that police aid can be summoned readily 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 10 units of local government during this year, ranging from \$1,500 to \$15,000. Recipients will be distributed throughout Texas with the first effort to be in metropolitan areas.

*Budget:*

|  |          |
|--|----------|
| CJC (Part C, federal) .....            | \$10,000 |
| CJC (state CJPF matching) .....        | \$ 1,333 |
| Minimum grantee matching (local) ..... | \$ 2,000 |
| Total .....                            | \$13,333 |

Ratio: Maximum 75% CJC (Part C, federal), maximum 10% CJC (state CJPF matching), and minimum 15% grantee matching.

**73-B3. SPECIAL MERITORIOUS PROJECTS**

*Objective* is to reduce the incidence of index crimes by acquainting 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 may be included, but only as an integral part of an enforcement project.

Approximately 10 projects will be funded by this program during 1973.

*Implementation* will be accomplished through

grants for meritorious public education projects and innovative action 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 and tapes 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 projects that are judged to be meritorious by the CJC.

*Evaluation* will be based on documentation of the number of crime prevention and public education projects implemented and the number of citizens reached by them. 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 citizens, development of new materials and techniques for public education about crime prevention and control, and 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 or combinations thereof.

It is anticipated that several grants will be made, ranging from \$1,500 for crime prevention education projects to \$15,000 for statewide projects.

*Budget:*

|  |          |
|--|----------|
| CJC (Part C, federal) .....            | \$50,000 |
| CJC (state CJPF matching) .....        | \$ 6,667 |
| Minimum grantee matching (local) ..... | \$10,000 |
| Total .....                            | \$66,667 |

Ratio: Maximum 75% CJC (Part C, federal), maximum 10% CJC (state CJPF matching), and minimum 15% grantee matching.

**73-B4. RESEARCH AND DEVELOPMENT**

*Objective* is to seek, develop, test, and evaluate

new and improved responses to index and drug abuse crimes. The conditions relating to crime offer an opportunity for improvement in virtually every phase and discipline. It is generally recognized that additional resources will not appreciably satisfy long-range problems. Application of science and technology probably is the most critical criminal justice need. Traditional methods have become increasingly obsolete as conditions constantly change, and response to change must be evaluated and improved continually.

*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; and (3) determine what effects specific behavior or conditions have on the prevention of crime or the detection and apprehension of the offender.

State and local criminal justice agencies 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 of such work 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 recognized that criminal justice agencies are in the best position to evaluate their research needs, and this program is provided as encouragement and incentive for such efforts.

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:*

|  |           |
|--|-----------|
| CJC (Part C, federal) . . . . .            | \$144,000 |
| CJC (state CJPF matching) . . . . .        | \$ 19,200 |
| Minimum grantee matching (state) . . . . . | \$ 23,800 |
| Minimum grantee matching (local) . . . . . | \$ 5,000  |
| Total for program . . . . .                | \$192,000 |

Ratio: Maximum 75% CJC (Part C, federal), maximum 10% CJC (state CJPF matching), and minimum 15% grantee matching.

**73-B5. MERITORIOUS PROJECTS IN PUBLIC EDUCATION**

*Objective* is to reduce indirectly the incidence of index crimes, drug abuse crimes, and recidivism through creative public relations strategies that attempt to dramatically confront negative and apathetic societal attitudes toward the juvenile-criminal justice system; acquaint the public with the realities of the correctional system; solicit public support and participation in delinquency and crime prevention; and enlighten the citizenry with factual information concerning drug abuse. Approximately 10 projects will be partially funded by this program during the first year, and they should reach five to seven million Texans.

*Implementation* will be through grants for projects capable of supporting community efforts to coordinate local drug abuse programs and to units of government that can create and disseminate experimental multimedia approaches for public awareness of the juvenile-criminal justice system (example: a film depicting a juvenile receiving community prevention services, as opposed to being institutionalized).

Under the first alternative, primary emphasis will be given to encouraging the organization and support

of a coordinating council or drug central. A drug central has two basic functions: to insure that adequate programs and services are available or are being developed without duplication and to organize and coordinate existing communitywide efforts. Effective coordination can lead to development of services to assist persons in need, mobilize the community to begin dealing with problems underlying drug abuse, conserve and enhance the necessarily limited resources available to a community, and prevent duplication.

Other types of projects to support local efforts also can be funded:

1. Procuring and disseminating films for use in public information and education campaigns about the problems of drug abuse.

2. Other meritorious public information projects on drug abuse that can be used by the communities.

3. Limited grants to community-organized prevention projects that do not fit the definition of a drug central, but which are involved in working with young people and are the direct result of local response to the drug problem. Such programs should represent the community's attempt to deal with the drug problem without waiting for outside interference or prodding.

*Evaluation* shall be both 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 projects' 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 deter-

mined with assistance from 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 selection will be made available by the CJC staff.

*Grants* will be available to drug centrals, through contracts with units of local government, which meet certain requirements specified by the State Program on Drug Abuse; to appropriate state agencies; and to units of local government.

It is anticipated that several grants will be made under this category, ranging from \$5,000 for a local project to \$20,000 for a statewide project.

*Special Conditions:* All drug abuse related proposals must be forwarded in "preliminary form" to the State Program on Drug Abuse, 806 Littlefield Building, Austin, for review and comment before an official application will be processed by CJC. CJC reserves the right to review and approve final media products in delinquency and crime prevention and education projects.

*Budget:*

|  |           |
|--|-----------|
| CJC (Part C, federal) .....            | \$185,000 |
| CJC (state CJPF matching) .....        | \$ 24,667 |
| Minimum grantee matching (state) ..... | \$ 5,000  |
| Minimum grantee matching (local) ..... | \$ 32,000 |
| Total .....                            | \$246,667 |

Ratio: Maximum 75% CJC (Part C, federal), maximum 10% CJC (state CJPF matching), and minimum 15% grantee matching.

## C. PREVENTION AND CONTROL OF JUVENILE DELINQUENCY

### 73-C1. COMMUNITY SERVICE CENTERS FOR YOUTHFUL OFFENDERS

*Objectives* are to establish or continue funding four or five community service centers to direct approximately 200 juvenile offenders and young people inclined toward crime or delinquency away from courts and institutional systems; to reduce crime and delinquency through prevention of initial acts; to muster resources for community-based rehabilitation services for responsive offenders before and after conviction; and to provide community service centers for the guidance and supervision of potential repeat offenders.

*Implementation* will be, if possible, through existing agencies with potential for multistate, state, regional, and local involvement. Some projects may include nonresidential 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 multistate 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.

*Evaluation* shall be both 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 with the assistance of 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.

Detailed and concise quantitative and qualitative evaluation criteria for external evaluation purposes will be made an integral part of the original or continuation application. By the end of the project's first quarter, the mechanics for contracting and carrying out the external evaluation must be submitted for CJC review and approval.

#### *Special Requirements:*

1. A rough draft of all applications will be submitted for CJC staff review and comments (anticipate a minimum of 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. Written working agreements between related CJC-funded delinquency prevention and control projects in the same area must be attached and made a part of the original or continuation application.

4. All noncorrectional original or continuation applicants must include as a part of the application, written working agreements with the local law enforcement agencies (e.g., city police and county juvenile probation department).

5. Funding for purchase of equipment for noncorrectional agencies will not be considered.

*Grants* will be made to units of local government or regional councils. Units of government that can enter into subcontracts with existing private agencies will be given consideration. Interstate projects also will be eligible. It is anticipated that grantees and their subcontractual agencies will meet special requirements.

#### *Budget:*

|  |           |
|--|-----------|
| CJC (part C, federal) . . . . .            | \$300,000 |
| CJC (state CJPF matching) . . . . .        | \$ 40,000 |
| Minimum grantee matching (local) . . . . . | \$ 60,000 |
| Total . . . . .                            | \$400,000 |

Ratio: Maximum 75% CJC (Part C, federal), maximum 10% CJC (state CJPF matching), and minimum 15% grantee matching.

### 73-C2. DAY CARE PROGRAM FOR JUVENILE DELINQUENTS

*Objective* is to establish or continue funding approximately three community-based projects to 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 40 to 60 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 project 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 be both 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 with assistance from 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.

Detailed and concise quantitative and qualitative evaluation criteria for external evaluation will be made an integral part of the original or continuation application. By the end of the project's first quarter, the mechanics for contracting and carrying out the external evaluation must be submitted for CJC review and approval.

#### *Special Requirements:*

1. A rough draft of all applications will be submitted for CJC staff review and comment (anticipate a minimum of 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. All noncorrectional original or continuation applicants must include as a part of the application written working agreements with the local law enforcement agencies (e.g., city police and county juvenile probation department).

4. Written working agreements between related CJC funded delinquency prevention and control projects within the same locale must be attached and made a part of the original or continuation application.

5. Funding for purchase of equipment for noncorrectional agencies will not be considered.

*Grants* will be made to units of local government or combinations thereof.

#### *Budget:*

|  |           |
|--|-----------|
| CJC (Part C, federal) . . . . .            | \$150,000 |
| CJC (state CJPF matching) . . . . .        | \$ 20,000 |
| Minimum grantee matching (local) . . . . . | \$ 30,000 |
| Total . . . . .                            | \$200,000 |

Ratio: Maximum 75% CJC (Part C, federal), maximum 10% CJC (state CJPF matching), and minimum 15% grantee matching.

### **73-C3. VOCATIONAL EDUCATION AND TRAINING—POTENTIAL DELINQUENTS AND YOUNG OFFENDERS**

*Objective* is to provide assistance for establishment and continuation 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, vocational evaluation and adjustment, personal social adjustment, and continuing supervision to support development of skills for continued employment. It is directed primarily to persons the school systems identify as nonachievers.

*Implementation* will be through the Texas Rehabilitation Commission working directly with juvenile and adult probation officers, youth service bureaus, interim homes, schools, and similar agencies and institutions. Projects may provide for rehabilita-



tion 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 service bureaus, interim homes, or similar institutions and agencies. Community school-room projects may provide instruction in various vocational skills for groups of potential delinquents, delinquents, or young adult offenders. Local building and trades organizations, employers, school personnel, and personnel of state and federal agencies will be integrated into each 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 continued in standard metropolitan statistical areas during 1973.

*Evaluation* shall be both 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 with assistance from 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.

Detailed and concise quantitative and qualitative evaluation criteria for external evaluation will be made an integral part of the original or continuation application. By the end of the project's first quarter, the mechanics for contracting and carrying out the external evaluation must be submitted for CJC review and approval.

*Special Requirements:*

1. A rough draft of all applications will be submitted for CJC staff review and comment (anticipate a minimum of 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. All noncorrectional original or continuation applicants must include as a part of the application, written working agreements with the local law enforcement agencies (e.g., city police and county juvenile probation department).

4. Written working agreements between related CJC-funded delinquency prevention and control projects within the same locale must be attached and made a part of the original or continuation application.

5. Funding for purchase of equipment for noncorrectional 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:*

|  |           |
|--|-----------|
| CJC (Part C, federal) . . . . .            | \$320,000 |
| CJC (state CJPF matching) . . . . .        | \$ 42,667 |
| Minimum grantee matching (state) . . . . . | \$ 64,000 |
| Total . . . . .                            | \$426,667 |

Ratio: Maximum 75% CJC (Part C, federal), maximum 10% CJC (state CJPF matching), and minimum 15% grantee matching.

**73-C4. IMPROVEMENT OF CORRECTIONAL PERSONNEL, ASSISTANCE, AND PROGRAMMING**

*Objective* is to provide: (a) assistance to more than 500 adult and juvenile probation, parole, and correctional personnel and auxiliary personnel to upgrade their qualifications and techniques; (b) juvenile detention programming; and (c) a means for visitation and exchange of personnel for the improvement of functional services that directly affect the correctional system.

*Implementation* will be by participation of correctional personnel at all levels, including auxiliary personnel, in projects including one or more of the following:

1. Statewide or regional training conferences for the improvement of correctional personnel knowledge in managerial and administrative skills, community organization and resource coordination and development strategies, practical casework techniques, and related functional areas.

2. Limited assistance for comprehensive programming within county or regional juvenile detention facilities to include training of correctional personnel.

3. Specialized training for auxiliary personnel, including indigenous group members, such as persons with a delinquency background (no age restriction), who may prove more effective for certain purposes than highly trained personnel. These persons could perform important tasks needed for deep changes in the offender's personality or attitude. Training opportunities will be made available for them to acquire skills and techniques for becoming positively identified in the team concept of treatment.

4. Stipends will be provided for visitation of other agencies, in and out of state, to exchange knowledge, experience, and information with other corrections workers. Correctional personnel experienced in handling unique situations will be available to help others requesting assistance.

5. Preparation, printing, and distribution of a handbook or other pertinent documents that include such information as normally accepted operating procedures and statutory and constitutional limitations and liabilities.

*Evaluation:* Detailed and concise quantitative and qualitative evaluation criteria for external evaluation purposes will be made an integral part of the original or continuation application. By the end of the project's first quarter, the mechanics for contracting and carrying out the external evaluation must be submitted for CJC review and approval.

*Special Requirements:*

1. A rough draft of all applications will be submitted for CJC staff review and comment (anticipate a minimum of 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. Requests to participate in exchange visits shall be by letter from the highest supervisory authority to the CJC juvenile delinquency program director and shall include the purpose, place, dates, and agreements by all parties. Programs, brochures, and other supporting data must be included if purpose of the visitation request is to attend a workshop, seminar, or training conference.

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. State policy on per diem will apply.

*Grants* will be made to units of local governments, regional councils, appropriate state agencies, and universities.

*Budget:*

|  |           |
|--|-----------|
| CJC (Part C, federal) . . . . .            | \$150,000 |
| CJC (state CJPF matching) . . . . .        | \$ 20,000 |
| Minimum grantee matching (local) . . . . . | \$ 30,000 |
| Total . . . . .                            | \$200,000 |

Ratio: Maximum 75% CJC (Part C, federal), maximum 10% CJC (state CJPF matching), and minimum 15% grantee matching.

**73-C5. YOUTH SERVICE BUREAUS**

*Objective* is to continue funding for the last year of seven community or regional projects for detection and treatment of juvenile delinquency. Short-range goal will be to encompass statewide models ranging from individual metropolitan cities to multicounty or single county areas. Long-range goals will be determined by feasibility studies.

*Implementation:* No new projects will be implemented during fiscal year 1973. Pilot projects now receiving funding will continue to be studied to determine the feasibility of the goals and objectives established in preceding CJC plans.

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-a-day services will be offered to divert young persons who have committed noncriminal or minor criminal offenses away from the juvenile or criminal justice system.

The youth service 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.

*Evaluation* will be through a sophisticated systematic recordkeeping system to 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 paperwork.

Furthermore, this recordkeeping system will document young people's needs that require expansion or development of community services. The YSB will provide 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 to 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 in police and probation department files;
4. The delinquency rate (school drop-out rate to be included separately) in 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 from 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 its follow-up process to the CJC office five years beyond the termination of CJC funding. Reports are to be submitted annually.
3. Written working agreements between related CJC funded delinquency prevention and control projects within the same locale must be attached and made a part of the continuation application.
4. All noncorrectional applicants must include as a part of the application, written working agreements with the local law enforcement agencies (e.g., city police and county juvenile probation department).
5. Funding for purchase of equipment for noncorrectional 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 area covered. This is the last year for CJC sponsorship of YSB projects pending a statewide evaluation of their effectiveness during 1974.

