

353.9105  
T312C  
1970  
V.1

# 1970 CRIMINAL JUSTICE PLAN FOR TEXAS



PRESTON SMITH  
GOVERNOR OF TEXAS

VOLUME ONE

APRIL 15, 1970

STATE OF TEXAS  
CRIMINAL JUSTICE COUNCIL

~~Archives~~  
T353.9105  
T312c  
1970  
v.1

722209

~~TEXAS STATE LIBRARY~~  
~~ARCHIVES DIVISION~~



## EXECUTIVE DEPARTMENT

### CRIMINAL JUSTICE COUNCIL

730 Littlefield Building

Austin, Texas 78701

(512) 478-7468

PRESTON SMITH  
GOVERNOR


April 14, 1970

TO: The Citizens of Texas

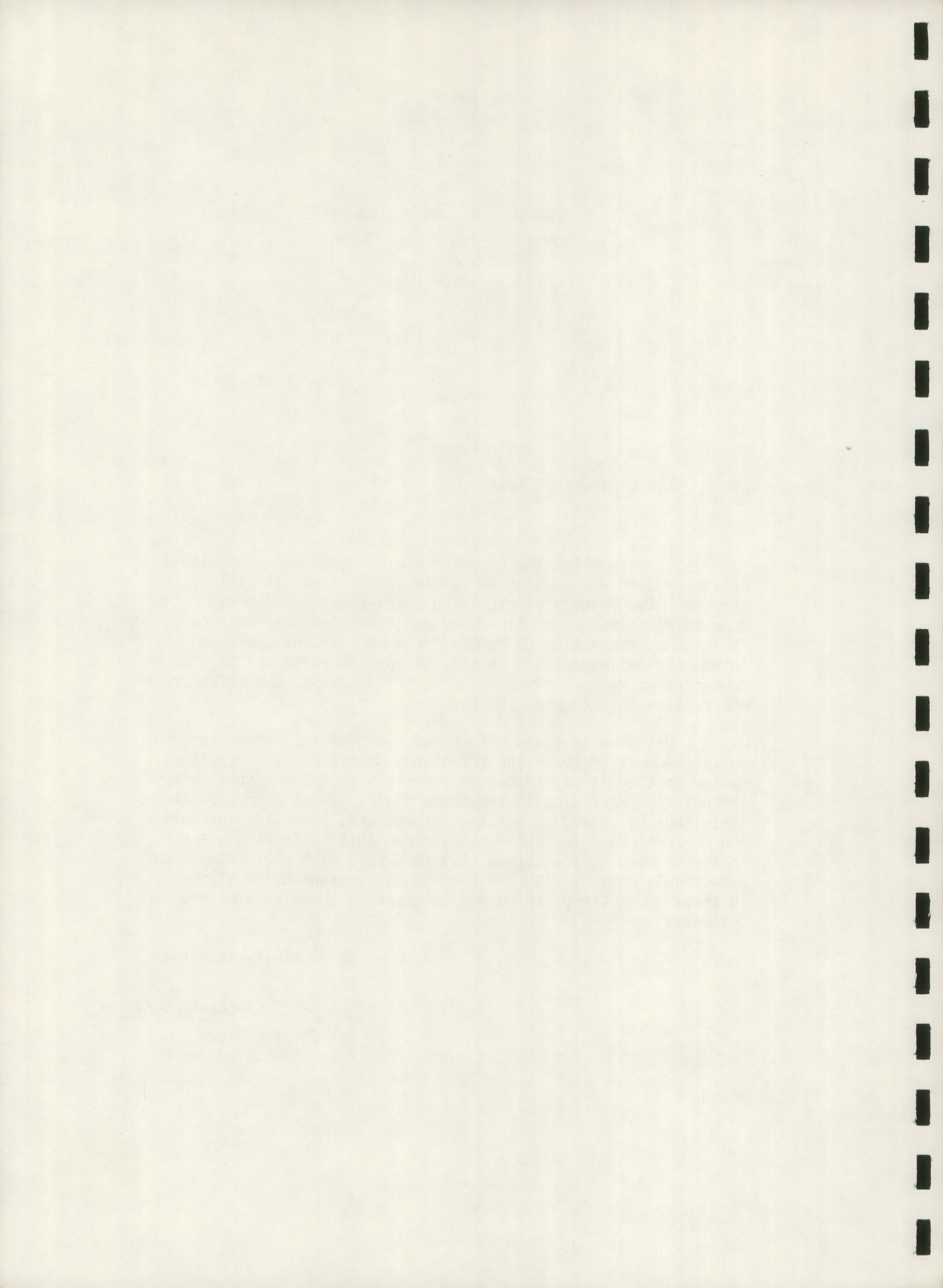
To accomplish the ultimate aim of reducing crime, it is necessary that the numbers of people in the criminal field be reduced. Two methods of attaining a fewer number of persons committing crimes are: First, by employing improved methods of delinquency prevention to reduce the number of our youth who enter criminal pursuits. Second, through improved and more concentrated methods of reducing recidivism among the offenders who receive correctional therapy.

Until we in Texas effectively achieve the above stated goals, we must increase the efficiency of our criminal justice system so that it may protect our society from the numbers of persons now practicing in the crime field. We must accomplish these ends by upgrading our law enforcement, judicial processes and correctional (institutional and non-institutional-State and local) systems to the degree that they may, with public support, effectively compete with and control our present crime status. To these ends, the planning and programs of these volumes are dedicated.

Respectfully submitted,

  
Joe Frazier Brown  
Executive Director

JFB:dc



C R I M I N A L J U S T I C E P L A N

F O R

T E X A S

V O L U M E O N E

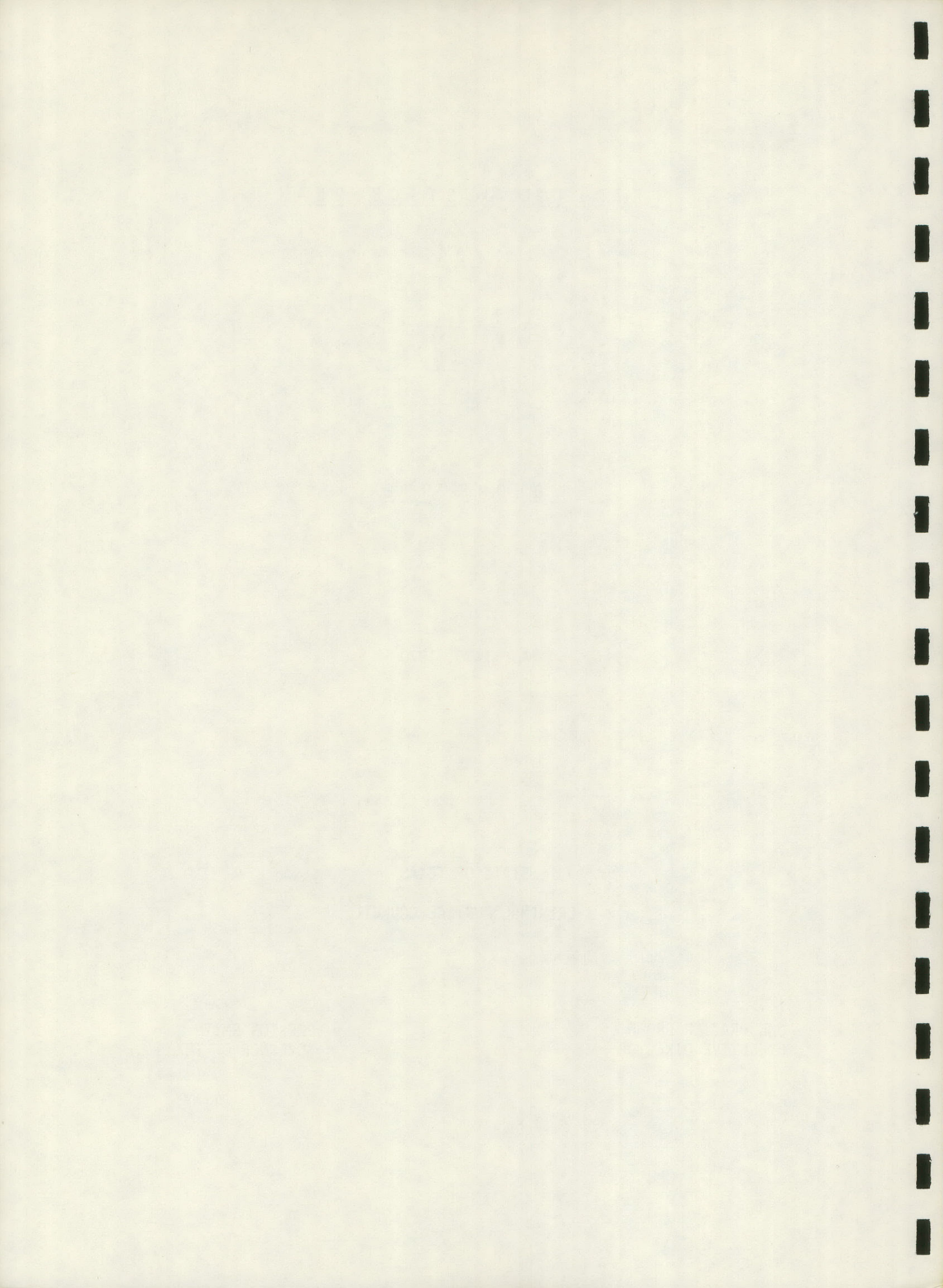
April 15, 1970

STATE OF TEXAS

CRIMINAL JUSTICE COUNCIL

JOE FRAZIER BROWN  
EXECUTIVE DIRECTOR

PRESTON SMITH  
GOVERNOR OF TEXAS



T A B L E O F C O N T E N T S

V O L U M E O N E

TABLE OF CONTENTS	ii
DEFINITION OF TERMS	vi
I. PROBLEMS, NEEDS AND PRIORITIES	
OUTLINE	I-ii
A. GOALS OF THE CRIMINAL JUSTICE SYSTEM	I-1
B. CRIME PREVENTION	I-5
C. LAW ENFORCEMENT	I-12
D. JUDICIAL PROCESSES	I-41
E. CORRECTIONS AND REHABILITATION	I-74
F. CRIMINAL JUSTICE INFORMATION AND COMMUNICATIONS	I-95
G. GRAPHIC REPRESENTATION OF CRIME	I-101
H. PRIORITIES	I-106
II. EXISTING LAW ENFORCEMENT SYSTEMS AND AVAILABLE RESOURCES	
OUTLINE	II-ii
A. LAW ENFORCEMENT	II-1
B. JUDICIAL PROCESSES	II-39
C. CORRECTIONS AND REHABILITATION	II-73
D. OTHER RESOURCES	II-115

II. (con't.)

E. EDUCATION, TRAINING AND INFORMATION	II-174
F. STATISTICAL DATA	II-196

V O L U M E T W O

TABLE OF CONTENTS

ii

III. THE MULTI-YEAR PLAN

A. UPGRADING LAW ENFORCEMENT PERSONNEL	III-1
B. PREVENTION OF CRIME	III-27
C. PREVENTION AND CONTROL OF JUVENILE DELINQUENCY	III-40
D. IMPROVEMENT OF DETECTION AND APPREHENSION OF CRIMINALS	III-55
E. IMPROVEMENT OF PROSECUTION AND COURT ACTIVITIES AND LAW REFORM	III-99
F. INCREASE IN EFFECTIVENESS OF CORRECTIONS AND REHABILITATION	III-180
G. REDUCTION OF ORGANIZED CRIME	III-190
H. PREVENTION AND CONTROL OF RIOTS AND CIVIL DISORDERS	III-199
I. IMPROVEMENT OF COMMUNITY RELATIONS	III-208
J. RESEARCH AND DEVELOPMENT	III-218
K. IMPROVEMENT OF INFORMATION AND COMMUNICATIONS SYSTEMS	III-225
L. CONSTRUCTION OF PHYSICAL FACILITIES	III-236



IV. THE ANNUAL ACTION PROGRAM	
OUTLINE	IV-ii
A. UPGRADING LAW ENFORCEMENT PERSONNEL	IV-1
B. PREVENTION OF CRIME	IV-31
C. PREVENTION AND CONTROL OF JUVENILE DELINQUENCY	IV-39
D. IMPROVEMENT OF DETECTION AND APPREHENSION OF CRIMINALS	IV-81
E. IMPROVEMENT OF PROSECUTION AND COURT ACTIVITIES AND LAW REFORM	IV-108
F. INCREASE IN EFFECTIVENESS OF CORRECTIONS AND REHABILITATION	IV-164
G. REDUCTION OF ORGANIZED CRIME	IV-176
H. PREVENTION AND CONTROL OF RIOTS AND CIVIL DISORDERS	IV-201
I. IMPROVEMENT OF COMMUNITY RELATIONS	IV-217
J. RESEARCH AND DEVELOPMENT	IV-234
K. IMPROVEMENT OF INFORMATION AND COMMUNICATIONS SYSTEMS	IV-246
L. CONSTRUCTION OF PHYSICAL FACILITIES	IV-259
M. RELATION OF PART IV PROGRAMS WITH PART I PROBLEMS AND NEEDS	IV-263
N. COMPLIANCE WITH FUNDING LIMITATIONS	IV-276

V O L U M E   T H R E E

V. ORGANIZATIONAL AND ADMINISTRATIVE STRUCTURE FOR PLAN  
IMPLEMENTATION

OUTLINE	V-ii
A. STATE PLANNING AGENCY	V-4
B. ADVISORY BOARD	V-30
C. PROGRAM ADMINISTRATION	V-50
D. FUND AVAILABILITY PLAN FOR LOCALITIES	V-59

VI. RELATED PLANS AND SYSTEMS

OUTLINE	VI-ii
A. THE DIVISION OF STATE-LOCAL RELATIONS	VI-2
B. DIVISION OF PLANNING COORDINATION	VI-13
C. OFFICE OF CRIMINAL JUSTICE PLANNING	VI-18
D. OFFICE OF COMPREHENSIVE HEALTH PLANNING	VI-22
E. COMMITTEE ON AGING	VI-24
F. OTHER PROGRAMS	VI-25

VII. PLAN CONFORMITY WITH MISCELLANEOUS STATUTORY REQUIREMENTS

OUTLINE	VII-ii
A. LOCAL PARTICIPATION AND FUND BALANCE	VII-1
B. TECHNICAL ASSISTANCE AND SERVICES	VII-6
C. UTILIZATION OF SERVICES, FACILITIES, AND EQUIPMENT	VII-8
D. STATE ASSUMPTION OF COSTS	VII-10
E. USE OF FEDERAL FUNDS TO SUPPLANT STATE AND LOCAL FUNDS	VII-12
F. ALLOCATIONS TO SUBSTANTIVE AREAS OF CRIMINAL JUSTICE	VII-13

## DEFINITIONS OF TERMS

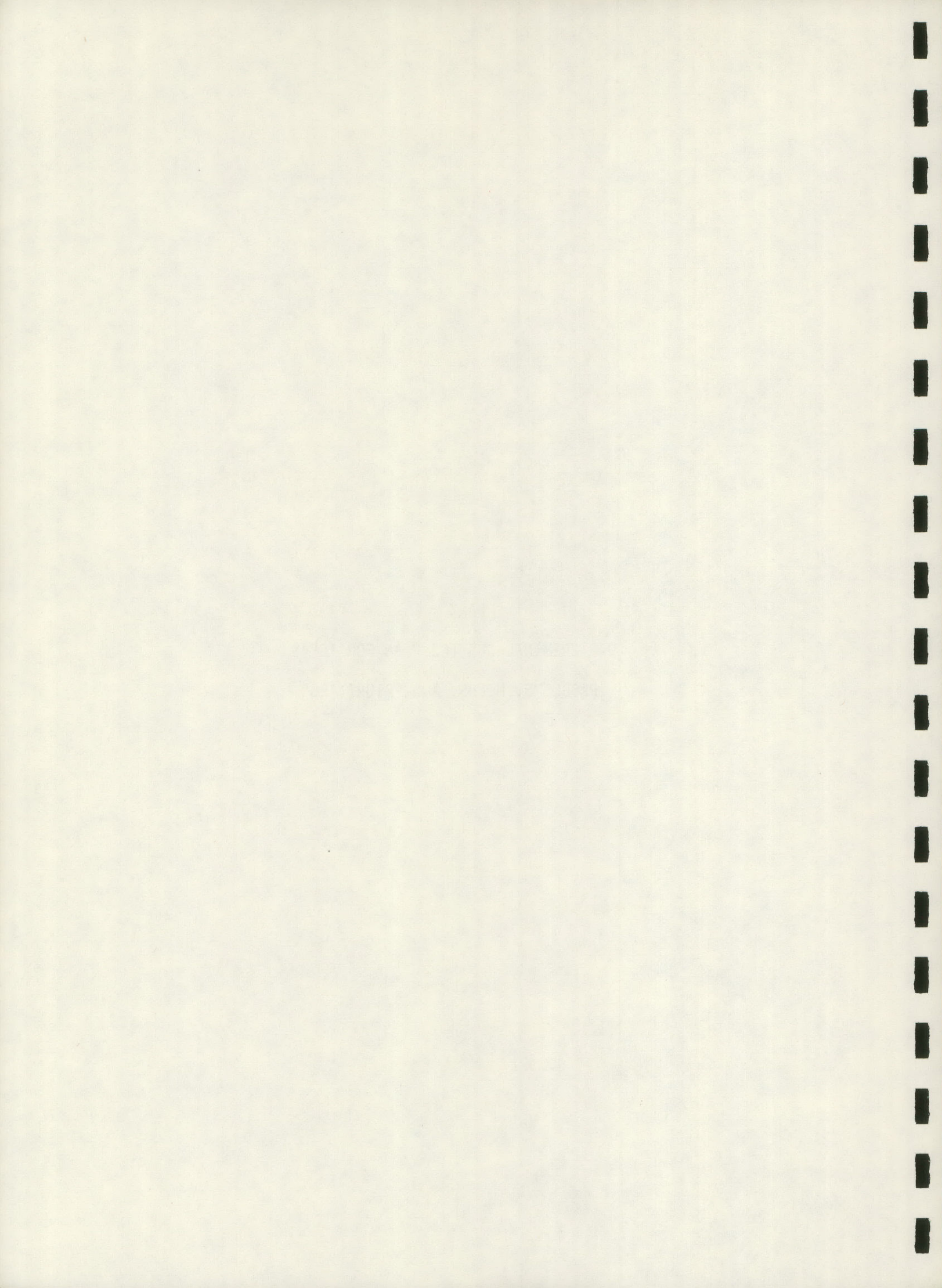
1. Act Omnibus Crime Control and Safe Streets Act of 1968, U. S. Public Law 90-351.
  