*Budget:*

|  |           |
|--|-----------|
| CJC (Part C, federal) . . . . .            | \$500,000 |
| CJC (state CJPF matching) . . . . .        | \$ 66,667 |
| Minimum grantee matching (local) . . . . . | \$100,000 |
| Total . . . . .                            | \$666,667 |

Ratio: Maximum 75% CJC (Part C, federal), maximum 10% CJC (state CJPF matching), and minimum 15% grantee matching.

**73-C6. DELINQUENCY PREVENTION—  
ACADEMIC AND SOCIAL  
ADJUSTMENT PROGRAMS**

*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 CJC 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 be both 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 with assistance from 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.

Detailed and concise quantitative and qualitative evaluation criteria for external evaluation purposes will be made an integral part of the original or continuation application. By the end of the project's first quarter, the mechanics for contracting and carrying out the external evaluation must be submitted for CJC review and approval.

*Special Requirements:*

1. A rough draft of all applications will be submitted for CJC staff review and comment (anticipate a minimum of 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. Written working agreements between related CJC-funded delinquency prevention and control projects in the same locale must be attached and made a part of the original or continuation application.
4. All noncorrectional original or continuation applicants must include as a part of the application, written working agreements with the local law enforcement agencies (e.g. city police and county juvenile probation department.)
5. Funding for purchase of equipment for noncorrectional agencies will not be considered.

*Grants* will be made to units of local government or a combination thereof.

*Budget:*

|  |           |
|--|-----------|
| CJC (Part C, federal) . . . . .            | \$325,000 |
| CJC (state CJPF matching) . . . . .        | \$ 43,333 |
| Minimum grantee matching (local) . . . . . | \$ 65,000 |
| Total . . . . .                            | \$433,333 |

Ratio: Maximum 75% CJC (Part C, federal), maxi-

mum 10% CJC (state CJPF matching), and minimum 15% grantee matching.

**73-C7. JUVENILE INTERIM HOMES**

*Objective* is to develop juvenile interim homes to provide a temporary treatment mechanism for cases involving emotional conflicts between a child and his parents, runaways, and related situational crises, indicating temporary removal (three to five months) of the child from the unfavorable home environment. This concept will be considered as an alternative to incarceration in jail or commitment to a correctional institution.

Placement screening must include representation from the juvenile probation department. Grantees representing private nonprofit groups must institute a written working agreement between the juvenile court and probation department and the project. Removal of the child from his home is contingent on the prospects of returning him within the three- to five-month placement period, while professional assistance is given both the parent and the child; or, availability of foster care or long-term noncorrectional placement resources when reunion of child with parents is not feasible. Comprehensive follow-up procedures will be considered an integral project component.

The applicant should keep in mind that this type of project is exceedingly sensitive and requires exceptional skill, not only in the planning and implementation phases, but particularly in the ongoing operational processes. This program is not designed for expansion or improvement of existing long-term residential facilities. This concept is strictly for the (identifiable) potential delinquent child as documented by professional opinions and prior history of contacts with disciplinary and law enforcement personnel. Under no circumstances will the interim home be utilized as a detention facility for the police and probation departments or as an emergency shelter for welfare dependent-and-neglected clientele.

*Implementation* can be developed through two models:

1. A standard house located in an appropriately selected residential area that serves as a voluntary placement facility in lieu of detention. Due to the vulnerable nature of this type project, it has been proved impractical to house more than seven to 10 young persons at any one time except in dire emergencies. Twenty-four-hour supervision by project staff is mandatory.

2. A renovated or modified existing facility that can adequately house 20 to 30 young people for temporary placement. Twenty-four-hour supervision by project staff is mandatory.

*Evaluation* will include project records to document concise anecdotal descriptions demonstrating significant differential effects of clientele as reflected in preinterim and postinterim home services (e.g., law enforcement contact before and after interim home care, impact upon recidivism rate, positive attitudinal and behavioral modifications, and dispositional results measured through long-term follow-up). Cost efficiency criteria also will be required for the evaluation component of the application.

Detailed and concise quantitative and qualitative evaluation criteria for external evaluation will be made an integral part of the original or continuation application. By the end of the project's first quarter, the mechanics for contracting and carrying out the external evaluation must be submitted for CJC review and approval.

*Grants* will be made to units of local government or regional councils. Such grantees may subcontract with existing private agencies.

*Special Requirements:*

1. A rough draft of all applications will be sub-

mitted for CJC staff review and comment (anticipate a minimum of 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. Written working agreements between related CJC funded delinquency prevention and control projects within the same locale must be attached and made a part of the original or continuation application.

4. All noncorrectional original or continuation applicants must include as a part of the application, written working agreements with the local law enforcement agencies (e.g., city police and county juvenile probation department).

5. Private groups under a subcontract to a unit of local government must submit a written procedure for monthly on-site monitoring visits by the juvenile probation department for concisely written progress reports to CJC.

*Budget:*

|  |           |
|--|-----------|
| CJC (Part C, federal) . . . . .            | \$400,000 |
| CJC (state CJPF matching) . . . . .        | \$ 53,333 |
| Minimum grantee matching (local) . . . . . | \$ 80,000 |
| Total . . . . .                            | \$533,333 |

Ratio: Maximum 75% CJC (Part C, federal), maximum 10% CJC (state CJPF matching), and minimum 15% grantee matching.

## D. IMPROVEMENT OF DETECTION AND APPREHENSION OF CRIMINALS

### 73-D1. MANAGEMENT ANALYSIS

*Objective* is to have police agency surveys made that will result in better methods of preventing, repressing, and suppressing index crimes by establishing and implementing models for better police organization, management, and operations. The surveys would also produce models for such supportive services as records, personnel administration, crime laboratory functions, and other applicable services.

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 in each county 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 1973. 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 demonstrate that it is participating in FBI uniform crime reporting and DPS crime reporting.

#### *Budget:*

|                                  |           |
|----------------------------------|-----------|
| CJC (Part C, federal)            | \$119,000 |
| CJC (state CJPF matching)        | \$ 15,867 |
| Minimum grantee matching (local) | \$ 23,800 |
| Total                            | \$158,667 |

Ratio: Maximum 75% CJC (Part C, federal), maxi-

imum 10% CJC (state CJPF matching), and minimum 15% grantee matching.

### 73-D2. POLICE CONSOLIDATION

*Objective* is to increase the effectiveness of police operations to reduce index crimes by consolidating law enforcement functions 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.)

*Implementation* will be through units of local government. Preference will be given governmental units that 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; and other measures of increased operating efficiency, such as police response time and percentage of cases culminating in conviction.

*Grants* will be made to units of local government or combinations thereof. Four to six grants ranging from \$50,000 to \$100,000 are anticipated.

*Special Restrictions:* Design studies will be required prior to implementation of any consolidation. This may be accomplished through an outside consultant or, if adequate capability is demonstrated, the study may be done "in house." Grants will be available for outside assistance.

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 must demonstrate that it is participating FBI uniform crime reporting and DPS crime reporting.

#### *Budget:*

|                                  |           |
|----------------------------------|-----------|
| CJC (Part C, federal)            | \$102,000 |
| CJC (state CJPF matching)        | \$ 13,600 |
| Minimum grantee matching (local) | \$ 20,400 |
| Total                            | \$136,000 |

Ratio: Maximum 75% CJC (Part C, federal), maxi-

imum 10% CJC (state CJPF matching), and minimum 15% grantee matching.

**73-D3. PROFESSIONAL AIDES FOR POLICE**

*Objective* is to suppress index crimes by increasing arrests and securing more 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 projects, 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 by providing police legal advisors in law enforcement agencies. 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.

Additionally, this program will provide for other staff aides, such as professional planners, crime analysts, statisticians, and psychiatrists or psychologists, who will be available to assist in staff functions by applying their professional expertise to the management of the law enforcement agency.

*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 perform other legal duties for the police department.

*Evaluation* will be based on the improvement in police operations that 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 document the filing, indictment, and conviction rates of the departments so that a comparison can be made to reflect improvements after implementation.

*Grants* will be made to medium-sized and large cities and selected smaller ones, or to combinations of

cities. It is anticipated that not more than seven cities will apply. Grants will range from \$10,000 to \$30,000.

*Special Restrictions:* Professional and academic qualifications generally will be required. Cash match usually will be necessary.

Each agency receiving a grant under this program must agree to participate in FBI uniform crime reporting and DPS crime reporting.

*Budget:*

|  |           |
|--|-----------|
| CJC (Part C, federal) . . . . .            | \$158,000 |
| CJC (state CJPF matching) . . . . .        | \$ 21,067 |
| Minimum grantee matching (local) . . . . . | \$ 31,600 |
| Total . . . . .                            | \$210,667 |

Ratio: Maximum 75% CJC (Part C, federal), maximum 10% CJC (state CJPF matching), and minimum 15% grantee matching.

**73-D4. TECHNICAL IMPROVEMENTS**

This program includes three subsections: technical equipment, crime sensing—alerting systems, and crime laboratories.

**1. Technical Equipment**

*Objective* is to reduce the incidence of index and drug abuse crimes through acquisition and use of technical equipment to increase police capability to detect, apprehend, and identify criminals. Increased police capability is anticipated through the use of technical equipment, such as dictating devices, video-cameras and other photographic equipment, identification equipment, necessary investigative support devices, closed-circuit video systems, multichannel tape logging equipment, and automatic vehicle monitoring systems.

Police report time may be reduced by the use of dictating-transcribing equipment. Emphasis will be placed on acquiring equipment that adds a new capability.

Personal radio transceivers will be covered as part of a project to reduce police response time, or of a special project 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 accelerated use 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; and 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 \$100,000. Preference will be given to consolidated grants through the regional council of governments.

#### *Special Restrictions:*

Conventional equipment already in use in routine projects 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 must demonstrate that it is participating in the FBI uniform crime reporting and DPS crime reporting.

## **2. Crime Sensing—Alerting Systems**

*Objective* is to apprehend a greater percentage of burglars and robbers in the act of committing the crime. It is anticipated that cities with this program can reduce burglaries and robberies in certain types of businesses by 20 percent. Long-range goal is to reduce burglary and robbery by improving the ability of the police to catch the perpetrators.

*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. The grantee must demonstrate the ability to place such alarm systems and respond to them effectively. Projects may include such comprehensive capability as a part

of the project plan; however, related components will be funded from other appropriate programs.

*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 \$5,000 to \$40,000.

#### *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 must demonstrate that it is participating in the FBI uniform crime reporting and DPS crime reporting.

## **3. Crime Laboratories**

*Objective* is to improve the detection, apprehension, identification, and prosecution of perpetrators of index and drug abuse crimes by providing a full range of crime laboratory services within reasonable driving distance (100 miles in most instances) of every police agency. Long-range goal is to assist in upgrading four existing metropolitan laboratories, to expand DPS headquarters and regional laboratories, and to add new DPS regional laboratories sufficient to meet the objective.

Evidence technicians and equipment for gathering evidence are included.

*Implementation* will be 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, increase in the percent-



age of crimes cleared by arrest on which laboratory work has been performed, increase in the percentage of convictions obtained in cases to which laboratory work has been applied, and more efficient laboratory processing time.

Grants will be made to cities and counties operating or funding crime laboratories and to 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 purchase of equipment only, require the local or state match to be in cash. Continuation grants for salaries of personnel hired generally will not be made for more than one year, two years at the most. After that period, local or state funding must pay the salaries.

Each agency receiving a grant under this program must demonstrate that it is participating in the FBI uniform crime reporting and DPS crime reporting.

*Budget:*

|  |             |
|--|-------------|
| CJC (Part C, federal) . . . . .            | \$1,775,000 |
| CJC (state CJPF matching) . . . . .        | \$ 236,667  |
| Minimum grantee matching (state) . . . . . | \$ 211,200  |
| Minimum grantee matching (local) . . . . . | \$ 143,800  |
| Total . . . . .                            | \$2,366,667 |

Ratio: Maximum 75% CJC (Part C, federal), maximum 10% CJC (state CJPF matching), and minimum 15% grantee matching.

**73-D5. SPECIAL UNITS AND PROGRAMS**

*Objective* is to improve the capability of police agencies to prevent and solve index and drug abuse crimes. The program is designed to establish in police agencies specialized units and programs to deal with acute or 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 12 police agencies or combinations of local govern-

ments. 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 factors such as reduction of crimes, identification of specific target areas, the percentage of convictions in cases investigated by the special unit, and time lapse between offense report and arrest.

Grants will go to state agencies, cities, counties, or combinations of local governments. Six to 14 recipients are anticipated. The grants will range from \$5,000 to \$240,000.

*Special Restrictions:* The governmental unit must be large enough (22 to 25 men for general CID and 50 to 60 men for CID specialization) 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. All applications for special units or programs shall have as supporting data to the project plan a draft copy of the departmental order establishing the unit (the organizational document) and a draft copy of the departmental order prescribing policies and procedures for the unit (operational order).

Each agency receiving a grant under this program must demonstrate that it is participating in FBI uniform crime reporting and DPS crime reporting. No water patrol, marine units, or park ranger units will be eligible for funding under this program.

*Budget:*

|  |             |
|--|-------------|
| CJC (Part C, federal) . . . . .            | \$ 957,000  |
| CJC (state CJPF matching) . . . . .        | \$ 127,600  |
| Minimum grantee matching (state) . . . . . | \$ 27,200   |
| Minimum grantee matching (local) . . . . . | \$ 164,200  |
| Total . . . . .                            | \$1,276,000 |

Ratio: Maximum 75% CJC (Part C, federal), maximum 10% CJC (state CJPF matching), and minimum 15% grantee matching.

## E. IMPROVEMENT OF PROSECUTION AND COURT ACTIVITIES AND LAW REFORM

### 73-E1. COURTS AIDES AND ASSISTANCE

*Long-term objective* is to provide assistance to the approximately 2,000 trial and appellate courts that have criminal and juvenile jurisdiction, the clerks that serve them, and the functional services that directly affect them. Assistance will be to develop and sustain the processing and disposition of criminal and juvenile matters in a time frame commensurate with recommended standards. Assistance will be provided in three general categories: (1) education and training, (2) management and administration, and (3) information services. It is anticipated that more than 1,000 courts, judges, clerks, and court related personnel, in and out of the criminal justice system, will participate. Projects funded anticipate an increase of 15 to 20 percent in effectiveness of case processing and disposition.

The three general categories follow. They are presented in the conceptual and contextual mode for illustration and direction, not for limitation, since variations and combinations of projects and categories may best serve particular jurisdictions.

#### Education and Training

*Objective* is to provide continuing legal and non-legal education and training for judges, supportive staff, 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 such activities, an opportunity to secure a basic educational and training program. It further will provide those who have had basic programs the opportunity to participate in advanced or specialized education and training programs.

*Implementation* will be by the participation of judges, supportive staff, and clerks in projects that include one or more of the following:

1. Seminars on a statewide or multicounty basis that provide continuing legal and nonlegal education and training. These seminars are for the primary benefit of the judiciary, their supportive staff, and clerks, but may include other persons when the program content provides a basis for their participation. CJC-funded projects may include this concept where appropriate. The seminar content may be for basic, advanced, or specialized concepts. These projects con-

template a minimum during 1973 of two statewide seminars for 200 district and special county judges with criminal jurisdiction, one statewide and three multicounty seminars for 150 judges with juvenile jurisdiction, and three to five multicounty seminars for 125 clerks.