2. Administration Law Enforcement Assistance Administration, U. S. Department of Justice, established under Title I, Part A, of the Act.
  
3. Criminal Justice System, Agency or Process These terms are used synonymously with "law enforcement".
  
4. Education This term applies to enrollment and participation in a course of study in a properly accredited institution of higher learning and for which formal college credit is given upon satisfactory completion.
  
5. Law Enforcement Law enforcement includes, in addition to the police, the activities of corrections, probation and parole personnel, prosecutors and defense counsel, and judges and their supporting organizations. (LEAA Memorandum No. 13)
  
6. LEAA Law Enforcement Assistance Administration, U. S. Department of Justice
  
7. Police Agency This term includes every sheriff's office or department, every constable's office or department, every incorporated city's police department, every city marshal's office or department, and the Texas Department of Public Safety.
  
8. Police, or Police Officer This term shall substantially mean "peace officer" as defined in the Texas Code of Criminal Procedure and includes sheriffs and their deputies, constables

- |                                       |  |
|---------------------------------------|--|
| 8. Police, or Police Officer (con't.) | and their deputies, marshals or police officers of an incorporated city or town, and rangers and officers of the Department of Public Safety.  |
| 9. President's Commission             | The President's Commission on Law Enforcement and Administration of Justice.   |
| 10. President's Commission's Report   | The publication, "The Challenge of Crime in a Free Society".   |
| 11. Regional Council                  | Includes locally formed regional organizations of elected officials referred to as Regional Planning Commissions, Councils of Governments, Development Councils and Area Councils.   |
| 12. Regional Plan                     | A comprehensive law enforcement plan prepared by a regional council and submitted to the Texas Criminal Justice Council.   |
| 13. 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.  |
| 14. Training                          | This term applies to enrollment and participation in vocational type courses of instruction designed primarily to increase the student's job knowledge and skills and for which no formal college credit is given upon completion. |

PART I

1970 CRIMINAL JUSTICE PLAN FOR TEXAS

"PROBLEMS, NEEDS, AND PRIORITIES"



## I. PROBLEMS, NEEDS, AND PRIORITIES

### A. GOALS OF THE CRIMINAL JUSTICE SYSTEM

1. Broad Goal
2. Specific Objectives
3. Program Goals
4. Input for Planning Documentation

### B. CRIME PREVENTION

1. Reducing Opportunities for Crime
2. Early Detection and Treatment of Pre-Delinquency Behavior and Characteristics in Children
3. Preventive Police Patrol
4. Public Information
5. Public Contact with Police and Police Response Time to Crime
6. Upgrading Criminal Justice Systems

### C. LAW ENFORCEMENT

1. Fragmentation of the Police Component
2. Understaffing in Police Agencies
3. Inadequate Compensation and Benefits
4. Criminal Justice Information
5. Professional Police Education
6. Police Training
7. Qualifications for Police
8. Crime Laboratory Services
9. Technical Investigative Services
10. Organization, Administration and Operations

11. Written Policy in Areas of Police Discretion
12. Police Equipment
13. Communications
14. Application of Technology
15. Criminal Intelligence
16. Use of Staff
17. Personnel Administration Systems
18. Police Legal Advisor
19. State Aid to Local Police
20. Riots and Civil Disorders
21. Organized Crime
22. Community Relations Programs
23. Public Information or Public Education
24. Publications and Reference Material
25. Police Response Time
26. Drug Abuse
27. Inadequate Adjective Law
28. Inadequate Penal Code
29. Police Summons for Minor Offenses

D. JUDICIAL PROCESSES

1. Judiciary
2. Prosecution
3. Public Defender
4. Judicial Processes Seminars



5. Judicial Processes Handbooks
6. Medical Examiner System
7. Probation System
8. Uniform Mandatory Reporting System
9. Community Relations
10. Bail Bond Reform and Personal Bond
11. Curriculum in Law and Undergraduate Schools
12. Penal Code Revision
13. Code of Criminal Procedure Revision
14. Summary Statement

E. CORRECTIONS AND REHABILITATION

1. Poor Conditions of and Conditions in Jail Facilities
2. Inadequate Number and Training of Custodial Officers in Jails
3. Lack of Rehabilitation Programs in Jails
4. Rehabilitation Programs in the Texas Dept. of Corrections
5. Regional Correctional Facilities
6. Early Detection of Pre-delinquent Behavior
7. Police Training in the Behavioral Sciences
8. Youth Service Bureau
9. Use of Narcotics and Dangerous Drugs by Juveniles
10. Comprehensive Treatment Center for Drug Abuse and Narcotics
11. Half-way House
12. Juveniles in Need of Supervision
13. Internships and In-service Training
14. Reduction of Recidivism

15. Regional Detention Facilities

16. Comprehensive Survey and Study of Juvenile Probation

17. Regional Juvenile Probation Departments

18. Codification of Juvenile Laws

F. CRIMINAL JUSTICE INFORMATION AND COMMUNICATIONS

1. The Overall Problem

2. The Overall Need

G. GRAPHIC REPRESENTATIONS OF CRIME

H. PRIORITIES

1. General Guidelines

2. Substantive Priorities

3. Categorical Grant Preference Criteria for Action Programs

## A. GOALS OF THE CRIMINAL JUSTICE SYSTEM

### 1. BROAD GOAL

The broad goal of the criminal justice system may be defined as social order with justice. A reasonable state of order with a guarantee of justice under equitable law is an absolute necessity for the continued existence of any society. Our society depends substantially upon the criminal justice system to maintain this state through the creation of adequate deterrents to the commission of criminal and disorderly acts while maintaining and preserving justice.

### 2. SPECIFIC OBJECTIVES

Specific objectives, designed to achieve the broad goal are:

- Prevention of crime by the presence of agents of law enforcement;
- Prevention of crime by reducing opportunities for crime and alleviating conditions which spawn and/or foster crime;
- Preservation of the peace when threatened disrupted by riot, affray, disturbance, or other form of disorder;
- Prompt detection of crime and prompt apprehension of criminal offenders;
- Prompt, vigorous prosecution of those apprehended;
- Prompt and just judicial determination of the guilt or innocence of those prosecuted and assessment of just and proper penalties of those convicted;

- Effective rehabilitation of offenders to foster their return as law abiding, producing citizens to society.

### 3. PROGRAM GOALS

Programs to be implemented as a result of comprehensive planning will be designed to achieve:

- Adequate constitutional and statutory basis (constitutional, substantive and adjective law) for an effective law enforcement system;
- Appropriate state, regional, and local agencies with adequate authority for executing all needed actions;
- Appropriate, effective, comprehensive criminal justice programs in all agencies at all levels;
- Professionalization of individuals in the criminal justice system in all disciplines and at all levels of government;
- Proper staffing in all agencies to a level equal to or exceeding professional measures and standards for the function;
- Extensive, high-quality training to achieve a high degree of job skills in all positions;
- Modern, efficient equipment and facilities in adequate supply in all agencies;
- Adequate operational funds in all agencies for the most effective utilization of personnel, equipment and facilities;
- Extensive adaptation of modern technology to all parts of the system;
- Efficient organization, administration and operations in all agencies for maximum utilization of resources;
- Extensive study, research, and development, into causes of crime, its detection, prevention, and

suppression; the rehabilitation of offenders; the operation of the agencies in the system and other pertinent subjects;

- Continuous, comprehensive planning at local, regional, and state levels for adequate identification of problems and development of solutions;
- Extensive coordination and cooperation among agencies in the use of personnel, equipment and facilities to attain mutual objectives.

#### 4. INPUT FOR PLANNING DOCUMENTATION

One of the brightest aspects of this program to date is the stimulation of planning and the participation in the development of plans at all levels. For the development of the regional plans, law enforcement committees drawn from ranking members of each of the disciplines involved--police, prosecutors, judges, defenders, correctional, probation and rehabilitation--were formed and their advice and participation utilized throughout the development of the regional plans. Regional planning staff consulted with the advisory committees and other local representatives throughout the planning process. The State advisory board to the Governor is made up of 20 members, several of whom have special expertise in various aspects of the law enforcement and criminal justice process. They are directly involved in development and planning through consultation by the staff with various members in their specific area of expertise and through serving as active participants on each of the task forces in the development of their programs.

Members of the State planning staff have participated fully in all levels of the planning process. Members of the staff have participated in meetings in most of the planning regions with members of the regional staffs and their law enforcement advisory committees. Individual conferences, in person and by telephone, have been held with regional planning staffs and representatives of individual agencies. In these contacts, ideas and advice have been sought and received for incorporation into the State Plan. This type of staff participation will be continued and increased.

Members of the planning agency staff were assigned as coordinators to each of the task force committees, and each has consulted frequently with regional and local agency representatives and with members of the Council throughout the Plan development.

Finally, primary cities having the capability and resources for local planning in law enforcement and criminal justice and other agencies representative of the many groups having an interest in the criminal justice processes have been consulted.

## B. CRIME PREVENTION

The President's Commission on Law Enforcement and Administration of Justice identifies three essential avenues of approach to crime prevention:

- Eliminating social conditions closely associated with crime;
- Improving the ability of the criminal justice system to detect, apprehend, judge, and reintegrate into their communities those who commit crimes; and
- Reducing the situations in which crimes are most likely to be committed.

The above 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 crime rate and the resultant 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. Other programs which may also prevent crime should receive careful attention. The Texas Criminal Justice Council has identified the following problems in crime prevention as being within the purview of the criminal justice system.

## 1. REDUCING OPPORTUNITIES FOR CRIME

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

Burglaries constituted almost 45 percent of all index crimes committed in the Dallas and Fort Worth metropolitan areas in 1967. Burglary involves breaking and entering or illegal entry. Burglars usually have as their objective the theft of money or objects ranging from small change in a vending machine to major safecracking jobs. The dollar value of money or property taken in the vast majority of burglaries is modest. It is probable that this indicates 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 reducing 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.

The Texas Criminal Justice Council has authorized a number of planning studies to be made during 1970 on methods



for "hardening" crime targets, such as buildings, childrens' routes to and from school, and locations with a history of violent incidents.

2. EARLY DETECTION AND TREATMENT OF PRE-DELINQUENCY BEHAVIOR AND CHARACTERISTICS IN CHILDREN

There has been no method for early detection of tendencies toward delinquency in juveniles and providing corrective treatment on a broad, systematic basis to these juveniles. Generally, juveniles are far along the path to delinquency before they come to the attention of law enforcement authorities. There is a serious need for programs involving schools, juvenile authorities, youth guidance centers, and other appropriate agencies to identify, at an early stage, children with tendencies toward delinquency and to utilize effective corrective measures. Recently developed diagnostic techniques offer promise in this area. A broad corrective program involving the home, school, youth authorities, volunteer groups and other appropriate agencies to assist and correct the youngster before the pattern of delinquency is intensified and fixed needs to be considered. This problem is further discussed in Part I, Section E.

3. PREVENTIVE POLICE PATROL

Research indicates that the presence of police at the location of projected crime often prevents the attempt. Every police agency should deploy its police personnel in such a way

as to secure the maximum crime prevention results from the presence of police. The deployment of police patrol personnel on an exact, scientific basis, at probable locations, at the time a crime is most likely to occur, is complicated and almost impossible to do efficiently without the use of a computer. Larger cities need computer capability for control of patrol functions in order to maximize crime prevention by police presence.

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

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 the St. Louis Police Department.

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 services to merchants, residential areas, and others. These services have grown rapidly in the last few years and are of varying degrees of competence. The Texas Legislature has

established the Texas Board of Private Detectives, Investigators, Patrolmen, Guards and Managers for the purpose of regulating these agencies. In order that effective regulation may start immediately there is a need for limited short-term financial support for this Board.

#### 4. PUBLIC INFORMATION

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

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

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 efforts, have contributed to

rising crime rates. There is a need to educate the public about crime and steps that can be taken to control crime. 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 has recently taken a major step in requiring crime prevention, especially information about the abuse of narcotics, to be taught in all Texas elementary, junior high, and high schools.

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

Since drug abuse and narcotics-related crimes are rapidly increasing in Texas, and as it is thought that public education regarding narcotics and drug abuse will be one of the most effective tools in controlling the narcotics problem, special attention must be given to educating the public about the abuse of narcotics and about organized crime.

5. PUBLIC CONTACT WITH POLICE AND POLICE RESPONSE  
TIME TO CRIME

Often, it is difficult for the public to contact police when crimes are imminent or in progress, and police agencies are often slow in responding to calls for emergency assistance. Therefore, local units of government need to 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 high crime areas and in low-income areas are needed. Steps need to be taken to remedy identified deficiencies. In addition, local governments should seek to improve telephone contact by the public 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 needs to be determined in each city, and steps need to be taken to reduce response time where necessary. This need is further discussed in Part I, Section C.

6. UPGRADING CRIMINAL JUSTICE SYSTEMS

The improvement of the ability of the criminal justice system to detect, apprehend, judge, and reintegrate into their communities those who commit crimes is the general problem to which this Criminal Justice Plan for Texas is addressed.

### C. LAW ENFORCEMENT

#### GENERAL

A fundamental problem in the police field is that the police component of the criminal justice system fails to prevent a sufficient percentage of crime. This failure may be due to the inadequacy of crime prevention activities such as police presence and public education, or due to the failure to make maximum contribution to the creation of an adequate deterrent to crime, by promptly solving a sufficiently high percentage of crimes.

Index crimes in Texas have been increasing at an average annual rate in excess of ten percent for the last several years, and in 1969, they increased approximately 15.9% over 1968. Only 26% of the known index crimes reported were cleared by arrest in 1968 and 1969, down from 27% in 1967. This fundamental problem is due to many causes. Among them are constitutional and statutory deficiencies, faulty and inadequate basic structure of the police system, lack of resources, deficient organization and administration, extremely deficient application of technology due largely to a lack of financial resources, and deficiencies in the capabilities of personnel due to lack of education and training.

Specific problems and proposals for their solution are set out below. These problems and needs have been identified by

police executives, other police personnel, from professional literature, from the President's Commission Report, from studies made by the Texas Research League and the International Association of Chiefs of Police staff, from regional plans, and from knowledge of the Criminal Justice Council staff concerning the operations of police agencies in the State.

#### 1. FRAGMENTATION OF THE POLICE COMPONENT

The Texas Research League, International Association of Chiefs of Police (IACP), and numerous writers in the field point out the police component of the criminal justice system in Texas is highly fragmented which results in an inadequate police response to crime. There are 254 sheriffs' offices, approximately 630 city police departments and city marshals and 651 constables' offices in the State. State and Federal police agencies also operate throughout the State. In many instances the jurisdictions overlap, which sometimes causes 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 several jails in one county. This fragmentation makes it impossible to coordinate police efforts effectively, 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. Many staff and service operations could be performed much more efficiently and economically in larger agencies or cooperatively.

A regional plan developed by IACP staff comments as follows:

In other important functions such as education, fire protection, public works and recreation, there has been a development of standards and programs which transcend jurisdictional boundaries in providing services to the public. 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, there is a necessity for cooperation in police responses to the problems of detection, identification and apprehension of individuals involved in criminal activity. There would also be an increased efficiency and uniformity of purpose if consolidation or coordination occurred in some areas of law enforcement services, such as training, communications, records, purchasing, and jail operations. Through a shared cost and responsibility program in these and similar intrajurisdictional problem areas, there would be economy and effectiveness 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 state-wide 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 probably be needed to implement the recommended structure.

2. UNDERSTAFFING IN POLICE AGENCIES

Regional plans and other studies find that most police agencies in the State are understaffed on the basis of professional measures and averages for population groups reported by the President's Commission. Plans and studies report that understaffing is caused by unwillingness of governing bodies to authorize a sufficient number of officers and also by inability to fill authorized quotas because of low salaries, lack of professional and promotional opportunities, a low public image of police, and other reasons. The studies also found that understaffing is aggravated in some departments by the assignment of commissioned police personnel to duties such as certain clerical and records functions, the collection of parking meter money, etc., that could be performed by civilian personnel. Some regional studies recommend a thorough study of personnel needs, personnel policies, compensation, and other pertinent factors to determine the action necessary to secure adequate staffing. The President's Commission made a similar recommendation to all cities.

3. INADEQUATE COMPENSATION AND BENEFITS

Although a few large departments pay salaries that might be attractive to college graduates, the majority of

the department salaries are too low to attract professionally educated men. The State police agency, the Department of Public Safety, has a starting salary of \$630 per month, too low to compare favorably with more progressive states and the larger Texas cities. To compound the problem, DPS officers are not included in the State Classification System for salary administration. Therefore, step increases can not be paid and longevity pay is quite low at only two dollars per month per year of service. Even this longevity increase is accrued only in five year intervals. The above recommended studies should identify the needs in this area and serve as a basis for corrective action. Programs for building public and legislative support for adequate salary structures in police agencies are imperative if police service is to attract and retain the quality of personnel it must have to carry out its mission.

Retirement programs and fringe benefits for police are generally inadequate or non-existent. Local police pension systems are based on a number of population brackets, authorizing statutes, or on 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 of the local pension systems depend upon action by the

city or county government to participate. Some local pension systems are reported to lack actuarial soundness and these systems provide varying benefits, none of which compare favorably with federal retirement systems for law enforcement officers or with good state police systems. The State retirement system for police officers offers retirement after 20 years and age 55, while regular State employee retirement is after 30 years and age 60, but there are no increased benefits. Thus, if a state police officer retired at age 55 with 20 years of service he could draw as maximum retirement only 27.5% of his average pay for the best five consecutive years out of the last 10 years. An option providing for widow's benefits would reduce this amount substantially. The local nature of police pension systems makes transfer of benefits between agencies difficult, thus impeding professional progress and development. Other benefits such as health insurance, life insurance, etc., are provided for local officers on an individual governmental unit basis and range from good in some cities to none in others. No health or life insurance is provided for state police officers.