*Special Requirements:* (a) application must provide the estimated number of participants, the proposed curriculum, method of presentation, and the proposed faculty; (b) application must include provisions for internal and external evaluation. See evaluation requirements at end of program description.

2. Stipends will be provided for participation in national, multistate, or statewide seminars or conferences; task forces; special projects; and visitation or exchange of judges, their supportive staff, or clerks. These will provide legal and nonlegal education and training, development of programs, and the assimilation of knowledge, experience, and information from other programs, projects, courts, supportive staff, or clerks' offices. This project contemplates in- and out-of-state utilization. CJC-funded projects may include this concept when appropriate. One grant will be made. It is anticipated that approximately 100 persons will participate in this project.

*Special Requirements:* (a) requests for participation shall be by letter and shall state, where applicable, the purpose, place, dates, acceptance or agreement by all parties, implementing agency or sponsor, curriculum, and costs. Transportation is limited to auto at 10 cents per mile or coach air fare. Out-of-state transportation is limited to the less expensive of the two. Lodging and food (subsistence) and other expenses must be directly related to the purpose of the event; (b) application must include provisions for internal and external evaluation. See evaluation requirements at end of program description.

3. Support will be given for the preparation, printing, distribution, or updating of handbooks for the various levels of judges, their supportive staffs, and clerks. The scope of the handbooks contemplates the operation procedure, forms, and statutory and constitutional requirements, limitations, and liabilities. The content and structural design will provide a ready reference for daily operation of their responsibility. CJC-funded projects should include this concept when appropriate. It is anticipated that two handbooks will be prepared in 1973.

*Special Requirements:* (a) applicant must submit, if applicable, a copy of the request for proposals and a copy of each proposal in response. CJC reserves the right to participate in the selection of the contractor; (b) application must include provisions for internal

and external evaluation. See evaluation requirements at the end of program description.

### Management and Administration

*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 retired and active judges, administrators and staffs, clerical personnel, deputy court reporters, and briefing attorneys. Technical equipment, such as electronic recording devices, computer-aided transcription, machine readable tapes for court reporters' machines, microfilming equipment, and magnetic card or tape typewriters, will be supported. All of these items 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 trial courts through projects that include one or more of the following:

1. Support will be provided for management studies of appellate and trial courts or clerks' offices in metropolitan areas, administrative judicial districts, judicial districts, statewide, 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, and compensation of personnel. It is anticipated that one or two studies will be made.

*Special Requirements:* (a) application must document support from the courts, supportive staff, prosecutors, clerks, and probation officers to provide assistance in the collection of data necessary for management analysis; (b) applicant must provide for implementation and testing on completion of the project; (c) application must fully explain methods, financing, and resources contemplated; (d) applicant must submit a copy of the request for proposals and a copy of each proposal in response. CJC reserves the right to participate in the selection of the contractor; (e) application must include provisions for internal and external evaluation. See evaluation requirements at end of program description.

2. Support will be given for administrators, coordinators, use of active and retired judges, 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 deputy clerks, deputy court re-

porters, briefing or reviewing attorneys, management personnel, statisticians, second- or third-year law students, and secretaries, 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. It is anticipated that the Court of Criminal Appeals, the courts and clerks of seven to 10 metropolitan areas, and the courts in two or three judicial districts composed of two or more counties will participate.

*Special Requirements:* Application must include present and proposed: total staffing, job descriptions, detailed total budgets, and operational procedures. Application must include adequate narrative of proposed staffing, job descriptions, approaches, and operational procedures, with projected results. Application must include provisions for internal and external evaluation. See evaluation requirements at end of program description.

3. Support will be given for a technical assistance and coordination unit for the courts and clerks. The primary function will be to provide reference, technical assistance, and other coordinative services to the courts and clerks. The Judicial Section of the State Bar of Texas, through its Continuing Education Committee, will be eligible. It is anticipated that this unit will assist in the planning and implementation of seminars for appellate and trial judges, newly elected or appointed judges, and supportive staffs of the courts and clerks; manage a stipend fund; assist in planning and implementation of the preparation, printing, and distribution of various handbooks and updating supplements thereto; coordinate task forces and professional meetings; and coordinate the activities of the judiciary and clerks with other components of the criminal justice system.

*Special Requirements:* Application must include provisions for internal and external evaluation. See evaluation requirements at end of program description.

4. Support will be provided for new or improved technical equipment to reduce processing and disposition time. Electronic recording equipment, computer-aided transcription, machine-readable tapes for court reporters' machines, magnetic tape or card typewriters, electronic security devices, microfilming equipment, and reproduction equipment are illustrative of the type of technical equipment contemplated. CJC-funded projects should include this concept when appropriate. It is anticipated that one or two grants will be made for the courts in a metropolitan area.

*Special Requirement:* (a) applications in which technical equipment is a substantial portion of the project, either by budget or purpose, shall be matched in cash; (b) applicant shall contact CJC for determination of compliance of this special requirement and the special requirements of Category J, "Improvement of Communications and Information Systems" programs; (c) application must include provisions for internal and external evaluation. See evaluation requirement at end of program description.

### Information 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 nonprofit tax exempt organizations, local bar associations, or units of government for projects that 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 trial courts with the basic information necessary for determination of personal bond, cash bond, or surety bond and the proper amount. This project contemplates providing the court information—including criminal history and activity, residency status, and employment status—on each person who appears eligible for release on personal bond. Preference will be given to metropolitan areas. It is anticipated that three to five grants will be made.

*Special Requirements:* (a) application must provide the composition and membership of the governing board; the rules and regulations; the forms and information to be gathered; and documentation of the support of the courts, prosecutors' offices, and police and sheriffs' offices; (b) application must include provisions for internal and external evaluation. See evaluation requirements at end of program description.

2. Support will be given to the continuation of established units based diagnostic services that are

adequately staffed by competent and qualified personnel and to the establishment of contractual personnel to provide psychiatric and psychological services. Continuation of current units based diagnostic services will be considered within the limitations imposed by CJC policy on continuation of projects. New projects will be limited to contractual personnel to provide these services to the courts. CJC-funded projects may include this concept where appropriate. It is anticipated that the unit based diagnostic centers will be continued and that two to four grants will be made for contractual services to courts in metropolitan areas.

*Special Requirements:* (a) applicant shall contact CJC for special conditions; (b) application must provide for financial support by the participating counties as provided for in Article 26.05, *Code of Criminal Procedure*, and Article 2338-1, *Vernon's Annotated Civil Statutes*; (c) the application shall include the certified expenditures for psychiatric and psychological services, from the general fund and from orders of the trial courts under the above authority for the past three years of each of the participating counties; (d) application must contain provisions for internal and external evaluation. See evaluation requirement at end of program description.

*Evaluation* procedure shall be included in each grant application and shall include a grantee's comparisons of the goals, methods, and results as presented in the application and as presented by actual documentation during the project period. The grantee shall include in the application the concept and statistical information to be used in the evaluation. Changes during the project period must be discussed in the evaluation, with adequate narrative to show the facts, circumstances, and justifications for all changes.

Grantee shall provide for external evaluation by a team from the same component of the criminal justice system or from personnel directly related to or in the criminal justice system who possess expertise in the project concept. CJC approval of external evaluation is required.

Grantees are required to submit internal and external evaluations. Grantees who request continued funding must submit by the end of the tenth month the internal and external evaluations with the application for continuation of the project.

*Grants* for projects under categories education and training, management and administration, and information services will be available to state agencies; private nonprofit, tax-exempt organizations; universities; colleges; regional councils; units of local government; or any combination of these. Approximately 30 to 40

grants ranging from \$10,000 to \$250,000 are anticipated.

*Special Conditions:* All in-kind contributions shall meet the following criteria: (1) must be identifiable from grantee's records; (2) must not be included as contributions for other federally assisted programs; and (3) must be necessary and reasonable for proper and efficient accomplishment of project objectives. Application must identify in-kind contributions, methods of documentation, and explanation of conformance to items 1, 2, and 3 of criteria. Applicant must obtain approval of in-kind contribution prior to formal submission of grant applications.

*Budget:*

|  |             |
|--|-------------|
| CJC (Part C, federal) . . . . .            | \$2,868,000 |
| CJC (state CJPF matching) . . . . .        | \$ 382,400  |
| Minimum grantee matching (state) . . . . . | \$ 51,600   |
| Minimum grantee matching (local) . . . . . | \$ 522,000  |
| Total . . . . .                            | \$3,824,000 |

Ratio: Maximum 75% CJC (Part C, federal), maximum 10% CJC (state CJPF matching), and minimum 15% grantee matching.

**73-E2. PROSECUTORS AIDES AND ASSISTANCE**

*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; reduce the jail population, time from arrest to trial, and case backlog; free law enforcement officers from time-consuming court appearances; and improve the quality of prosecution.

Assistance will be provided in two general categories: (1) education and training and (2) management and administration. It is anticipated that more than 650 prosecutors and prosecutors' offices will participate. Projects funded anticipate an increase of 15 to 20 percent in effectiveness of the prosecutors' office. The two general categories follow. They are presented in the conceptual and contextual mode for illustration and direction, not for limitation, since variations and combinations of projects and categories may best serve particular jurisdictions and projects.

**Education and Training**

*Objective* is to provide assistance to prosecutors, their assistants, and staff to obtain continuing legal

and nonlegal education and training to aid them in reducing the time from arrest to trial, freeing law enforcement officers from time-consuming court appearances, reducing the jail population and case 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 participated in such programs, an opportunity to secure basic fundamental education and training. It further will provide those who have had such basic programs an opportunity to participate in advanced or specialized programs.

*Implementation* will be by the prosecutors' participation in projects that include one or more of the following:

1. Seminars on a statewide or multicounty basis that provide continuing legal and nonlegal education and training. These seminars are for the primary benefit of prosecutors but may include other persons where the program content provides a basis for their participation. The seminar content may be for basic, advanced, or specialized concepts. CJC-funded projects may include this concept where appropriate. These projects contemplate a minimum of one statewide seminar and three to five special seminars for 250 prosecutors.

*Special Requirements:* (a) application must provide the estimated number of participants, the proposed curriculum, method of presentation, and the proposed faculty; (b) application must include provisions for internal and external evaluation. See evaluation requirements at end of program description.

2. Stipends will be provided for participation in national, multistate, or statewide seminars or conferences, task forces, special projects, and visitation or exchange of prosecutors or their supportive staff. These activities will provide legal and nonlegal education and training, development of programs, and the assimilation of knowledge, experience, and information from other programs, projects, and prosecutors' offices. This project contemplates in- and out-of-state utilization. CJC-funded projects may include this concept when appropriate. It is anticipated that approximately 75 prosecutors and supportive staff will participate.

*Special Requirements:* (a) requests for participation shall be by letter and state, when applicable, the purpose, place, dates, acceptance or agreement by all parties, implementing agency or sponsor, curriculum, and costs. Transportation is limited to auto at 10 cents per mile or coach air fare. Out-of-state transportation is limited to the less expensive of the two. Lodging and food (subsistence) and other expenses

must be related directly to the purpose of the event; (b) application must include provisions for internal and external evaluation. See evaluation requirements at end of program description.

3. Support will be given for the preparation, printing, and distribution of a handbook for the approximately 650 municipal prosecutors. A handbook for district and county prosecutors is contemplated in the technical and coordination project. The scope of the handbook contemplates the operating procedure, forms, and statutory and constitutional requirements, limitations, and liabilities. CJC-funded projects may include this concept where appropriate. The content and structure design will provide a ready reference for daily operation.

*Special Requirements:* (a) If applicable, applicant must submit copies of the request for proposals and of each proposal received. CJC reserves the right to participate in selection of the contractor; (b) application must include provisions for internal and external evaluation. See evaluation requirements at end of program description.

### **Management and Administration**

*Objective* is to provide well-planned management projects for the district prosecutors in metropolitan areas. Support will be provided for the continuation of the 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 assistant prosecutors, administrators, investigators, secretaries, second- and third-year law students, and clerical and nonprofessional persons. Prosecutors will be encouraged to employ second- and third-year law students with the expectation of their pursuing prosecution when licensed to practice law. Technical equipment such as electronic recording devices, computer-aided transcription, machine-readable tapes for court reporters' machines, microfilming equipment, and magnetic tape and card typewriters will be supported. All of these items will assist the prosecutors in improving the quality of charges filed, reducing the time from arrest to trial, freeing law enforcement officers from time-consuming court appearances, reducing jail population and case backlog, and improving the quality of prosecution.

*Implementation* will be by the prosecutors through projects that include one or more of the following.

1. Support will be provided for management studies of prosecutors' offices in metropolitan areas.

The scope of the study shall include operational systems and procedures, logistical structuring of responsibility, organization, staffing requirements, facility and equipment requirements, and compensation of personnel. It is anticipated that one to three studies will be made.

*Special Requirements:* (a) Application must document support from the courts, their supportive staff, clerks, police, and sheriffs' offices to provide assistance in the collection of data necessary for management analysis; (b) applicant must provide for implementation and testing upon completion of the project; (c) application must fully explain methods, financing, and resources contemplated; (d) applicant must submit a copy of the request for proposals and of each proposal received. CJC reserves the right to participate in the selection of the contractor; (e) application must include provisions for internal and external evaluation. See evaluation requirements at end of program description.

2. Support will be given for additional prosecutors and supportive staff for prosecutors' offices. Supportive staff may include administrators, management personnel, deputy court reporters, investigators, secretaries, clerical personnel, and professional and nonprofessional personnel as required by the project to provide assistance in improving the quality of charges filed; reducing time from arrest to trial, the jail population, and case backlog; and improving the quality of prosecution. It is anticipated that 15 to 25 grants will be made to begin or continue participation.

*Special Requirements:* (a) Application must include present and proposed total staffing, job descriptions, detailed total budget, and operational procedures; (b) application must include adequate narrative of proposed staffing, job descriptions, approaches, and operational procedures, with projected results; (c) applicant must contact CJC for special condition on qualification requirement for investigators; (d) application must include provisions for internal and external evaluation.

3. Support will be provided for the employment of second- and third-year law students in prosecutors' offices. This project contemplates the part-time employment in metropolitan prosecutors' offices of senior law students. The intern 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 him. This project also contemplates employment during the summer months of second- and third-year law students in district attorneys' offices throughout the state. CJC-funded pro-

jects may include this concept where appropriate. It is anticipated that four to eight prosecutors' offices will participate, involving 15 to 20 students.

*Special Requirements:* (a) Application must present supervision and training plans and duties of law students. Law student salaries must be consistent with those paid in similar programs in the area; (b) application must include provisions for internal and external evaluation. See evaluation requirements at end of program description.

4. Support will be given for continuation of the technical assistance and coordination unit of the Texas District and County Attorneys Association. This unit will provide statewide and regional seminars including basic, advanced, and special courses; plan and implement future statewide and regional seminars; coordinate task forces and professional meetings; manage a stipends fund; continue newsletter; continue preparation, printing, and distribution of a handbook; and coordinate activities of the prosecutors with other components of the criminal justice system.

*Special Requirements:* Application must include provisions for internal and external evaluation. Refer to evaluation requirements at end of program description.