Texas needs a state-wide system of police pensions and benefits that provides the equivalent of the federal system and of the better state systems. Such a system would, as a minimum, provide for retirement at age 55 with

20 years of service and pay 50% of the average pay for the five best consecutive years out of the last ten. Benefits should increase for additional service up to 30 years with maximum benefits of 75%. Under a state-wide system such benefits need to be freely transferable between agencies, fostering professional growth and progress when lateral entry is provided.

#### 4. CRIMINAL JUSTICE INFORMATION

No unified criminal justice information system exists in Texas. Although the Texas Department of Public Safety is authorized and 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 report that there is a lack of reporting and also a lack of uniformity in reporting and records systems. As a result, there is no valid statistical base for evaluation of the crime problem or the system's response to it. Although some police agencies have good individual reporting and records systems, they are not uniform throughout the State. Agency participation in the central collection of such data is voluntary. This results in sporadic and fragmentary reporting.

The Criminal Justice Council found that there is a need for a criminal justice information system operated

with a central computerized data depository with remote terminals to provide accessibility to all areas of the State. Regional studies and plans also reported this need. Such a system would store in its data bank, or have interface with other data banks where data is stored, all necessary data for efficient system operation, management and research.

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

#### 5. PROFESSIONAL POLICE EDUCATION

Few police officers in Texas have baccalaureate degrees in the field of police science or police administration. One regional planning commission reports that not one officer in their area is a college graduate. Another reports that out of several hundred officers, only 26 have had any college education and little of it in the professional police field. Three colleges are offering baccalaureate degrees in the field,

and at least eighteen junior colleges are offering associate degrees. Improved recruitment and personnel administration procedures are needed to attract qualified young men into colleges in professional police programs. Revisions of civil service regulations or personnel procedures are needed to place emphasis on professional education in the selection, compensation and promotion of personnel. Continued operation of programs such as the Law Enforcement Education Program (LEEP) is needed to facilitate the professional education of police officers and potential police officers. There is a need for more college programs, and an especial need for better geographical coverage of the college programs.

#### 6. POLICE TRAINING

Regional plans, other regional studies, and the Texas Commission on Law Enforcement Procedures report the level of training for police officers in many local police departments and sheriffs' offices is low. However, the larger departments generally have excellent recruit training programs of from 16 to 20 weeks with good curricula and instruction. The Texas Commission of Law Enforcement Officer Standards and Education estimated in 1968 that approximately one-half of the officers working in the State had not completed the equivalent of the basic recruit course of 140 hours as prescribed by the Commission on Law Enforcement Officer Standards and Education. The Task Force Committee on Police Education

and Training found that in-service refresher training is deficient state-wide although in-service schools taught by the Texas Department of Public Safety, the FBI, Texas A & M University, and others are of some assistance to local police. In the field of management training, as well as in certain specialized and advanced fields, the Task Force reported grave deficiencies.

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

#### 7. QUALIFICATIONS FOR POLICE

Texas has never had effective statutory or administrative

standards for peace officers. The statute referred to above, 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.

#### 8. CRIME LABORATORY SERVICES

Based upon reports in the regional plans and answers to inquiries and surveys by the staff, there is a lack of crime laboratory services for many police agencies in the State. Three large cities operate crime laboratories which appear to have adequate capability. The Texas 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. Due to the large size of the State, officers have to travel long distances or lose valuable time in mailing or otherwise shipping items to the State laboratories for examination. The need for prompt laboratory examination



is especially great 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 within driving distance of any point in the region.

#### 9. TECHNICAL INVESTIGATIVE SERVICES

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.

#### 10. ORGANIZATION, ADMINISTRATION AND OPERATIONS

Although a few of the police agencies in the State have recently had competent surveys made of their organization, administration and operations, many of the middle-sized and larger agencies are operating with traditional organizational forms and traditional administration and operations practices. Several regional plans delineated a need for management surveys. Major police agencies in Standard Metropolitan Statistical Areas (SMSA) need a complete survey at periodic intervals and all police agencies need surveys of certain functions, i.e., personnel, administration, records, etc.

## 11. WRITTEN POLICY IN AREAS OF POLICE DISCRETION

Many police agencies in Texas operate without written policies, especially in the areas where police discretion is involved. The President's Commission strongly recommends the preparation and adoption of written policy guides in areas of police discretion. A model guide in this field and action to secure its widespread adoption are needed. A recent project by LEAA has produced a publication, Police Guidance Manuals, A Philadelphia Model, which should assist in the preparation of a Texas model. When a model is prepared, each agency needs to adopt it and implement its policies and procedures.

## 12. POLICE EQUIPMENT

There is generally reported in the regional plans a shortage of routine police equipment in terms of mobile radio equipment, automobiles, firearms and so forth. The Texas Research League and IACP report in regional studies that a problem results from the non-uniformity of police equipment. Lack of uniformity causes the equipment in one agency to be incompatible with that in another agency and hinders mutual aid operations. They also report poor technical specifications and small lot purchasing which results 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. The problems and needs concerning technical equipment are further discussed under Application of Technology.

### 13. COMMUNICATIONS

Almost all regional studies report that there is widespread inadequacy in inter-agency communication, usually caused by overloaded radio frequencies. The need for inter-agency communications will be substantially resolved, it is believed, with the adoption of the state-wide criminal justice information system and its accompanying system of communication. Regional communications systems in some locations may also be needed. Additional regional teletype loops and the expansion of existing loops are needed to serve as a stop gap measure until the State criminal justice information system is operational.

In mobile communications the lack of an orderly plan for each region and the State as a whole has produced severe problems. A state-wide study of police mobile communication is needed to inventory existing systems, loads, capabilities and spectrum utilization, to determine police mobile communication needs at agency, regional and state levels, and to design an optimum system. Programs which will call for

extensive capitol outlay for equipment to implement the recommendations of the study will be needed in each agency, each region and the State.

#### 14. APPLICATION OF TECHNOLOGY

The President's Commission reports that police service has lagged far behind industry and other governmental 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 the IACP. The following is a quotation from his paper:

To one who has spent most of his career dealing with the 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 over 50 years ago. Most departments would find the following a fair description of their operations:

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

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

--Police radio channels in many large cities are heavily congested on Friday and Saturday

nights, a time when other city channels go unused.

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

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

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

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

Dr. Blumstein went on to comment on several other aspects of the application of technology to police service. Specific quotes from his address are contained below under appropriate sub-heads.

#### Crime Laboratories

"This appears to call for an expanded role of the crime laboratory. Despite this opportunity, most

crime laboratories have been largely underused, undermanned and underequipped. A recent survey of police crime laboratories showed a dramatic shortage of basic laboratory equipment and the trained specialists needed to operate them. Modern techniques of signal analysis, physical analysis and small sample chemical analysis can greatly expand the ability to make reliable identification of fingerprints, voices, blood, and other body fluids, hair, drugs, inks, paint and other crime scene evidence."

#### 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.

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

#### Police Vehicles

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

There is an added potential, of course, in getting off the ground into various kinds of airborne patrol vehicles like helicopters or fixed wing aircraft.

These are extremely effective for scanning a large territory, for tracking fast moving vehicles through traffic and providing a prospective to the scene in a city that cannot be obtained on the ground."

#### Other Technology

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

In another part of the address he mentioned television surveillance devices and optical license plate scanners used with computers.

#### 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 very applicable to the state of technology and police service 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 countermeasures 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 legislature, the need for funds. Only then will we see kinds of advances and contributions that science and technology can provide to make police operations more effective, more efficient and more just."

All of these statements are completely applicable to police service in Texas as reflected by studies done by the Texas Research League, staff of the IACP, and from the regional plans. There is critical need for wider use of technology to increase the capability of police to apprehend a greater percentage of the perpetrators of crime and to increase the understanding of crime, how to control it and the criminal justice system response to crime. All of the applications of technology mentioned by Dr. Blumstein are badly needed in police service in Texas.



15. CRIMINAL INTELLIGENCE

The Texas Research League reports that there is generally a lack of coordination in the criminal intelligence collection and evaluation units. The Texas Department of Public Safety reports a need for better coordination at State level. A detailed study of this problem is needed to develop specifications for the program and its operating procedures. When the study is completed, there will be a need for implementation of the recommendations to establish effective regional and state-wide systems for the collection, analysis, and dissemination of criminal intelligence.

16. USE OF STAFF

The President's Commission reports that police departments have generally made inadequate use of staff. Regional plans indicate that this is true in Texas, particularly in the field of planning and development. 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. The employment of law enforcement planning coordinators in the regional planning agencies is needed. More effective use of police agency staff in policy development, personnel administration and other areas is also needed.

17. PERSONNEL ADMINISTRATION SYSTEMS

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

18. POLICE LEGAL ADVISOR

Although the President's Commission recommended that every medium and large-sized department employ a skilled lawyer full-time as a legal advisor, only one local police department in Texas has a legal advisor on its staff. The Texas Department of Public Safety has an attorney on its headquarter's staff, but it has none in field headquarters. A need for a full-time legal advisor exists in four large and

two medium-sized cities and there is a need for such services on a part-time basis in several smaller cities.

19. 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, but did not pass, in the 61st Legislature for grants by the State to local police agencies for salaries assistance. Such a practice has long been followed in England. It is given credit for much of the efficiency of the English police system while still preserving local autonomy. The State of Louisiana also follows this practice. These bills, and opinions expressed by several persons interviewed, indicate that there is a need for the State government to provide substantial financial assistance to local police agencies through the Texas Commission on Law Enforcement Officer Standards and Education. The Commission should be authorized to establish standards for personnel (physical, character, education, training, etc.), staffing, equipment, organization, administration, records and performance and make substantial grants on an equitable basis to all local agencies meeting the prescribed standards. Such a system, if adopted, 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.

20. RIOTS AND CIVIL DISORDERS

Texas, with its large concentrations of population in major urban centers and its concentrations of minority groups in these centers has the potential for major riots and civil disorders. The two State agencies involved, the Texas Department of Public Safety and the Texas National Guard, are well organized, trained and fairly well equipped to render rapid, effective assistance to local agencies in case of major disorder. Many of the local police agencies report that they are trained and fairly well equipped for effective response, while others report that they are ill prepared to handle such a major incident. All local agencies need to be fully organized, trained and equipped to cope with civil disorder. Better coordination among all agencies involved needs to be developed. This coordination would include coordination among State agencies, coordination between State and local agencies and coordination among local agencies on a mutual assistance basis. There is a critical need for training and equipment in certain strategic locations.

21. ORGANIZED CRIME

Specific activities of La Cosa Nostra have not been

identified in Texas by the major local police departments interviewed or by the State police agency, although the burgeoning economy and large urban centers present tempting targets for such infiltration. The President's Commission reported that a family member of La Cosa Nostra lived in Texas and the LCN was known to be active in Texas. Organized crime of the "homegrown" variety is reported to exist. Texas needs to organize criminal intelligence more effectively on a regional and state-wide basis to identify such infiltration. Large departments need skilled accounting capability to investigate adequately the operations of organized crime. A state council on prevention of organized crime is needed to develop a state-wide program of investigation and prosecution to cope with the threat of such infiltration. A public education program is needed to build public support for the control program and to alert the business community to the infiltration by organized crime.

## 22. COMMUNITY RELATIONS PROGRAMS

Major police departments in the State have formal police-community relations programs that can be given credit for relieving community tensions to the extent that Texas has had no recent major civil disorder. Existing programs need strengthening in some instances and additional formal programs are needed in other cities. A broader understanding of police community relations among all

police executives is also needed. The annual one-week seminar on the subject at Texas A & M University should be continued and strengthened, and regional one to three-day seminars over the State are needed. A model police-communications program for various size cities should be prepared and made available to all police executives.

23. PUBLIC INFORMATION OR PUBLIC EDUCATION

The Public Education Committee of the Criminal Justice Task Force found that there is a general lack of public understanding of the nature, extent and effect of crime as well as a lack of understanding of criminal justice objectives, operations, problems and needs. This condition is largely due to the lack of public information and education on the subjects. Public support, so essential for effective work of the 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.

24. PUBLICATIONS AND REFERENCE MATERIAL

Peace officers need to receive, at regular and frequent intervals, information on opinions from the Attorney General and appellate courts that affect their work. There is presently no publication carrying such information from an authoritative source. Law enforcement officers find out

about such opinions by word of mouth, through the news media or through communication from the city, county or district attorney on a non-systematic basis. A monthly publication, from an authoritative source such as the Attorney General, and available to all police agencies is needed. Regular revision, reprinting and distributions of the excellent Handbook for Texas Law Enforcement Officers produced by the Texas House of Representative's Commission on Law Enforcement Procedures in 1968, and other appropriate publications are needed as a reference for individual officers and as a textbook in training programs.

25. POLICE RESPONSE TIME

The President's Commission reported that the promptness of police response to crime was an important factor in clearing crimes by arrest. They defined response time as time used in the communications center and field travel time by the officer. A limited check of police response time in a few Texas cities indicates that the police often respond too slowly to make effective apprehensions. Long response times involve many factors such as size of beat, communications and dispatching procedures. Every agency needs to establish a system of records for dispatching to determine its response time to "crime in progress" and other emergencies. Programs designed to shorten police response time are needed in every police agency, with special emphasis given to reducing

time in the receiving and dispatching sector. These programs should be based on the President's Commission's recommendations and the results of independent studies in each agency. Computer command and control and personal radios for each officer will aid materially.

26. DRUG ABUSE

Offenses involving narcotics and dangerous drugs have increased substantially in Texas during the last few years. Some agencies report a 100% increase in arrests for hallucinogenic drugs during this time. A large amount of the increase in arrests has involved marijuana. Texas, with its proximity to Mexico and the long, isolated and unguarded border, is in a geographical position which makes smuggling of illicit drugs into the state easy. The growth of subcultures emphasizing abuse of drugs and experimentation by youth with drugs has intensified the problem. Texas needs to mount an all-out offensive against drug abuse. This offensive should involve a three-pronged approach consisting of prevention, rehabilitation and research. Prevention would include an intensified and coordinated law enforcement effort by police and prosecutors to limit the supply of drugs through reducing the number of pushers and purveyors of narcotics and dangerous drugs. It would also include an educational program in the public schools to reach



the children and youth, and a public education program to enlighten adults concerning the effects of drugs and how they may be controlled. An effective rehabilitation program through appropriate state and local agencies is needed to salvage those persons now addicted to narcotics or involved deeply in the use of dangerous drugs. Research is needed to determine and document the exact effects of drugs and to develop new control and rehabilitative techniques. To be effective, the public education program and the control program must be founded on accurate and current data supported by research.

27. INADEQUATE ADJECTIVE LAW

Deficiencies in the Code of Criminal Procedure adversely affect the work of police. Many people believe revisions in the Code are needed to, among other things, provide for the admissibility of oral confessions, allow the securing of a search warrant for evidence, allow police to "stop and frisk" under suspicious circumstances and provide for the authorization of wiretapping under strict judicial supervision similar to the Federal law.

28. INADEQUATE PENAL CODE

The inconsistencies, inadequacies and complexities of the Texas Penal Code impede effective police work in the State. 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.

29. POLICE SUMMONS FOR MINOR OFFENSES

A great deal of police time is utilized in custody arrests of minor criminal offenders. These are offenders who can be punished by a fine only. The time involves transportation to the station, booking, bail procedures, etc. The police need to conserve their time in such cases by the use of a police summons which the offender signs, promising to appear in a specified court at a specified date and time. Failure to keep the promise would be punishable as a separate offense. Such a system has been utilized effectively for many years for minor traffic offenses. Statutory authority is needed to permit the use of a police summons in such cases and prescribing a penalty for failure to heed the summons.

30. INADEQUATE FACILITIES

Housing for police agencies varies from excellent to almost non-existent. A majority of sheriffs' offices are located in court houses. Many of the police department buildings are old, decrepit, crowded and totally inadequate. Growth of many departments where new headquarters have been built has resulted in serious overcrowding. New or renovated, well designed, properly located police department headquarters are needed in many locations for the proper operation of the police agencies.

#### D. JUDICIAL PROCESSES

The term Judicial System, in its broadest definition, encompasses a number of diverse organization functions, procedures, and practices. The Judicial System is a system only because of definition and not because of design. The elements of the Judicial System are not well understood and sometimes they do not appear to bear any systematic relationship to each other. This system was developed based upon an original premise expounded in the Constitution of Texas, but the character of the system, as it exists today, has been changed through the years by constitutional amendments and by statutory laws and amendments.

The original structure of our system of courts and prosecution was established in 1876 by the Constitution then adopted. The population of Texas in 1870 was 818,579 with 93.3 percent living in rural areas. The system adopted met the needs of the rural state with a population density of 3.1 per square mile. After nearly a hundred years, we have what exists today - in concept and reality - basically unchanged from 1876 although changes have been made from time to time to meet the problems in the expanding urban population. These changes have been piecemeal and without thought as to the ever increasing shortcomings of the basic structure. Today, the estimated population

of Texas is over 11,000,000. In 1960 Texas had a population of 9,579,677 with 75 percent living in urban areas. This is nearly a reversal of one hundred years ago.

Texas has twenty-three standard metropolitan statistical areas, more than any other state, which contain thirty-nine of the two hundred and fifty-four counties. Approximately 80 percent of all Texans - over 8,000,000 - live in the standard metropolitan statistical areas. The system to be adopted must consider not only the needs of the exploding metropolitan areas but also the remaining rural areas. Texas has Brewster County with an area of 6,208 square miles, Rockwall County with an area of 147 square miles, Harris County with a population of 1,635,600 (1969 estimate) and Loving County with a population of 124 (1969 estimate).

These extremes point up the magnitude in complexity of the task of designing and implementing an adequate Judicial Processes System. To achieve reform all problems that are related to and within the Judicial Processes must be met and dealt with. Problems of this system are only one element in the total problems of the Criminal Justice System. Therefore, recommendations for programs, either planning or action, for improvement within Judicial Processes must include programs not traditionally considered to be a part or function of the Judicial Processes area.

To achieve the ultimate goal there must be an identification and evaluation of current and long range problems affecting Judicial Processes, a review of the respective roles within the Judicial System, the community and all segments of the Criminal Justice System as they relate to the prevention and control of crime, the recommendation and implementation of specific programs or alternatives to improve the Judicial Processes and to advise and cooperate with all segments of the Criminal Justice System to further mutual efforts.