5. Support will be given for career incentive pay increases for prosecutors or assistant prosecutors who have demonstrated their ability, have expressed a desire to become career prosecutors and forego private practice of law, and are unable to obtain the necessary financial support from their jurisdictions. This project contemplates retention of experienced prosecutors as career prosecutors by providing compensation commensurate with their ability and responsibility. It will reduce the constant turnover of prosecutors, cut in-service training time, provide a cadre of experienced prosecutors, and decrease case processing time. CJC-funded projects may include this concept where appropriate. It is anticipated that one to three prosecutors' offices will participate.

*Special Requirements:* (a) Application must include (1) detailed budget requests and budget awards for the last three years, (2) an agreement from the proposed prosecutors to remain with the office for a minimum of three years, (3) an agreement from the proposed prosecutors foregoing all private practice, and (4) an agreement from the grantee to provide 50 percent cash match required in the first year, and if continued by funding, 75 percent cash match in the second year, and to assume total funding at the conclusion of criminal justice funding; (b) application

must include provisions for internal and external evaluation. See evaluation requirements at end of program description.

6. Support will be provided for new or improved technical equipment to assist in reducing time from arrest to trial and case backlog and in freeing law enforcement officers from time-consuming court appearances. Electronic recording equipment, computer-aided transcription, machine-readable tapes for court reporters' machines, magnetic tape or card typewriters, electronic security devices, microfilming equipment, and reproduction equipment represent the type of technical equipment contemplated. CJC-funded projects may include this concept where appropriate. It is anticipated that one to three metropolitan prosecutors' offices will participate.

*Special Requirements:* (a) Applications in which technical equipment is a substantial portion of the project, either by budget or purpose, shall be matched in cash; (b) applicant shall contact CJC for determination of compliance of this special requirement and the special requirements of Category J, "Improvement of Communications and Information Systems." Application must include internal and external evaluation. See evaluation requirements at end of program description.

*Evaluation* procedure shall be included in each grant application and shall include a grantee's comparisons of the goals, methods, and results as presented in the application and as presented by actual documentation during the project period. The grantee shall include in the application the concept and statistical information to be used in the evaluation. Changes during the project period must be discussed in the evaluation, with adequate narrative to show the facts, circumstances, and justifications for all changes.

Grantee shall provide for external evaluation by a team from the same component of the criminal justice system or from personnel directly related to or in the criminal justice system who possess expertise in the project concept. CJC approval of external evaluators is required.

Grantees are required to submit internal and external evaluations. Grantees who request continued funding must submit by the end of the tenth month the internal and external evaluations with the grant application for consideration of the continuation of the project.

*Grants* for project categories under education and training and management and administration categories 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 30 to 50 grants ranging from \$10,000 to \$300,000 are anticipated during 1973.

*Special Conditions:* All in-kind contributions shall meet the following criteria: (1) be identifiable from grantee's records, (2) not be included as contributions for other federally assisted programs, and (3) be necessary and reasonable for proper and efficient accomplishment of project objectives. Application must identify in-kind contributions, methods of documentation; and explanation of conformance to items 1, 2, and 3 of criteria. Applicant must obtain approval of in-kind contribution prior to formal submission of grant application.

*Budget:*

|  |             |
|--|-------------|
| CJC (Part C, federal) .....            | \$2,326,000 |
| CJC (state CJPF matching) .....        | \$ 310,133  |
| Minimum grantee matching (state) ..... | \$ 30,000   |
| Minimum grantee matching (local) ..... | \$ 435,200  |
| Total .....                            | \$3,101,333 |

Ratio: Maximum 75% CJC (Part C, federal), maximum 10% CJC (state CJPF matching), and minimum 15% grantee matching.

**73-E3. DEFENSE AIDES AND ASSISTANCE**

*Objective* is to provide competent, qualified, and experienced counsel from arrest to final determination for each indigent adult or juvenile charged with an offense. 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 nonlegal education of public defenders and new defense attorneys, establishment of full-time public defenders with adequate supportive staff, and establishment of agencies staffed with competent attorneys and supportive staff to assist appointed counsel.

*Implementation* will be through the courts, State Bar of Texas, local bar associations, private nonprofit tax-exempt organizations, regional councils, or units of local government for projects that include one or more of the following:

1. Seminars on statewide, regional, or local basis to provide continuing legal and nonlegal education and training. These seminars are for the benefit of public defenders and new defense attorneys. This project contemplates seminars of one day to one week in duration. 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 1973.

*Special Requirements:* (a) 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 moderators; (b) participants must be recommended by an appropriate judge. Such recommendation shall be in writing and contain statements of past and anticipated appointments as defense counsel for indigents; (c) application must include provisions for internal and external evaluation. See evaluation requirements at end of program description.

2. Stipends will be provided for national, multi-state, statewide, multicounty, or local seminars or conferences not funded by CJC. The seminars or conferences are to provide legal and nonlegal 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:* (a) Requests to participate shall be by letter and shall state the purpose, place, dates, sponsor or implementing agency, curriculum, and sponsor's or implementing agency's published costs; (b) participants must be recommended by an appropriate 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. Out-of-state transportation is limited to the less expensive of the two. Lodging and food (subsistence) and other expenses must be directly related to the seminars or conferences; (c) application must include provisions for internal and external evaluation. See evaluation requirements at end of program description.

3. Support will be given for the establishment of full-time public defender offices with adequate supportive staff in metropolitan areas or combinations of counties and for a full-time legal assistance unit for Texas Department of Corrections inmates. Supportive staff may include assistant public defenders, investi-



gators, and nonprofessional personnel. It contemplates the defense of all indigents, both adult and juvenile, charged with an offense. Preference will be given metropolitan areas during 1973. The legal assistance unit of TDC will provide legal services to all inmates requesting them. It is anticipated that one public defender office will be established or expanded. Application must provide for financial support by the participating counties as provided for in Article 26.05, *Code of Criminal Procedure*, and Article 2338-1, *Vernon's Annotated Civil Statutes*. The application shall include the certified expenditures for indigent defense, both adult (felony and misdemeanor) and juvenile, for the last three years of each in the participating counties.

*Special Requirements:* (a) Application must include the members of the governing board; organization, in narrative and schematic presentation; detailed job descriptions of staff; criteria for assignment of cases; the continued use, if applicable, of appointed counsel and the criteria of appointment; and the regulations of the governing board; (b) the governing board shall be composed of all of the trial courts exercising criminal and juvenile jurisdiction in the judicial jurisdictions included in the application; and (c) application must include provisions for internal and external evaluation. See evaluation requirements at end of program description.

4. Support will be given for the establishment of legal assistance agencies with a full-time director and 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; investigators; and clerical and nonprofessional 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 counsel; to recommend 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 1973. It is anticipated that one or two legal assistance agencies will be established during the year.

Application must provide for financial support by the participating counties as provided for in Article 26.05, *Code of Criminal Procedure*, and Article 2338-1, *Vernon's Annotated Civil Statutes*. The application shall include the certified expenditures for indigent defense, both adult (felony and misdemeanor) and juvenile, for the last three years in each participating county.

*Special Requirements:* (a) Application must include the members of the governing board; the staffing organization, in narrative and schematic presentation; detailed job descriptions of staff; criteria for appointment of appointed counsel; and the regulations of the governing board; (b) the governing board shall be composed of all of the trial courts exercising criminal and juvenile jurisdiction in the judicial jurisdictions included in the applications; and (c) application must include provisions for internal and external evaluation. See evaluation requirements at end of program description.

*Evaluation* procedure shall be included in each grant application and shall include a grantee's comparisons of the goals, methods, and results as presented in the application and as presented by actual documentation during the project period. The grantee shall include in the application the concept and statistical information to be used in the evaluation. Changes during the project period must be discussed in the evaluation, with adequate narrative to show the facts, circumstances, and justifications for all changes.

Grantee shall provide for external evaluation by a team from the same component of the criminal justice system or from personnel directly related to or in the criminal justice system who possess expertise in the project concept. CJC approval of external evaluators is required.

Grantees are required to submit internal and external evaluations. Grantees who request continued funding must submit by the end of the tenth month the internal and external evaluations with the grant application for consideration of the continuation of the project.

*Grants* will be available to state agencies, private nonprofit tax-exempt organizations, regional councils, units of local government, or any combination thereof. Two to four grants ranging from \$7,500 to \$250,000 are anticipated during 1973.

*Special Conditions:* All in-kind contributions shall meet the following criteria: (1) be identifiable from grantee's records, (2) not be included as contributions for other federally assisted programs, and (3) be necessary and reasonable for proper and efficient accomplishment of project objectives. Application must identify in-kind contributions, methods of documentation, and explanation of conformance to items 1, 2, and 3 of criteria. Applicant must obtain approval of in-kind contribution prior to formal submission of grant application.

*Budget:*

CJC (Part C, federal) . . . . . \$228,000

|  |           |
|--|-----------|
| CJC (state CJPF matching) . . . . .        | \$ 30,400 |
| Minimum grantee matching (state) . . . . . | \$ 45,600 |
| Total . . . . .                            | \$304,000 |

Ratio: Maximum 75% CJC (Part C, federal), maximum 10% CJC (state CJPF matching), and minimum 15% grantee matching.

**73-E4. CRIMINAL JUSTICE PROJECTS—  
LAW SCHOOLS**

*Objective* is to develop and expand the curriculum in the several law schools in Texas. Practical in-service training and experience by second- and third-year law students in seminar programs that provide and require summer internships of eight to 12 weeks' duration or internships during the normal academic year in prosecutors' offices and other criminal justice offices and agencies 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.

Law schools and prosecutors must strive together to encourage the professors of criminal law and criminal procedure to work in the prosecutors' offices and prosecutors to teach criminal law and criminal procedure in the law schools. This exchange could be accomplished during an academic semester, academic year, or summer months and would enable the law professor to gain a practical insight into the courses he teaches and their practical application by the prosecutor, defense attorney, and courts. The prosecutor would gain a practical insight in teaching the theory and its practical application.

It is recognized that not all law students will pursue prosecution as a career, but it is anticipated that more than 50 per cent 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 law schools and Texas prosecutors offices.

1. Assistance will be provided to law schools that provide a seminar program requiring summer internships of eight to 12 weeks' duration or internships during the normal academic year in prosecutors' offices and other criminal justice offices and agencies. This project contemplates a defined seminar program for which academic credit is given. Law students may be placed in offices or agencies of the criminal justice system, in or out of Texas. Preference will be given to law schools that provide full professional and sup-

portive staff; placement of law students in prosecutors' offices, defense offices, and courts; and the placement of law students in Texas. It is anticipated that two to five grants will be made involving two to five law schools and 40 to 75 second- and third-year law students.

*Special Requirements:* (a) Application must provide curriculum, law school participation, rules and regulations governing law students, and locations where law students will be placed; (b) application must provide for internal and external evaluation. See evaluation requirements at end of program description.

2. Assistance will be provided for metropolitan prosecutors' offices to employ Texas law school professors who teach criminal law and criminal procedure, and for Texas law schools to employ Texas prosecutors from metropolitan prosecutors' offices to teach. This project contemplates the employment and active participation of the law professor in trial, briefing, and research activities and the employment of a prosecutor from a metropolitan prosecutor's office to teach criminal law or criminal procedure. This project contemplates such employment during an academic semester, academic year, or summer months. Only metropolitan prosecutors' offices and law professors from Texas law schools are eligible to participate. This project will provide a practical insight to the law professor of the courses he teaches and their practical application and to the prosecutor the theory of the practical application. It is anticipated that one or two projects will be funded involving two to four law professors and prosecutors.

*Special Requirements:* (a) Application must present the scope and dates of employment. The law professor's salary must be consistent with that paid by his law school and the prosecutor's salary must be consistent with that paid by his office; (b) application must include provisions for internal and external evaluation. See evaluation requirements at end of program description.

*Evaluation* procedure shall be included in each grant application and shall include grantee's comparisons of the goals, methods, and results as presented in the application and by actual documentation during the project period. The grantee shall include in the application the concept and statistical information to be used in evaluation. Changes during the project period must be discussed in the evaluation, with adequate narrative to show the facts, circumstances, and justifications for all changes.

Grantee shall provide for external evaluation by a team from the same component of the criminal jus-

tice system or from personnel directly related to or in the criminal justice system who possess expertise in the project concept. CJC approval of external evaluators is required.

Grantees are required to submit internal and external evaluations. Grantees who request continued funding must submit by the end of the tenth month the internal and external evaluations with the grant application for consideration of the continuation of the project.

Grants will be available to universities, colleges, units of local government, or a combination of these. Approximately three to seven grants ranging from \$10,000 to \$60,000 are anticipated during 1973.

*Special Conditions:* All in-kind contributions shall meet the following criteria: (1) be identifiable from grantee's records, (2) not be included as contributions for other federally assisted programs, and (3) be necessary and reasonable for proper and efficient accomplishment of project objectives. Application must identify in-kind contributions, methods of documentation, and explanation of conformance to items 1, 2, and 3 of criteria. Applicant must obtain approval of in-kind contribution prior to formal submission of grant application.

*Budget:*

|  |           |
|--|-----------|
| CJC (Part C, federal) . . . . .            | \$ 76,000 |
| CJC (state CJPF matching) . . . . .        | \$ 10,133 |
| Minimum grantee matching (state) . . . . . | \$ 15,200 |
| Total . . . . .                            | \$101,333 |

Ratio: Maximum 75% CJC (Part C, federal), maximum 10% CJC (state CJPF matching), and minimum 15% grantee matching.

**73-E5. LAW REFORM**

*Objective* is to provide financial assistance in the preparation and acceptance of revisions of the Constitution of the State of Texas as it affects courts, prosecution, clerks, and the criminal justice system; *Penal Code*; and *Code of Criminal Procedure*, and in the preparation and acceptance of statutory changes necessary to implement Constitutional changes and to modernize the jurisdiction and responsibilities of all components of the criminal justice system.

*Implementation* will be through the State Bar of Texas, its appropriate sections and committees, Civil Judicial Council, Texas District and County Attorneys Association, Texas Criminal Defense Lawyers Association, and appropriate interim legislative com-

mittees. Besides revisions to the Constitution, *Penal Code*, and *Code of Criminal Procedure* and necessary statutory changes, this project contemplates development and implementation of public information programs and projects to gain acceptance of the proposed changes to be offered to the Legislature. CJC-funded projects should include this concept when appropriate.

*Evaluation* procedure shall be included in each grant application and shall include a grantee's comparisons of the goals, methods, and results as presented in the application and as presented by actual documentation during the project period. The grantee shall include in the application the concept and statistical information to be used in the evaluation. Changes during the project period must be discussed in the evaluation with adequate narrative to show the facts, circumstances, and justifications for all changes.

Grantee shall provide for external evaluation by a team from the same component of the criminal justice system or from persons directly related to or in the criminal justice system who possess expertise in the project concept. CJC approval of external evaluators is required.

Grantees are required to submit internal and external evaluations. Grantees who request continued funding must submit by the end of the tenth month the internal and external evaluation with the grant application for consideration of the continuation of the project.

Grants will be available to state agencies, private nonprofit tax-exempt organizations, House of Representatives and Senate of the State of Texas, interim committees, or any combination of these. Three to five grants ranging from \$20,000 to \$100,000 are anticipated during 1973.

*Special Conditions:* All in-kind contributions shall meet the following criteria: (1) be identifiable from grantee's records, (2) not be included as contributions for other federally assisted programs, and (3) be necessary and reasonable for proper and efficient accomplishment of project objectives. Application must identify in-kind contributions, methods of documentation, and explanation of conformance to items 1, 2, and 3 of criteria. Applicant must obtain approval of in-kind contribution prior to formal submission of grant application.