The following are broad, general and encompassing designations and descriptions of problems and needs in Judicial Processes.

1. JUDICIARY:

a. Structure of the Entire Court System

The problems of the Texas Court System have been most elegantly stated by Clifton McClesky in The Government and Politics of Texas as he observes:

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 functioned by the courts in urban areas.

There is an urgent need for a complete analytical, objective and subjective review and assessment of the present architectural and functional structure of the entire court system as it exists today in Texas. A court system, unified if possible, must be structured that adequately meets the total needs in Texas today. Such a system must also be one that when expanded or contracted, does not alter the basic state-wide system.

Typical questions that must be determined, include but are not limited to, whether the dual appellate system should be retained, whether an intermediate appellate system should be provided in criminal cases, whether criminal jurisdiction, felony and misdemeanor should be lodged in the district courts and whether judges should be elected, appointed or some combination thereof, etc.

b. Court Administrator System

The whole system of Judicial Process functions within a broad constitutional and statutory framework. The entire process is characterized by the autonomy of each court with a definite absence of a state-wide and planners' plan to meet the needs of an exploding and translocating population in Texas.

The need for a state-wide court administrator system is demonstrated by the lack of guidelines available to those

who make the decisions as to the creation, location, and number of new courts; disproportionate dockets; judicial autonomy; overlapping and conflicting jurisdiction; and lack of uniform state-wide administrative control or direction.

c. Qualification of Judges

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. The Constitutional County Court is unique in that the judge has dual responsibilities. He is a judge presiding over a trial court and the chief administrator of the Commissioners Court who supervises all county budget operations.

The qualifications for each responsibility are not necessarily compatible. It should be noted that some counties have no attorneys residing in the county while some others have too few attorneys to even fill the positions that require the person elected or appointed to be an attorney. Too often, the person residing as judge of one of the above courts has neither legal education or training, nor is he afforded any during his career as a judge of these courts. Yet, the judge is called upon to make decisions on laws and to interpret and apply court decisions of laws and fact situations which may render a serious and lasting detrimental effect on the person before him.

If we continue this lack of qualification for office it is grossly unfair to require these judges to continue without provisions for legal training or education to assist them in the execution of their duties, and it is of critical importance that such opportunities be made available to them with whatever approach is appropriate to meet the immediate and long term needs.

d. Use of Commissioners or Referees

There exists no general statutory provisions for commissioners or referees to assist the trial judge in the discharge of his duties and responsibilities. A special statutory provision was passed by the Texas Legislature in 1965 which grants, to Wichita County only, the authority to appoint referees and describes their qualification powers and compensation. A constitutional revision in November 1966 increasing the court of criminal appeals from three to five members did not repeal the statutory provision for the appointment of a commission of criminal appeals. Since the constitutional revision, this statutory revision has not been utilized. It should be noted that the two commissioners serving prior to the constitutional revision in 1966 became members of the court as provided in the constitutional amendment itself.



There exists a critical and urgent need to review and assess the present and prior statutory provisions and their present and past utilization to determine the feasibility of such structuring in our court system to effectuate immediate and long term relief. In many instances, a commissioner or referee, with the same qualifications required of judges of most of our trial courts, could, under the authority of the presiding trial judge, dispose of many matters which are time consuming and administrative in nature. The commissioner or referee would forward to the trial judge all related papers together with his findings and recommendations for the final determination of all matters by the trial judge. The utilization of commissioners or referees would not be necessarily limited to our urban areas, but could well serve a very important and vital position in the administration of justice in our rural areas where the judge has several counties within his district.

e. Pre-trial, Pre-hearing, Pre-sentence and Pre-determination Procedures and Reports

The judge, to dispense justice as it is envisioned in the common mind, must consider all the human elements surrounding the alleged offense, from inception to ultimate end. Decisions must be based on a living person and not a number or statistic recorded on a sheet of paper. From the instant there is a need for determination of personal bail, bail, or no bail,

available for informed determinations on each matter before it. Immediate action to meet these needs will be through the establishment of unit-based diagnostic services which serves all the courts in a regional or district area, the collection and dissemination of the location and capabilities of all state and local services available, etc. This will meet a portion of the total need and will give guidance in state-wide planning.

f. Negotiated Pleas

A defendant may discuss with the prosecuting attorney the disposition of his case and receive from the prosecuting attorney an agreement as to a recommendation to the court for a certain penalty. Upon a plea of guilty or nolo contendere, the court will inquire as to whether or not the State has a recommendation and, if it has, the court then may either follow it or completely disregard it. 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.

However, if the "negotiated plea", as recommended by the American Bar Association, were accepted in Texas, then the defendant could withdraw his plea within the limitations set forth and proceed to trial to final adjudication of the matter.

The court should also consider whether or not the accused offender has been on bond prior to the commission of the present alleged offense. And further, even in a bondable offense, the protection of society from persons who possess dangerous tendencies and are likely to inflict further harm if they are released after apprehension should be given serious consideration and review. It is recognized that this problem and the appropriate solution raises serious constitutional questions which must be answered.

Sentencing, the final disposition of the charge, 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 necessary on which to make this determination. The information must contain the results and recommendations afforded by psychiatric examination, psychological testing and medical examination, with particular emphasis on the potential rehabilitative capabilities and the unique or special problems surrounding the person.

The long range needs can and must be met through state-wide planning so that every court has this information

to the final disposition, there exists a near total void of information. The court has no pre-trial, pre-hearing, pre-sentence, or pre-determination reports which include psychiatric examination, psychological testing, medical examination, potential rehabilitative capabilities, and unique or special problems surrounding the person involved in the charge.

At the onset the first consideration after a charge has been filed is for a judicial determination of personal bail, bail, or no bail. Many accused offenders are indigent and unable either to pay a professional bondsman his required fee for posting bond or to post a cash bond to achieve his release from incarceration pending further action on the charge. Should personal bail bonds not be utilized by the court in proper cases, the problem is further compounded by the fact that the grand juries do not meet daily. In some jurisdictions, they meet only once every several months and since it is necessary that an indictment be returned by a grand jury prior to a trial on the offense, the person so accused must bide his time in the company of hardened criminals. This environmental exposure promotes criminal recidivism. The determination of the amount of bond in a bondable case should not be a matter of rote. The facts and circumstances surrounding the offense should have a direct relationship on the amount and type of bail determined by the court.

g. Waiver of Indictment

At the present time, a defendant who is charged with a felony offense and who desires to enter a plea of guilty or nolo contendere to immediately dispose of the matter finds himself confronted with the fact that he may not do so until an indictment has been returned by a grand jury. Grand juries in Texas do not generally meet weekly or even monthly. More often they meet once every several months or even less frequently. This means that the defendant who is unable to secure release on recognizance or bond must bide his time with others in the county jail awaiting the return of the indictment prior to his entering a plea of guilty or nolo contendere.

There is a need to the right of waiver of indictment as in federal courts. This will require a change in the Constitution in the State of Texas and necessary statutory provisions to insure the protection of the defendant upon the waiver of the indictment.

h. Assessment of Punishment

The present law allows the defendant to determine whether the jury or the judge assesses his punishment. In assessing punishment many factors enter into a just and proper determination other than the offense committed. In those areas where pre-sentence reports are provided to the judge and he assesses punishment, he has

before him the factors for a just and proper determination. This is not necessarily true if a jury assesses punishment since they are not allowed information contained in the pre-sentence report. Further, a jury too often allows emotions and other factors to enter in their deliberation for the determination of the assessment of punishment. This is not a criticism of the persons who serve as jurors. Too often a prospective juror is shunted about without any explanation of why he was not selected to serve. All he knows at the end of the week is that he lost time from work with little compensation. The sudden outbreak of a particular type of crime or a concerted effort to clean up a certain type often influences the juror and prompts unreasonable sentences.

There is a need to review the present law pertaining to punishment to develop recommendations for the assessment of realistic punishment, assessed in a uniform manner, by trial judges.

i. Prompt Hearings and Final Determination

Often, in Texas today, the accused does not get a prompt hearing by the court. The defendant or his counsel may be responsible for this delay. However, it is sometimes the fault of the prosecutor. An overload of cases pending before the court, a lack of an adequate number of courts in a particular area, a lack of an adequate number of prosecutors, a lack of an adequate investigative staff to prepare the case for trial, a lack of screening

of cases prior to and after indictment, and a lack of a uniform standard setting system, all create delays.

In the final determination of a case it is often the defendant or his counsel seeking the delay and achieving it. The "hope against hope" that a release may be in the offering can create this delay. The lack of interest in hearing traffic cases which are appealed; the lack of time necessary for the court reporter to transcribe the proceeding of the trial so that a final appeal may be perfected and a final hearing can be set on a date certain; and the feeling that every defendant is entitled to one motion for continuance or an extension in time on his appeal to protect his **each and every** right whether it be on a justifiable basis or not are also factors in delays. There is a need to determine analytically and objectively, the factors which cause delay and how to best eliminate these deficiencies. Long term needs can and must be met through statewide planning. Immediate action will be taken as it deemed appropriate to meet the needs where possible.

j. Deputy Court Reporters

Each trial court in Texas is afforded an official court reporter for taking and transcribing the record of the trial from its inception to its end. In urban areas, even though there are numerous courts to try criminal offenses. There is also an un-

usually high rate of appeals upon convictions. As a result, it is sometimes difficult or impossible for a transcription of the record to be prepared within the statutory time limit. This, of course, necessitates a delay in the final hearing date before the appellate court.