*Budget:*

|  |           |
|--|-----------|
| CJC (Part C, federal) . . . . .            | \$132,000 |
| CJC (state CJPF matching) . . . . .        | \$ 17,600 |
| Minimum grantee matching (state) . . . . . | \$ 26,400 |
| Total . . . . .                            | \$176,000 |

Ratio: Maximum 75% CJC (Part C, federal), maximum 10% CJC (state CJPF matching), and minimum 15% grantee matching.

**F. INCREASE IN EFFECTIVENESS OF CORRECTIONS AND REHABILITATION**

**73-F1. CORRECTIONAL PERSONNEL TRAINING AND EDUCATION**

*Objective* is to provide 80 hours of 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 by local and state correctional agencies through seminars, workshops, training programs, internships, scholarships, and fellowships. 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 and job placement and counseling services.

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 four grants ranging from \$20,000 to \$100,000 will be made to Sam Houston State University in fiscal 1973. Ten grants ranging from \$5,000 to \$20,000 will be made to units of local government from fiscal 1972 balances.

*Budget:*

|  |           |
|--|-----------|
| CJC (Part C, federal) . . . . .            | \$255,000 |
| CJC (state CJPF matching) . . . . .        | \$ 34,000 |
| Minimum grantee matching (state) . . . . . | \$ 51,000 |
| Total . . . . .                            | \$340,000 |

Ratio: Maximum 75% CJC (Part C, federal), maximum 10% CJC (state CJPF matching), and minimum 15% grantee matching.

**73-F2. TRAINING, PLACEMENT, AND SPECIALIZED UNITS**

*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 services to all juvenile and criminal courts; (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, and (d) to provide for establishment of volunteers in probation under auspices of the probation department. This program anticipates expansion of existing services in metropolitan areas, including counties, and establishment and expansion of regional probation services in non-metropolitan areas.

Specialized pretrial hearing and presentence 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 presentence 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.

Volunteers in probation, under the direction of the probation department, can help reduce caseloads, increase citizen awareness and involvement in corrections, and afford the probation department valuable clerical, research, and public relation services.

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 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 offices in metropolitan areas. These areas will receive assistance in forming specialized units to provide pretrial hearing services, presentence dispositional services, and 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, and operational costs. Informal applications should be submitted to CJC staff for inclusion of special conditions unique to the project.

*Evaluation* shall be both 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 cost factors and evaluation personnel selection will be made available by the CJC staff.

Detailed and concise quantitative and qualitative evaluation criteria for external evaluation purposes will be made an integral part of the original or continuation application. By the end of the project's first quarter, the mechanics for contracting and carrying out the external evaluation must be submitted for CJC review and approval.

#### *Special Conditions:*

1. A rough draft of all applications will be submitted for CJC staff review and comments (anticipate a minimum of 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. Written working agreements between related CJC-funded delinquency prevention and control projects in the same locale must be attached and made a part of the original or continuation application.

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.

5. Probation fees, or an estimate of said fees if none has been collected previously, must be used in their entirety as grantee match. Probation fees collected that exceed the required grantee match during the project year may be carried over into the continuation project period.

6. Adult and juvenile personnel qualifications must conform to statutory requirements set forth in Article 42.12, *Texas Code of Criminal Procedure* page 274. A written request for waiver will require approval from the program director of the CJC juvenile delinquency section.

*Grants* will be made to state agencies, regional councils, or units of local government. It is anticipated that applications for a range of \$50,000 to \$150,000 will be considered.

*Budget (Part C):*

|  |             |
|--|-------------|
| CJC (Part C, federal) . . . . .            | \$2,480,000 |
| CJC (state CJPF matching) . . . . .        | \$ 330,667  |
| Minimum grantee matching (local) . . . . . | \$ 496,000  |
| Total . . . . .                            | \$3,306,667 |

Ratio (Part C): Maximum 75% CJC (Part C, federal), maximum 10% CJC (state CJPF matching), and minimum 15% grantee matching.

*Budget (Part E):*

|  |           |
|--|-----------|
| CJC (Part E, federal) . . . . .            | \$630,000 |
| Minimum grantee matching (state) . . . . . | \$ 45,000 |
| Minimum grantee matching (local) . . . . . | \$165,000 |
| Total . . . . .                            | \$840,000 |

Ratio (Part E): Maximum 75% CJC (Part E, federal) and minimum 25% grantee matching.

**73-F3. REHABILITATION—REINTEGRATION PROGRAMS**

*Objective* is to assist local correctional facilities and state institutions in establishing or improving rehabilitation methods and programs intended to bring about the early reintegration of offenders into the community.

*Implementation* will be by units of local government and state agencies. This program will provide support for (1) work-release or work-furlough programs, including study release; (2) halfway house programs; (3) crisis intervention programs at local jails; (4) pretrial intervention programs intended to minimize detention and provide a range of services; (5) educational and vocational programs; (6) employment programs; and (7) other programs intended to fulfill the constitutional rights of pretrial detainees and sentenced prisoners and to enhance their prospects for social reintegration.

Maximum emphasis in these programs will be placed on the use of community resources, either existing or developed under the projects to be funded, by interagency agreement or purchase. (See listing of potential community resources for corrections beginning on Page A 7.14 of *Guidelines for the Planning and Design of Regional and Community Correctional Centers for Adults*, University of Illinois.)

*Evaluation* will be based on (1) status of rehabilitation-reintegration efforts prior to introduction of new programs, (2) the number of participants involved in

rehabilitation-reintegration programs prior to and following the introduction of the new programs, (3) criteria for selecting participants for the new programs, and (4) criteria reflecting progress toward stated goals.

*Grants* will be made to units of local government, or combinations thereof, and state agencies. Approximately 20 grants ranging from \$10,000 to \$100,000 are projected, with priority to be given county and local jails and detention centers.

*Budget:*

|  |           |
|--|-----------|
| CJC (Part E, federal) . . . . .            | \$500,000 |
| Minimum grantee matching (state) . . . . . | \$ 66,667 |
| Minimum grantee matching (local) . . . . . | \$100,000 |
| Total . . . . .                            | \$666,667 |

Ratio: Maximum 75% CJC (Part E, federal) and minimum 25% grantee matching.

**73-F4. IMPROVEMENT OF CORRECTIONS PROGRAMS AND PRACTICES**

*Objective* is to conduct research and to develop the use of modern management techniques to improve the organizational structure, management, program effectiveness, and operations of local and state agencies concerned with juvenile and adult corrections.

*Implementation* will be 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 correctional improvements ordinarily will be made on contract or purchase order. Projects will include: (1) recordkeeping practices; information flows; use 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; (8) development of technical assistance resources for use by CJC in responding to state and local requests as provided by the Act; (9) evaluation

of effectiveness of ongoing correctional programs; and (10) research leading to the establishment of new and innovative corrections programs.

*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, and 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 \$5,000 to \$35,000 will be made to CJC and about 10 local agencies.

*Budget:*

|  |           |
|--|-----------|
| CJC (Part E, federal) .....            | \$255,000 |
| Minimum grantee matching (state) ..... | \$ 66,667 |
| Minimum grantee matching (local) ..... | \$ 18,333 |
| Total .....                            | \$340,000 |

Ratio: Maximum 75% CJC (Part E, federal) and minimum 25% grantee matching.

**73-F5. 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. Projects will include programs and conditions similar to those listed under Program 73-F2, "Training, Placement and Specialized Units:" (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 exoffenders.

*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. Approximately six grants ranging from \$10,000 to \$100,000 are projected.

*Budget:*

|  |           |
|--|-----------|
| CJC (Part E, federal) .....            | \$400,000 |
| Minimum grantee matching (state) ..... | \$133,333 |
| Total .....                            | \$533,333 |

Ratio: Maximum 75% CJC (Part E, federal) and minimum 25% grantee matching.

**73-F6. PLANNING AND CONSTRUCTION OF NEW OR IMPROVED CORRECTIONAL FACILITIES**

*Objectives* are to renovate existing jail and juvenile detention facilities or to construct new facilities where regionalization or consolidation is not feasible and to construct new physical facilities for existing state institutions. Purposes are to facilitate new and improved rehabilitation and reintegration programs for state and local prisoners and to fulfill constitutional rights of pretrial detainees and sentenced offenders. Among local projects submitted for consideration, preference will be given to those intended to accomplish jail consolidation, where consolidation is a reasonable alternative to regionalization. Facilities that are unsatisfactory for rehabilitational use or that do not meet constitutional requirements may thereby be reduced or eliminated.

*Implementation* will be by state juvenile and adult correctional agencies, regional councils, sheriffs' departments, juvenile courts, municipal governments, and combinations of these that may be involved in the consolidation of facilities.

Normally, projects will be funded in three phases: preliminary planning, detailed architectural planning, and construction. However, minor projects in some instances may combine preliminary and architectural planning. Where these phases already have been accomplished by the grantee, construction will be the only phase remaining.

As a condition for receipt of Part E funds for the planning, construction, acquisition, or renovation of adult or juvenile correctional institutions or facilities, all applicants for such funds must demonstrate the



following (to the extent applicable to the particular project and area or region to be served by the proposed facility):

1. Reasonable use of alternatives to incarceration, including referral and bail practices, diversionary procedures, court sentencing practices, and comprehensive probation resources, and the minimization of incarceration by state and local parole practices, work-study release, or other programs assuring timely release of prisoners under adequate supervision. (Applications should indicate the areas to be served; comparative rates of dispositions for fines, suspended sentences, probation, institutional sentences, and other alternatives; and rates of parole.)

2. Special provision for the treatment, particularly in community-based programs, of alcohol and drug abusers.

3. Architectural provision for the complete separation of juvenile, adult female, and adult male offenders.

4. Specific study of the feasibility of sharing facilities on a regional (multistate or multicounty) basis.

5. Architectural design of new facilities providing for appropriate correctional treatment programs, particularly those involving other community resources and agencies.

6. Willingness to accept in the facilities persons charged with or convicted of offenses against the United States, subject to negotiated contracted agreements with the Bureau of Prisons.

Planning funds may be used for necessary studies to comply with these considerations and to prepare a statement of objectives of the proposed facilities, architectural programs, schematics, outline specifications, and cost estimates. Applications for the planning of construction projects must indicate the qualifications of persons to be used or sought as program planning consultants.

Applications for construction funds, in addition to meeting the requirements of paragraphs 1 through 6, shall:

1. Be accompanied by a statement of objectives of the proposed facilities, architectural programs, schematics, outline specifications, and cost estimates.

2. Include a certification of the manner and means through which needed contractual services (site preparation, utility installation, building construction, purchases of equipment and fixtures) will be obtained in accordance with the applicable provisions of appropriate state and local law, rules, or regulations. This must normally include some system of competitive bid solicitation. Use of separate con-

tracts for construction and equipment is encouraged.

3. Reflect that architectural and other needed professional services shall be obtained on the basis of professional competence. Contractual fee for such services shall be in accordance with prevailing schedules suggested by recognized professional organizations, such as the American Institute of Architects.

Prior to submission of applications, specific approval must be obtained from CJC for projects involving: (a) construction of an adult facility having an operating capacity in the aggregate of more than 400 persons or a total site preparation, construction, and outfitting cost of more than eight million dollars, and (b) construction of a juvenile facility having an operating capacity in the aggregate of more than 150 persons or a total site preparation, construction, and outfitting cost of more than four million dollars.

During the planning of proposed construction projects and development of architectural design or construction drawings the grantee or subgrantee will be required to:

1. Consult with and provide relevant documents to the National Clearinghouse for Criminal Justice Planning and Architecture; the University of Illinois, Urbana, Illinois.

2. Obtain a certification of compliance with national standards.

3. Expend no funds until such certification is obtained.

The grantee or subgrantee also must provide a negative environmental impact statement.

The grantee or subgrantee shall provide satisfactory assurances that advanced techniques will be used in the design of institutions and facilities, and that the personnel standards and programs of the proposed institutions and facilities will reflect advanced practices. The term "satisfactory assurance" means a data-supported statement indicating specific compliance with the intent. The terms "advanced techniques" and "advanced practices" mean techniques and practices comparable to the best contemporary methods, standards, or requirements, as recognized by professional agencies or organizations or as suggested by technical assistance planning and design materials used by LEAA.

Part E funds granted under this program may not be used for routine repair, maintenance, or upkeep purposes and—with respect to construction, acquisition, and renovation—may be used only for such institutions and facilities or portions thereof that substantially provide or contribute to providing confinement or rehabilitation for those charged with or con-

victed of law violation.

*Evaluation* of projects will be based on compliance with the considerations set forth in the implementation section.

*Grants* will be made to state correctional agencies, regional councils, units of local government, and combinations of these. Grants will be made for planning renovations and remodeling at approximately 20 county jails (grants averaging \$10,000), and for construction at approximately 10 of these facilities (grants averaging \$25,000). Priority will be given to projects documenting the greatest need. Consideration also will be given to construction of additional dormitories and correctional treatment space at TDC.

*Budget:*

|  |           |
|--|-----------|
| CJC (part E, federal) . . . . .            | \$285,000 |
| Minimum grantee matching (local) . . . . . | \$ 95,000 |
| Total . . . . .                            | \$380,000 |

Ratio: Maximum 75% CJC (part E, federal) and minimum 25% grantee matching.

**73-F7. PLANNING AND CONSTRUCTION OF REGIONAL CORRECTIONAL FACILITIES**

*Objective* is to provide regional correctional facilities at centralized locations to pool resources and prisoner populations and to enable economical rehabilitation and reintegration programs. These centers also may serve as diagnostic resources for the courts and as outlets for the state's work-release program. The program is intended to reduce the use of outmoded jail facilities and to eliminate the practice of holding juveniles in jail.

*Implementation* will be 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 fabrication of construction materials and in the construction process, costs may be credited as local or state match.)

Projects under this program will be funded in three separate phases: preliminary planning, detailed architectural planning, and construction.

Applicants for funds to plan and construct regional correctional facilities must meet all of the applicable requirements of Program 73-F6, "Planning and Construction of New or Improved Correctional Facilities," relating to: reasonable use of alternatives

to incarceration; special provision for the treatment of alcohol and drug abusers; architectural provision for the separation of types of offenders; study of the feasibility of regionalization; architectural design providing for appropriate correctional treatment programs; willingness to accept federal prisoners; use of planning funds to prepare a statement of objectives of the proposed facilities, architectural programs, schematics, outline specifications, and cost estimates; qualifications of consultants; certification of manner and means of obtaining contractual services; competence of professional services; limitations on institutional size; consultation with National Clearinghouse for Criminal Justice Planning and Architecture and certification of compliance with national standards; negative environmental impact statement; satisfactory assurances as to advanced techniques in design of facilities and advanced practices in personnel standards and programs; and prohibited uses of Part E funds.

*Evaluation* of construction projects will be on the basis of compliance with the foregoing requirements initially and later on facility population, costs of operation and programs, personnel standards and programs, relative use of community resources in rehabilitation and reintegration programs, and effectiveness of the new facilities in reducing recidivism.

One grant will be made to TDC to begin construction of one regional correctional facility.

*Budget:*

|  |             |
|--|-------------|
| CJC (Part E, federal) . . . . .            | \$1,000,000 |
| Minimum grantee matching (state) . . . . . | \$ 333,333  |
| Total . . . . .                            | \$1,333,333 |

Ratio: Maximum 75% CJC (Part E, federal), and minimum 25% grantee matching.

**73-F8. CONSTRUCTION OF STATE FACILITIES**

*Objective* is to construct and equip a facility to provide for education and training of persons and organizations connected with the criminal justice system.

*Implementation* will be by Sam Houston State University and TDC at Huntsville, which is building a Center for Continuing Education for criminal justice personnel.

*Evaluation* of this construction project will be 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.

Grant will be made to Sam Houston State University at Huntsville. One grant for \$500,000 is projected.

*Budget:*

CJC (Part C, federal) .....\$ 500,000

CJC (state CJPF matching) .....\$ 200,000  
Minimum grantee matching (state) .....\$ 300,000  
Total .....\$1,000,000

Ratio: Maximum 50% CJC (Part C, federal), maximum 20% CJC (state CJPF matching), and minimum 30% grantee matching.

## G. REDUCTION OF ORGANIZED CRIME

### 73-G1. ORGANIZED-CRIME PREVENTION COUNCIL

*Objectives* are to provide for statewide planning for organized-crime control and the coordination of law enforcement efforts against organized crime. They will be accomplished by supporting a council whose members are knowledgeable about organized crime and, by virtue of their positions in state and local operating agencies, are capable of coordinating efforts to control it. 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.

This program contributes to the goal of reducing organized crime by reducing its causes; by producing a statewide social, economic, and environmental climate unfavorable to the organized-crime operations; and by developing intervention techniques to eliminate existing organized crimes. It also will improve the control of organized criminal activities by reducing the opportunities for its successful operation and increasing the risks for the perpetrators.

*Implementation:* The Organized-Crime Prevention Council was established by executive order, its members appointed by the Governor. The council director provided under this program will serve as staff for the council and will assume the task of developing feasibility studies for a regional interstate compact for organized-crime control. The director will work closely with the council in opening channels of communication with quasi-governmental and private agencies that will have information necessary for an investigation of the scope of organized crime in the state and the nation.

*Evaluations* will document the extent of organized criminal activity within the jurisdiction of the Organized-Crime Prevention Council, including illegal gambling, loan sharking, prostitution, and illegal narcotics. Specifications of programs initiated to curb these activities and estimates of the relative success of each will be provided.

*Grants* will be made only to the Criminal Justice Council. 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, travel expenses for the council and its operating committee, and printing) will be paid from a CJC grant.

*Special Restrictions:* The program director will

serve in a planning capacity in coordinating the statewide effort.

#### *Budget:*

|  |          |
|--|----------|
| CJC (Part C, federal) .....            | \$10,000 |
| CJC (state CJPF matching) .....        | \$ 1,333 |
| Minimum grantee matching (state) ..... | \$ 2,000 |
| Total .....                            | \$13,333 |

Ratio: Maximum 75% CJC (Part C, federal), maximum 10% CJC (state CJPF matching), and minimum 15% grantee matching.

### 73-G2. ORGANIZED-CRIME CONTROL UNITS FOR LAW ENFORCEMENT AGENCIES

*Objective* is to establish multiagency organized-crime control units, with countywide (or multi-countywide) organized-crime investigative jurisdiction, composed of police agencies and felony prosecutors' offices in the state's major metropolitan areas to combat organized crime.

This program contributes to the broad goal of improving the control of organized crime by reducing the opportunities for its successful operation and increasing risks for the perpetrators of organized crime in all major metropolitan areas.

*Implementation* will be by funding a unit of general local government in the metropolitan area. The multiagency organized-crime control unit will consist of not less than three participating law enforcement agencies, one of which shall be that of the grantee. The project director generally will be a member of the grantee's law enforcement agency and must be approved by the Criminal Justice Council. The unit must be appointed in conformance with CJC guidelines.

The participating agencies will select members of their respective organizations for assignment to the organized-crime control unit. This unit will be controlled and directed by a board of governors consisting of the participating agency heads. The board of governors will select a member of one of the participating agencies, who must be a sworn peace officer, to command the unit. This officer also may serve as project director if a member of the grantee's law enforcement agency and if approved by CJC.

Units of local government generally will be expected to fund the unit fully after three years of CJC assistance.

*Evaluation* will include documentation of procedures used for storage and retrieval of organized-

crime intelligence information. It will include specifications 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 Intelligence Unit at 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. Grantee will report the degree of success accomplished in organized crime reduction as reflected by the total number of arrests, the number of arrests resulting in filing of criminal charges, the number of grand jury indictments returned against the cases filed, and the percentage of indictments culminating in convictions.

*Grants* will be made available to units of general local government in major metropolitan areas responsible for organized-crime control.

It is estimated that 10 to 12 grants ranging from \$70,000 to \$150,000 will be made during 1973. These grants will include the continuation funding of organized-crime control units at Amarillo, Baytown, Dallas, El Paso, Fort Worth, Galveston, San Antonio, and Wichita Falls in 1973. Also, it is estimated that new organized-crime control units will be funded for Cameron County (Brownsville), Jefferson-Orange counties (Beaumont), Nueces County (Corpus Christi), and Travis County (Austin) during 1973.

*Special Restrictions:* Funding under this program is subject to the following requirements:

1. A substantial organized-crime problem affecting the jurisdiction must be demonstrated.
2. The unit shall submit collected information and intelligence to the Organized-Crime Intelligence Unit, Intelligence Service, Department of Public Safety.
3. The unit shall comply with the security regulations pertaining to safeguarding information and intelligence as prescribed by the Organized-Crime Prevention Council.
4. The unit shall comply with the minimum personnel requirements for organized crime control units, as follows:

- (a) Minimum assigned personnel will be not less than one supervisor, four investigators, and one secretary; (b) An analyst may be included in units having not less than one supervisor, six investigators, and one secretary; (c) A legal advisor must be included at least one half of the time in units having not less than one supervisor, eight investi-

gators, and one secretary; and (d) An accountant may be included in units having not less than one supervisor, 10 investigators, one analyst, one legal advisor, one secretary, and one stenographer or typist.

5. Separate units will not be established in a metropolitan area where an organized-crime control unit already exists.

6. Equipment may not be purchased after initial one-year funding from a discretionary or action grant; however, it may be purchased under program 73-G3.

*Budget:*

|  |             |
|--|-------------|
| CJC (Part C, federal) . . . . .            | \$ 750,000  |
| CJC (state CJPF matching) . . . . .        | \$ 100,000  |
| Minimum grantee matching (local) . . . . . | \$ 150,000  |
| Total . . . . .                            | \$1,000,000 |

Ratio: Maximum 75% CJC (Part C, federal), maximum 10% CJC (state CJPF matching), and minimum 15% grantee matching.

**73-G3. TECHNICAL EQUIPMENT FOR ORGANIZED-CRIME CONTROL**

*Objective* is to improve the intelligence, detection, apprehension and prosecution capabilities of law enforcement officers and felony prosecutors by providing the technical equipment needed to detect and prosecute the perpetrators of organized crime.

This program contributes to the broad goal of reducing organized crime by increasing the risks involved to a degree that would preclude any successful operations.

*Implementation* will be through grants to state agencies with organized-crime control responsibilities and to units of general local government designated as grantees for multiagency organized-crime control units. Only that equipment for which legal uses have been established will be provided. It is estimated that 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.

*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 prevention of organized criminal activity and assisted in apprehension and prosecution of suspects.

Grants will be made available to state agencies and units of local government with responsibilities in organized-crime control, as described herein. It is estimated that 10 to 18 grants ranging from \$1,000 to \$10,000 will be made in 1973.

*Special Restrictions:*

1. Equipment purchased must increase the capabilities of agencies in organized-crime control.
2. No equipment will be purchased to replace existing equipment.
3. Equipment purchased must be assigned to the individuals, sections, or divisions in operating agencies responsible for organized-crime detection or prosecution and must be used exclusively for organized-crime control.
4. Cash match will be required from grantee for equipment purchases.

*Budget:*

|  |          |
|--|----------|
| CJC (Part C, federal) .....            | \$41,000 |
| CJC (state CJPF matching) .....        | \$ 5,467 |
| Minimum grantee matching (state) ..... | \$ 7,000 |
| Minimum grantee matching (local) ..... | \$ 1,200 |
| Total .....                            | \$54,667 |

Ratio: Maximum 75% CJC (Part C, federal), maximum 10% CJC (state CJPF matching), and minimum 15% grantee matching.

**73-G4. TRAINING FOR ORGANIZED-CRIME CONTROL**

*Objective* is to improve the intelligence, detection, apprehension, and prosecution capabilities of law enforcement officers and felony prosecutors in each standard metropolitan statistical area by providing adequate training in organized-crime control. A second objective is to acquaint the criminal justice planners and the district judges of these areas and the appellate judges with the nature of organized crime.

It is estimated that approximately 200 law enforcement officers and prosecutors from 50 different agencies will receive this specialized training in 1973. Also, 1973 plans call for presenting a modified phase of this specialized training to a minimum of 25 district court and appellate court judges and 10 to 15 criminal justice planners. It is estimated that 2,000 judges, police officers, prosecutors, and planners will receive training during the multiyear period.

This program will contribute to the broad goal of improving the control of organized crime by reducing

opportunities for successful operations and increasing the risks to the perpetrators.

*Implementation* will be in two ways:

1. Grants for travel, registration fees, books and supplies, and per diem will be made to units of general 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 schools, conferences, or workshops sponsored by federal or state agencies in any state, or other creditable institutions as determined by CJC.

Funds will be made 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, interrogations, preparation of affidavits and warrants, searches, evidence, report writing, preparation for trial, and 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 number of persons who have participated in the training program, information concerning departments these officers represent, and the various contingency plans for further training for the prevention of organized crime.

*Grants* will be made available to units of general local government in major metropolitan areas or to a state agency with responsibilities in organized-crime control.

It is estimated that eight to 10 grants ranging from \$4,000 to \$10,000 will be made in 1973.

*Special Restrictions:* Proposed curricula and instructors for the training program must be approved by CJC.

*Budget:*

|  |          |
|--|----------|
| CJC (Part C, federal) .....            | \$20,000 |
| CJC (state CJPF matching) .....        | \$ 2,667 |
| Minimum grantee matching (state) ..... | \$ 4,000 |
| Total .....                            | \$26,667 |

Ratio: Maximum 75% CJC (Part C, federal), maximum 10% CJC (state CJPF matching), and minimum 15% grantee matching.

### 73-G5. ORGANIZED-CRIME INTELLIGENCE COLLECTION

*Objective* is to improve the statewide organized-crime intelligence collection, analysis, and dissemination capability of law enforcement officers and prosecutors by coordinating their efforts through a supported central unit at DPS to control an intrastate and interstate organized-crime intelligence network. It is estimated that the intrastate organized-crime intelligence network will expand in 1973 to include 11 local organized-crime control units and representatives from intelligence units from 25 separate police agencies. The interstate organized-crime intelligence network will be established during the multiyear period and will include four to six contiguous southern states.

This program will contribute to the broad goal of improving the control of organized criminal activities by developing among law enforcement officers and prosecutors the expertise needed to detect, apprehend, and prosecute the perpetrators of organized crime.

*Implementation* of the initial phase 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. This unit will continue to be the central control unit for the eight local organized-crime control units now in operation and for additional units to be established in 1973. In future years, additional grants will be made to DPS and other state agencies involved in organized-crime control 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 will also 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:*

|  |           |
|--|-----------|
| CJC (Part C, federal) . . . . .            | \$149,000 |
| CJC (state CJPF matching) . . . . .        | \$ 19,867 |
| Minimum grantee matching (state) . . . . . | \$ 29,800 |
| Total . . . . .                            | \$198,667 |

Ratio: Maximum 75% CJC (Part C, federal), maximum 10% CJC (state CJPF matching), and minimum 15% grantee matching.

### 73-G6. PUBLIC EDUCATION ON ORGANIZED CRIME

*Objective* is to produce a statewide social, economic, and environmental climate unfavorable to the operations of organized crime, by the use of an extensive public educational program designed to acquaint every citizen with the nature and activities of organized crime and how it affects a community.

This program will contribute to the broad goal of reducing the causes of organized crime by reducing the public's participation in its schemes and will assist in controlling organized criminal activities by increasing the risks to the perpetrators.

*Implementation* will be by making grants and providing staff assistance to units of general local government in major metropolitan areas, the Office of the Governor, and state agencies responsible for organized-crime control.

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. Films will be made, brochures published, releases made, and speeches presented.

It is estimated that in 1973 DPS will implement a statewide public education program on organized crime consisting of two 15-minute 16-mm color films, 18 30- to 60-second television spot announcements, 18 30- to 60-second radio spot announcements, and a series of 18 feature articles for newspapers and other publications. This project was funded by CJC and now is in production with an estimated dissemination

date of early 1973. The project is designed to inform at least 500,000 citizens of Texas on organized crime in 1973.

*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 program cost per individual participant.

*Grants* will be made to units of general local government in major metropolitan areas, the Office of the Governor, and state agencies responsible for organized-crime control 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 \$75,000 will be made during 1973, 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:*

|  |          |
|--|----------|
| CJC (Part C, federal) .....            | \$65,000 |
| CJC (state CJPF matching) .....        | \$ 8,667 |
| Minimum grantee matching (state) ..... | \$13,000 |
| Total .....                            | \$86,667 |

Ratio: Maximum 75% CJC (Part C, federal), maximum 10% CJC (state CJPF matching), and minimum 15% grantee matching.

**73-G7. STATEWIDE CORRUPTION CONTROL UNIT**

*Objective* is to eliminate any conspiracy that may exist between organized crime and state or local public officials and to prevent any future conspiracies of this nature by supporting a statewide investigative commission assigned full time to investigate organized criminal activities or a statewide corruption control unit assigned full time to investigate corruption of public officials. It is estimated that this will affect between 15 and 20 major communities in the state where organized crime has been identified as conducting illegal operations.

This program will contribute to the broad goal of improving the control of organized crime by reducing the opportunities for its successful operation.

*Implementation* will be by a permanent, independent statewide investigative commission with subpoena power to be established by the Legislature during 1973, or by a special unit of the Attorney General's Office designated as a statewide corruption control unit and assigned to devote its entire time and attention to the problem of official corruption.

This commission or special corruption control unit will be responsible for conducting investigations in connection with:

1. The faithful execution and effective enforcement of the laws of the state, with particular reference to organized crime and racketeering; and
2. The conduct of public officials, public officers, and public employees, and of officers and employees of public corporations and authorities.

*Evaluation* will be based on the degree of success attained in eliminating any protected status of organized crime that might exist in communities where its illegal operations have been identified, the number of public officials removed from office for corrupt practices, and the number of grand jury indictments resulting from investigative hearings.

Grants from \$25,000 to \$50,000 will be made to one or two state agencies to pay transportation, operational expenses, and salaries, and to purchase office equipment are anticipated.

*Special Restrictions:* Whenever it appears that there is a cause for the prosecution of a crime or for the removal of a public officer for misconduct, the evidence of such crime or misconduct shall be given to the officials authorized to conduct the prosecution or to remove the public officer.

*Budget:*

|  |           |
|--|-----------|
| CJC (Part C, federal) .....            | \$ 75,000 |
| CJC (state CJPF matching) .....        | \$ 10,000 |
| Minimum grantee matching (state) ..... | \$ 15,000 |
| Total .....                            | \$100,000 |

Ratio: Maximum 75% CJC (Part C, federal), maximum 10% CJC (state CJPF matching), and minimum 15% grantee matching.



## H. PREVENTION AND CONTROL OF RIOTS AND CIVIL DISORDERS

### 73-H1. PLANNING, TRAINING, AND EQUIPMENT

*Objective* is to increase the police capability of preventing and controlling riots and civil disorders by increasing their ability to respond promptly and efficiently to any incipient civil disturbance, to disperse and quell the riot, and to deter its repetition. The objective will be accomplished by improved police organization and planning, increased competency of police personnel, and improved coordination of all police.

Specifically, the objective is to assist local governments and state agencies whose jurisdictions have a potential for riots or disorders to plan, train, and equip themselves for effective response to such incidents. Department of Public Safety, the Adjutant General, and CJC have developed plans for statewide response. This program will aid in developing and upgrading five to 10 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 for officers 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 training in specialized phases of riot control, such as intelligence, public media relations, and bomb scene control, and as countersnipers and bomb technicians. The goal 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 courses 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. Equipment approved for funding includes conventional riot control equipment, such as helmets, gas masks, chemical agents, portable videotape recording

equipment, cameras, special lighting equipment, non-lethal weapons, equipment to support countersniper teams, and equipment for handling bombs and hazardous devices.

Units of local government seeking grants must demonstrate their willingness to integrate with regional and statewide riot and disorder control plans. Regional plans must demonstrate the participating agencies' 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 will be 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 that have the potential for contribution to riots or disorders. Bomb squads and countersniper teams are 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 that have occurred in 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 involving utilization of equipment purchased under the grant. These plans will be made in sufficient detail to enable sharing with other departments throughout the state.

*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. 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 \$20,000 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 or disorder.

Every application requesting a grant for a regional or multiagency comprehensive riot and disorder project 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. Each participating agency also must prepare a local plan of action for its particular jurisdiction.

Guidelines for preparing regional and local riot and disorder plans are available from CJC. The police services section of 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 grant 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 application must show a plan and procedure to utilize fully the resources of 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 or rifle 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 weapon use under all conditions.

CJC will ascertain that the procedures for 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 *equipment only* will be made only to replace outdated or obsolete equipment or to expand the capability of an agency that already has met the comprehensive plan criteria. Equipment grants of this category will require a cash match.

*Budget:*

|  |           |
|--|-----------|
| CJC (Part C, federal) . . . . .            | \$139,000 |
| CJC (state CJPF matching) . . . . .        | \$ 18,533 |
| Minimum grantee matching (state) . . . . . | \$ 5,800  |
| Minimum grantee matching (local) . . . . . | \$ 22,000 |
| Total . . . . .                            | \$185,333 |

Ratio: Maximum 75% CJC (Part C, federal), maximum 10% CJC (state CJPF matching), and minimum 15% grantee matching.

# I. IMPROVEMENT OF COMMUNITY RELATIONS

## 73-11. POLICE-COMMUNITY RELATIONS UNITS

*Objective* is to increase the police capability to prevent and control riots and civil disorders by continuing, strengthening, and expanding formal police-community relations units in cities with existing programs and to begin programs in cities that do not have them. Participation is anticipated in establishing or strengthening police-community relations units in 10 cities of more than 100,000 population. A few selected cities of less than 100,000 population, which demonstrate a high degree of community tension, may qualify for CJC assistance in forming police-community relations units. Long-term goal is to extend police service to all segments of the population and to advance police participation in interdisciplinary community problem solving as a means of reducing community tensions.

*Implementation* will be accomplished by creation of formal police-community relations units in departments and assigning from two to 10 or more men (depending upon the size of the department) to the unit and by expanding existing units. Primary activities will be aimed at opening channels of communication between the police and the community. This activity usually is aimed at minority neighborhoods, especially ghettos, where police presence and activities have not been accepted by the people. In most instances, the PCR unit will establish storefront operations, assist in setting up neighborhood meetings and participate in them, and begin foot patrol programs (of a community relations nature) in high crime rate areas or areas where serious problems of distrust and hostility exist.

In most PCR units, community service officers will be used as a bridge of trust and understanding between the police and the community. The director of the police-community relations unit usually will direct and coordinate other police-community relations activities of the department, including public education and public relations. In smaller agencies that do not meet the criterion for establishment of a full-scale police-community relations unit, an agency may wish to establish or expand public education projects. Although they are related to "police-community relations" activities, establishment of such projects is fundable under Category B, "Crime Prevention."

Further implementation will be by providing training for members of departments undertaking such projects, including extensive special training to staff

assigned to the work full time. CJC funds can be used for officers' salaries; supportive office equipment; tuitions, fees, and travel expense for specialized training of unit personnel; operating expenses of police vehicles assigned to the PCR unit; rental expense for storefronts; and other expenses associated with the operation of a new unit or expansion of an existing one. On request, the CJC technical assistance unit will provide advisory assistance to a police agency in establishing a police-community relations unit.

*Evaluation* will enumerate the demographic, social, and educational background of officers assigned to the police-community relations unit, the type of training provided these officers before they begin service in the project, and the curricula and syllabi used in the preservice 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 project. Documentation will include such factors as number of complaints involving police misconduct, public contacts with the police, incidents involving citizen interference with police operations in the field, and incidents involving citizen assistance to police.

*Grants* will be made to cities wishing to establish community relations projects or expand existing ones. Projects funded in fiscal 1973 will be eligible for two years continuation funding. Innovative methods of developing improved police-community relations are encouraged. Seven to nine grant recipients are anticipated. Grants will range from \$35,000 to \$100,000.

### *Budget:*

|  |           |
|--|-----------|
| CJC (Part C, federal) . . . . .            | \$482,000 |
| CJC (state CJPF matching) . . . . .        | \$ 64,267 |
| Minimum grantee matching (local) . . . . . | \$ 96,400 |
| Total . . . . .                            | \$642,667 |

Ratio: Maximum 75% CJC (Part C, federal), maximum 10% CJC (state CJPF matching), and minimum 15% grantee matching.

## 73-12. MINORITY-GROUP POLICE OFFICER RECRUITMENT

*Objective* is to enhance the police capability to

prevent and control riots and civil disorders by enabling the police to respond fully and effectively to the needs of all groups in the community by increasing the employment of minority persons. To accomplish this objective, projects will be designed 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.

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 (including funds for salaries, travel, and equipment) of fixed or mobile recruitment stations in racial minority areas; to develop special recruitment programs for minority groups in high schools or colleges; and to develop and implement other minority group recruitment programs judged by CJC to be meritorious.

Larger agencies will assign an officer or officers to this project full time, in addition to other officers who are on duty and some officers who are assisting with the project in their off-duty time. Smaller agencies that do not need full-time personnel for this project can use some on-duty and some off-duty personnel when actively recruiting. Off-duty personnel assigned to this project will receive overtime pay in accordance with regular police policies concerning overtime pay.

The 1973 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 law enforcement field as a potential vocational area. Grantee will document the number of minority group members contacted through the recruitment program, those who have made inquiries concerning police service, those considered for employment, and those finally selected for preservice 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 depart-

ment, 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:*

|  |          |
|--|----------|
| CJC (Part C, federal) . . . . .            | \$20,000 |
| CJC (state CJPF matching) . . . . .        | \$ 2,667 |
| Minimum grantee matching (local) . . . . . | \$ 4,000 |
| Total . . . . .                            | \$26,667 |

Ratio: Maximum 75% CJC (Part C, federal), maximum 10% CJC (state CJPF matching), and minimum 15% grantee matching.

**73-13. OFF-DUTY POLICE IN CIVIC AND RECREATION PROGRAMS**

*Objective* is to increase the police capability to prevent and control riots and civil disorders by increasing police-citizen contact in non-law enforcement situations, thereby bettering police-community relations. Projects implemented will enable police officers and the public, especially young people in low income areas, to meet each other on a nonpolice basis.

Grants will be provided 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. This person-to-person contact will improve communication and understanding between police officers and citizens.

*Implementation* will be through local governmental law enforcement agencies, to which grants will be made available for payment of hourly wages to off-duty officers and for purchase of some recreation equipment. Officers will work from five to 20 hours per week. Much of their work will be concentrated in spring and summer.

Larger agencies will assign an officer or officers to this project full time, and also may use other officers who are on duty and some officers who are assisting with the project in their off-duty time. Smaller agencies that do not need full-time personnel for this project can use some on-duty and some off-duty personnel in their civic and recreational programs. Off-duty personnel assigned to this project will receive overtime pay in accordance with regular police policies concerning overtime pay.

Off-duty police officers trained in playground organization and sports will be employed to open and supervise school playgrounds during the summer, 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, and the curricula and syllabi used in the preservice 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 project, 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 project's impact. Grantee will conduct structured interviews with a sampling of the children in the project to determine their assessment of the project and its officers.

*Grants* will be available to units of local government. Two to four grants ranging from \$5,000 to \$20,000 will be made during 1973.

*Budget:*

|  |          |
|--|----------|
| CJC (Part C, federal) .....            | \$70,000 |
| CJC (state CJPF matching) .....        | \$ 9,333 |
| Minimum grantee matching (local) ..... | \$14,000 |
| Total .....                            | \$93,333 |

Ratio: Maximum 75% CJC (Part C, federal), maximum 10% CJC (state CJPF matching), and minimum 15% grantee matching.

**73-14. CITIZEN COMPLAINT PROCESSING**

*Objective* is to prevent and control riots and civil disorders by enabling the police to handle all citizens complaints and grievances in a fair and objective manner. A major metropolitan police department will study procedures for citizen complaint processing and 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. The development, testing, and documentation of one model will be undertaken in a city of more than 200,000 population.

This program will allow police departments to implement other meritorious programs aimed at handling citizen complaints, such as the implementation of systems designed to monitor police-citizen contacts by use of tape recorders, miniature transmitters, or other devices. Recording of police-citizen contacts will give police administrators extensive insight into what actually occurred between policemen and citizens, thereby giving the administrator sound evidence on which to base his administrative decisions when handling citizen complaints.

*Implementation* will be through a major city (200,000 or greater) to which a grant will be made available to study, develop, and implement a citizen complaint process. Smaller cities will qualify to implement other meritorious programs aimed at handling citizen complaints. The city selected to develop the new process 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; 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 made to large and medium sized local governmental agencies.

*Special Restrictions:* Projects will continue to receive CJC assistance for no more than two years.

*Budget:*

CJC (Part C, federal) ..... \$15,000

CJC (state CJPF matching) ..... \$ 2,000  
Minimum grantee matching (local) ..... \$ 3,000  
Total ..... \$20,000

Ratio: Maximum 75% CJC (Part C, federal), maximum 10% CJC (state CJPF matching), and minimum 15% grantee matching.

## J. IMPROVEMENT OF COMMUNICATIONS AND INFORMATION SYSTEMS

### 73-J1. INFORMATION SYSTEMS

*Objective* is to improve criminal justice information systems to provide a rapid response to requests for information on crime and offenders and to provide management information to the various administrative levels of the criminal justice system. It includes the planning, design, and implementation of automated systems to provide rapid access to criminal justice information at 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.

*Implementation:* The first phase of implementation of the statewide criminal justice information system was begun with conversion of selected criminal histories at the state level under Project SEARCH. Conversion of criminal histories will continue and priority will be given to the implementation of wanted persons and stolen property files. The system, through an independent communications network, provides more than 700 criminal justice agencies through approximately 300 terminals, 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 that 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 landline communications network controlled by the electronic switchers at DPS. Systems at local or regional levels normally will provide court information, jail population data, and other information necessary to facilitate the apprehension, prosecution, incarceration, and rehabilitation of the felony offender.

*Evaluation* will be based on documentation of progress toward design and implementation of state and local criminal justice information systems to 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 amounts 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 that can assure compatibility with the statewide plan.

*Special Requirements:* Information systems normally will require a cash match.

#### *Budget:*

|  |             |
|--|-------------|
| CJC (Part C, federal) . . . . .            | \$2,865,000 |
| CJC (state CJPF matching) . . . . .        | \$ 382,000  |
| Minimum grantee matching (state) . . . . . | \$ 233,000  |
| Minimum grantee matching (local) . . . . . | \$ 340,000  |
| Total . . . . .                            | \$3,820,000 |

Ratio: Maximum 75% (Part C, federal), maximum 10% CJC (state CJPF matching), and minimum 15% grantee matching.

### 73-J2. TECHNOLOGICAL IMPROVEMENTS

*Objective* is to provide funds enabling units of state and local government to perform research and development and to evaluate current technology to improve criminal justice information and communication systems.

*Implementation* will be through units of state and local government that are able to document specific needs to design and test innovative approaches to improving the criminal justice system.

*Evaluation* will consist of a comparative measurement of accomplishments against the stated goals and will determine the practicability and advantages of widespread adoption of the project by other agencies.

*Grants* will go to state criminal justice agencies, cities, counties, and combinations of units of local government that can assure compatibility with the statewide plan.

*Special requirements:* A well developed work plan must be submitted to CJC for review and comment before application for funding is submitted.

#### *Budget:*

|  |           |
|--|-----------|
| CJC (Part C, federal) . . . . .            | \$290,000 |
| CJC (state CJPF matching) . . . . .        | \$ 38,667 |
| Minimum grantee matching (state) . . . . . | \$ 18,000 |
| Minimum grantee matching (local) . . . . . | \$ 40,000 |
| Total . . . . .                            | \$386,667 |

Ratio: Maximum 75% CJC (part C, federal), maximum 10% CJC (state CJPF matching), and minimum 15% grantee matching.

### 73-J3. LAW ENFORCEMENT RADIO COMMUNICATIONS

*Objective* is to improve the Texas Law Enforce-

ment 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 has been determined and implementation of regional systems will continue on the basis of 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. The design of the old law enforcement radio communications systems does not permit restructuring of the network and efficient utilization of frequencies unless additional 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* normally will go to state agencies and regional councils, which will insure compliance with the statewide radio communications plan.

*Special Requirements:* Law enforcement radio systems will require at least 15 percent cash match by grantee.

*Budget:*

|  |             |
|--|-------------|
| CJC (Part C, federal) .....            | \$3,200,000 |
| CJC (state CJPF matching) .....        | \$ 426,667  |
| Minimum grantee matching (state) ..... | \$ 100,000  |
| Minimum grantee matching (local) ..... | \$ 540,000  |
| Total .....                            | \$4,266,667 |

Ratio: Maximum 75% CJC (Part C, federal), maximum 10% CJC (state CJPF matching), and minimum 15% grantee matching.

**73-J4. DOCUMENT STORAGE AND RETRIEVAL**

*Objective* is to automate document storage and retrieval of state, county, and city criminal justice records and to reduce the bulk of manually stored documents.

*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 agencies, counties, cities, and combinations of units of local government that document a need for improving their storage and retrieval of felony criminal information.

*Special Requirements:* Microfilm systems will require at least 15 percent cash match by the grantee and normally will be funded only for purchase of equipment.

*Budget:*

|  |           |
|--|-----------|
| CJC (Part C, federal) .....            | \$295,000 |
| CJC (state CJPF matching) .....        | \$ 39,333 |
| Minimum grantee matching (state) ..... | \$ 19,000 |
| Minimum grantee matching (local) ..... | \$ 40,000 |
| Total .....                            | \$393,333 |

Ratio: Maximum 75% CJC (Part C, federal), maximum 10% CJC (state CJPF matching), and minimum 15% grantee matching.

**73-J5. LANDLINE COMMUNICATIONS**

*Objective* is to improve the Texas law enforcement teletype network to permit rapid access to computerized data at national, state, and regional levels.

*Implementation* will be incremental to upgrade present equipment over a three-year period. It will include the Department of Public Safety central electronic switching system and three regional systems to be installed in Dallas, Houston, and San Antonio, where the message volume is high. Funds normally will be available for three 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 normally will go to state agencies and to regional councils that can assure compatibility with the statewide communication system.

*Special Requirements:* Leased and purchased teletype systems normally will require a cash match of at least 15 percent. Electronic switching equipment will be funded on a basis of 15 percent grantee match.

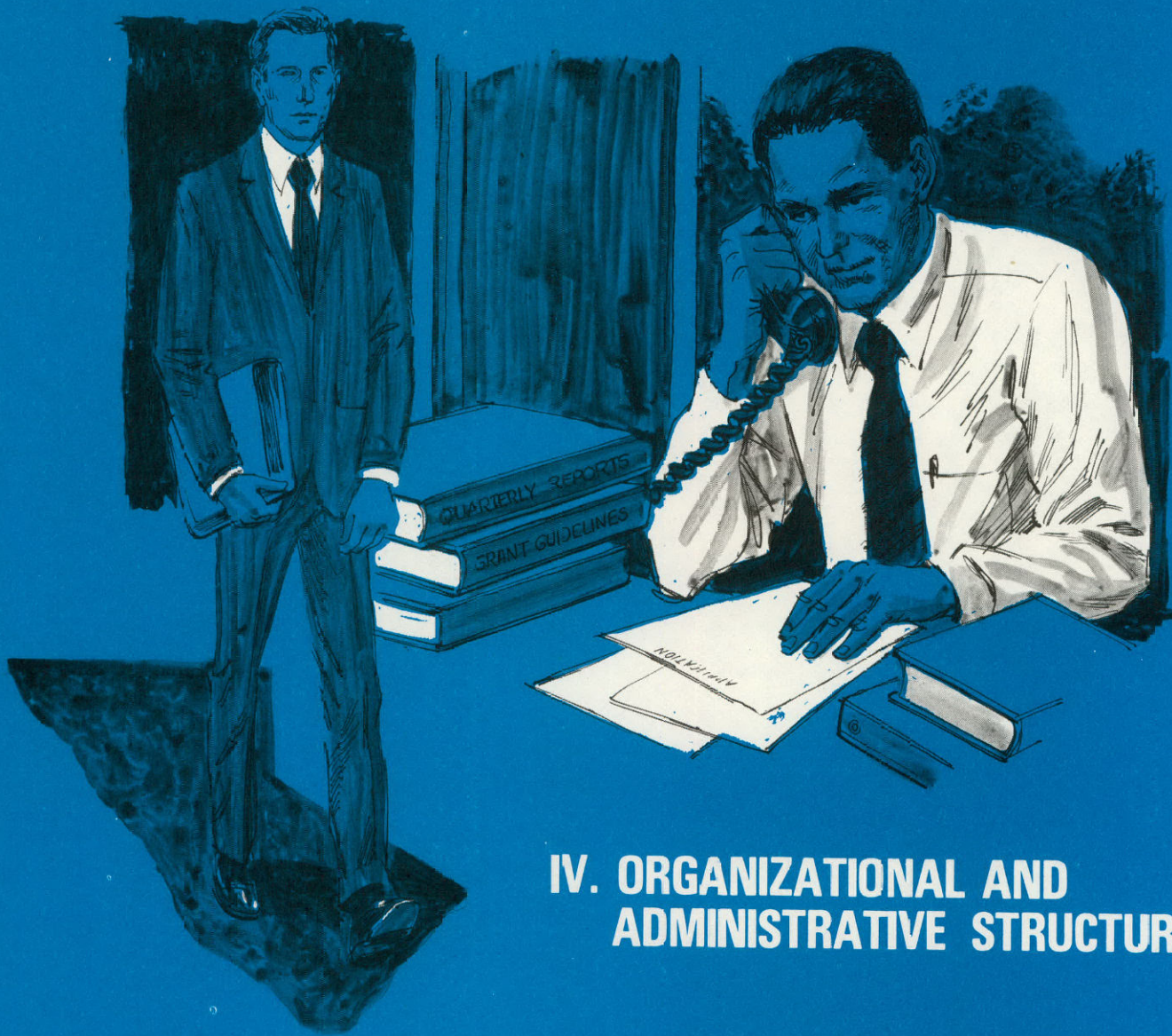
*Budget:*

CJC (Part C, federal) .....\$1,285,000

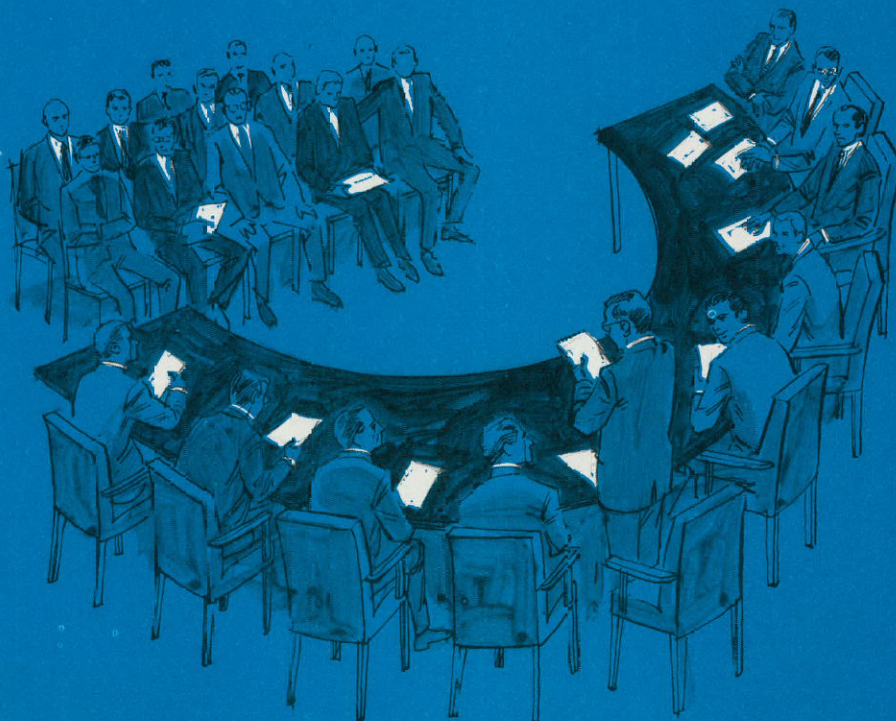
CJC (state CJPF matching) .....\$ 171,333  
Minimum grantee matching (state) .....\$ 57,000  
Minimum grantee matching (local) .....\$ 200,000  
Total .....\$1,713,333

Ratio: Maximum 75% CJC (Part C, federal), maximum 10% CJC (state CJPF matching), and minimum 15% grantee matching.





#### IV. ORGANIZATIONAL AND ADMINISTRATIVE STRUCTURE





## IV. Organizational and Administrative Structure

### A. AGENCY ORGANIZATION

The Governor of Texas established the Criminal Justice Council by executive order of October, 1968. Executive Order No. 71-5, issued October 8, 1971, changed 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 principles 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 Crimi-

nal 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 reason-

able 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  
Governor of Texas

### 1. Executive Committee

L. O'Brien Thompson, Chairman  
Amarillo

#### *Courts Subcommittee*

Richard Telles  
County Commissioner  
El Paso

Carol S. Vance  
District Attorney  
Houston

Truman Roberts, Judge  
Court of Criminal Appeals  
Austin

#### *Corrections Subcommittee*

Fritz Lanham  
City Manager  
Baytown

W.J. Estelle, Jr., Director  
Department of Corrections  
Huntsville

Frank Dyson  
Chief of Police  
Dallas

#### *Police Subcommittee*

Edward W. Guinn, M.D.  
Fort Worth

Wilson E. Speir, Director  
Department of Public Safety  
Austin

Frank Lombardino  
State Representative  
San Antonio

### 2. State Planning Agency

The state planning agency functions as two interacting divisions. Program administration interacts with the disciplinary and functional program areas of police services, judicial processes and law reform, postsentence processes, juvenile delinquency, and science and technology. The Criminal Justice Council staff (the state planning agency) and the respective functional areas follows:

Office of the Governor  
Criminal Justice Council  
610 Brazos  
Austin, Texas 78701  
512-476-7201

Joe Frazier Brown  
Executive Director

Police Services  
C.G. Conner

Juvenile Delinquency  
James L. Lewis, Jr.

Judicial Processes and Law Reform  
Willis J. Whatley

Postsentence 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

### 3. Agency Operation and Procedures

The Criminal Justice Council used various methods and sources of input in formulating the *1973 Criminal Justice Plan for Texas*. CJC members and the Executive Committee contribute knowledge, information, and guidance about the discipline, geographical area, and level of government they represent. Both the Council and the Executive Committee are highly representative, adding perspective to the *Plan*. They have participated actively in development of the *Plan* and have made resources available to the CJC staff.

Part B funds are awarded annually to regional councils and metropolitan planning units for local criminal justice planning. These processes culminate each year on September 30 with submission of the regional criminal justice plan. The regional councils employ multilevel committee structures for criminal justice planning. These regional criminal justice plans go beyond mere stating of goals. Each council indicates the projects it feels can be implemented during the ensuing year and the priority the project should receive. Specific references to programs in the previous year's state plan, including dollar figures, are valuable in the state planning process. In addition, potential program areas are highlighted as the regional councils identify new substantive needs desired by the people.

As the regional criminal justice plans are being completed, the CJC staff contacts various state agencies related to the criminal justice system. A projection of these agencies' program and funding needs for the year also must be made. These state agency needs are received in a format similar to that of the regional councils, with program references to the previous year's state plan, funding needs for each project, and the priority assigned to that need.

The CJC staff, using these data and those that come directly from individuals, then prepared a draft of the *1973 Criminal Justice Plan for Texas*, which reflects information from all these sources.

The draft of the state criminal justice plan then is reviewed by the Executive Committee. On completion of the review of the draft plan, suggested changes, additions, and deletions are made by the CJC staff. The final plan is then considered by the

Executive Committee for 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, which is the state clearinghouse under Office of Management and Budget Circular A-95.

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 multiyear period.

The approved plan becomes the basis for review of grant applications received by the CJC. 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 is reviewed by the state planning agency. CJC review consists of program, administrative, and fiscal evaluation. Any needed changes in the grant application are recommended by the staff.

Comprehensive information relating to each grant application, including the A-95 letter of review and comment, is forwarded to each member of one of the three CJC Executive Committee subcommittees—police, courts, or corrections. The appropriate subcommittee recommends action to the Executive Committee, which then acts on all proposed grant applications. Application digests and Executive Committee recommendations are forwarded to the Governor for final action. 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.

## B. DEFINITIONS OF TERMS

Act—*Omnibus Crime Control and Safe Streets Act of 1968*, as amended by the *Omnibus Crime Control Act of 1970*.

CJC—Texas Criminal Justice Council.

LEAA—Law Enforcement Assistance Administration, U.S. Department of Justice, established under Title I, Part A, of the Act.

Police—This term includes sheriff's office or de-

partment, constable's office or department, incorporated city's police department, city manager's office or department, and Texas Department of Public Safety.

President's Commission—The President's Commission on Law Enforcement and Administration of Justice, 1967.

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 organized under Article 1011m, V.A.C.S.

Regional Plan—A comprehensive criminal justice

plan prepared by a regional council and submitted to CJC.

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.

## C. APPENDICES

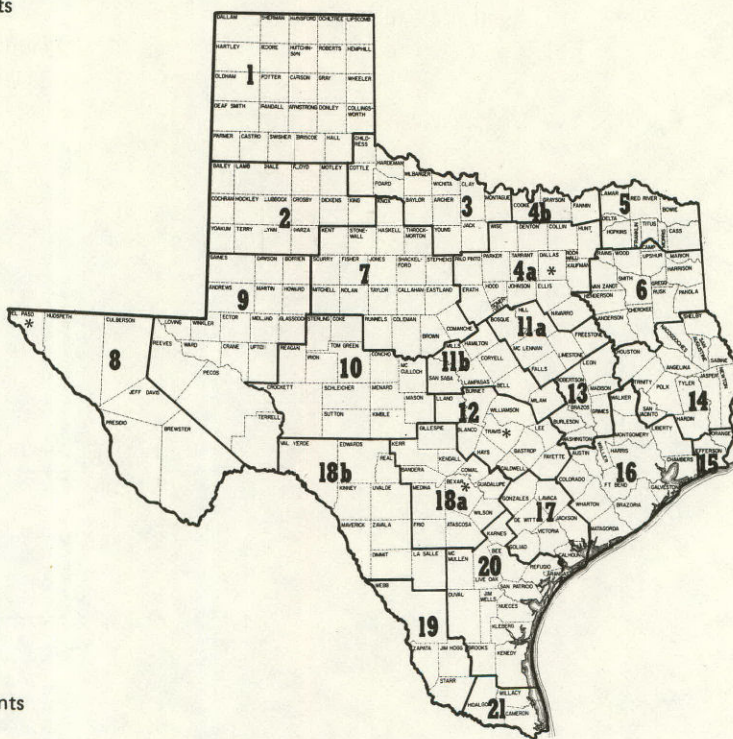
Additional detailed information concerning various aspects of the *Plan* was submitted to LÉAA in appendix form as a part of the *1973 Criminal Justice Plan for Texas*. This material is available in the state planning agency.



**FIGURE 6**  
**Texas Planning Regions**

- 1. Panhandle Regional Planning Commission  
Amarillo
- 2. South Plains Association of Governments  
Lubbock
- 3. Nortex Regional Planning Commission  
Wichita Falls
- 7. West Central Texas Council of Governments  
Abilene
- 9. Permian Basin Regional Planning Commission  
Midland
- 10. Concho Valley Council of Governments  
San Angelo

- 4a. North Central Texas Council of Governments  
Arlington
- Dallas Area Criminal Justice Council  
Dallas
- 4b. Texoma Regional Planning Commission  
Denison
- 5. Ark-Tex Council of Governments  
Texarkana
- 6. East Texas Council of Governments  
Kilgore



- 8. West Texas Council of Governments  
El Paso
- El Paso Criminal Justice Planning Unit  
El Paso

- 12. Capital Area Planning Council  
Austin
- Austin Criminal Justice Planning Unit  
Austin

- 17. Golden Crescent Council of Governments  
Victoria

- 18a. Alamo Area Council of Governments  
San Antonio
- Bexar Metropolitan Criminal Justice Council  
San Antonio

- 18b. Middle Rio Grande Development Council  
Del Rio

- 19. South Texas Development Council  
Laredo

- 20. Coastal Bend Council of Governments  
Corpus Christi

- 21. Lower Rio Grande Valley Development Council  
McAllen

- 11a. Heart of Texas Council of Governments  
Waco

- 11b. Central Texas Council of Governments  
Belton

- 13. Brazos Valley Development Council  
Bryan

- 14. Deep East Texas Council of Governments  
Jasper

- 15. South East Texas Regional Planning Commission  
Beaumont

- 16. Houston-Galveston Area Council  
Houston