The review of this problem will probably indicate the need for deputy court reporters to prepare each record within the statutory time limit. While the long term need can only be met through state-wide planning, short term action will be taken as deemed appropriate.

k. Clerical Personnel - Administrative

Clerical personnel assigned to the courts by the district clerk and county clerk or employed by the court itself usually rely 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 elements within the Criminal Justice System has hampered even these.

No forum is available to acquaint all clerks and their personnel with their duties, responsibilities, and liabilities or to provide the opportunity to receive the benefit of the efforts of those who have modernized the functions of their offices.

There is a definite need to develop and implement programs and methods which will overcome this serious deficit.



## 1. Uniform Jury Information

Many courts, particularly in the urban areas, have developed a uniform questionnaire that is provided to each prospective juror when he is chosen on a jury panel. It is completed and passes to the court for distribution to the prosecution and defense. Many basic and fundamental questions are answered and much time is saved.

There is a need for the development and adoption of a uniform jury information sheet for use by each and every trial court in Texas.

## 2. PROSECUTION:

### a. Prosecutors' System

The Constitution of Texas provides the framework for district and county attorneys. This section also provides for legislative action when and where deemed necessary. If one surveyed only the titles of prosecutors, it would be impossible to determine the scope of their respective functions, roles, duties, and responsibilities.

This conglomeration points to the need for an indepth, analytical, objective, and subjective review and assessment. Recommendations developed from this review need to be presented to the state legislature for its consideration.

### b. Compensation of Prosecutors and Adequacy and Compensation of Staff

The problems of compensation of prosecutors and

staff must be considered from the viewpoint that a district attorney has a base salary determined by the legislature and paid from State funds. In many instances, this base salary is supplemented by the county or counties which the district attorney represents. Any staff, be it an assistant district attorney, investigator, or secretary is paid from county funds and their salaries are determined by the commissioners' court of the respective county or counties.

The county attorney represents only a single county and his salary is determined by the commissioners' court of that county. Any staff, be it an assistant county attorney, investigator, or secretary is determined by the commissioners' court who also determine the salaries.

The salary of the district or county attorney has a direct relationship to the salary of assistants, investigators, and clerical personnel.

Many assistant prosecutors use the position as a base for intensified training before entering private practice. This concept promotes constant and rapid turnover of assistant prosecutors and, in turn, creates the situation where the prosecutors' office is a paid training base. Under this situation, the prosecutors' office seldom receives the full value of monies expended for their assistants.

Further, the low salaries of district and county attorneys and their assistants force many to resort to private practice, which is not statutorily prohibited, to supplement their income. This outside practice leads to the concept that an adequate staff has been provided by the county commissioners. While some commissioners' courts have responded to the requests of the district and county attorneys, none have been able to fulfill all requests. It is extremely doubtful that any prosecutors office in Texas has an adequate staff with adequate salaries to respond and meet the needs of his 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 investigate staff which is experienced and knowledgeable in working with other law enforcement officials in investigating crime and gathering evidence for prosecution. While it is recognized that each individual county or district attorney does not necessarily need a full time investigator, it remains obvious that they should have at their disposal an investigator who is qualified, experienced, and knowledgeable in the field.

There is a need to review the total staff (assistants, prosecutors, investigators, secretarial and clerical personnel) requirements of each prosecuting office and the compensation of all prosecutors, their staff and to devise programs, both short term and long term, which provide an adequate staff and salaries commensurate with their responsibilities. This will encourage prosecutors and assistants to devote full time to prosecution and to become a prosecutor as a career endeavor. It would further assist district and county attorneys in maintaining a full staff complement.

c. Prosecutors Visitation

The elective process presents a continuing deficiency in providing the people of Texas with experienced prosecutors. Too often, the newly elected prosecutor has never had experience in a prosecutors' office. This is true not only in the actual preparation and trial of cases but also in the operational function of the office. The assistants that he hires are generally inexperienced. The prosecution of many offenses requires experience and expertise in the presentation of the case for a satisfactory result.

To meet this deficiency, the visitation by a prosecutor to his brother prosecutors' office will be encouraged. Financial assistance will be made available to those who have meritorious requests so they may enhance their knowledge from their brother prosecutors' experience and expertise.

d. Use of Summons Rather than Warrants of Arrest

Although statutory provisions exists for the use of summons rather than warrants of arrest, it is the exception rather than the rule when this procedure is utilized by a prosecuting attorney. There are many instances where a summons would be as effective as a warrant of arrest and utilization of summons would free personnel in the sheriffs' or constables' office who have to serve the warrants of arrest for other matters.

There is a need for a review and assessment of the use of summons and the implementation of recommendation from this study.

3. PUBLIC DEFENDER:

Too often, appointment of counsel for a defendant is made only a few days before the trial and not immediately following his apprehension upon the charges filed. This does not allow the appointed counsel sufficient time for preparation unless he requests and obtains a continuance for this purpose. The fees received by appointed counsel from the county or counties, have been determined by the legislature and are a mere pittance to fees normally received for the time spent in preparation and trial of a case. Many lawyers shun appointments because of this and further, when appointed, do not have the incentive to properly prepare for trial.

Texas made a first step to meet the need of a public defender system during the last session of the legislature. A local bill, effecting 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 two hundred fifty-three (253) counties in Texas, the courts appoint members of the local bar to represent indigents as required by the decisions of the Supreme Court of the United States. Harris County (Houston) for example, provides a list of

recommended attorneys for appointment through the Houston Legal Foundation. The Houston Legal Foundation provides assistance to attorneys who are appointed by the courts in the investigation and preparation of the cases for trial.

The long term need can and must be met by state-wide planning. Immediate action will be by establishing and financially assisting public defenders in a judicial district or districts to meet a portion of this need. This will also contribute to the long term state-wide planning.

The creation of the Public Defender System in Tarrant County, the operation of the Houston Legal Foundation and the general operation by the court's appointments must all be considered in the recommendation of the best solution to meet the need for a Public Defender or a modified Public Defender System in Texas.

#### 4. JUDICIAL PROCESSES SEMINARS:

The courts, prosecutors, members of State and Local Bar Associations and members of the various functional areas within the Judicial Processes have for many years had seminars for their specific functions as well as seminars which joined the members of the several functional areas. Many of these have been highly successful but none have been on an organized continued basis throughout the years to meet the continuing changes confronting Judicial Processes. A major deficiency in Judicial Processes is

organized, continuing structured seminars available to each member which will provide a continuing education, legal and non-legal, focused on the problems and needs of his primary responsibility and the relationship of his responsibility to the several other functional areas of Judicial Processes.

To meet this need, seminars for the various functional areas of Judicial Processes have been and will be developed and financially assisted on national, state, regional and local levels. This will provide each member of a functional area of Judicial Processes with the opportunity to continue his education, legal and non-legal. Some seminars will include members of all functional areas of the Criminal Justice System both as instructors and participants.

5. JUDICIAL PROCESSES HANDBOOKS:

The personnel in the functional areas of Judicial Processes do not have handbooks available to improve the daily performance of their duties. A few handbooks have been prepared, published and distributed either by a legislative resolution or a state or local recognition of the need. By way of illustration, the Texas Legislature, by House Resolution 329, 60th Legislature, 1967, directed the preparation, publication and distribution of a "Handbook for Texas Law Enforcement Officers". In 1969, the District Attorney of Harris County used his own staff in the preparation publication and distribution of the "Law Enforcement



Handbook for Civil Disorders". This handbook is to acquaint the peace officers, campus and private security officers and other persons in authority with applicable Texas Laws in event of a riot or civil disturbance.

To meet this need, the preparation, publication and distribution of handbooks for the functional areas of Judicial Processes will be encouraged and financially assisted.

6. MEDICAL EXAMINER SYSTEM:

The office of medical examiner, prior to June 10, 1969, could be established in only fourteen (14) of the two hundred fifty-four (254) counties in Texas because of statutory restriction. Further statutory restriction as to office space and laboratory facilities prevented the majority of the fourteen (14) eligible from creating this office. The last legislature amended the statute concerning medical examiners by removing the population prohibition so that now any county in the State of Texas may establish the office of medical examiner if they so desire. The amendment further amended the statute as to the mandatory provisions of the county being required to furnish office space and laboratory facilities in the county; and now requires this to be furnished only if so requested by the medical examiner. Although these amendments now allow the utilization of a medical examiner by a combination of counties or a region in the state, only one region in Texas had indicated an interest in this approach.

Each of the two hundred fifty-four (254) counties in Texas needs the services of a medical examiner. Until this is accomplished, a justice of the peace, untrained in pathology, toxicology, histology and other medico-legal sciences will continue to serve in this capacity. Long term and immediate action must be initiated to provide this service as rapidly as possible to all two hundred fifty-four (254) counties.

7. PROBATION SYSTEM:

In Texas, adult probation officers are appointed by the judges of the various trial courts, subject to the approval of the county commissioners within that district, and operate as an arm of the court in the discharge of their duties. While problems and needs of the probation system will be thoroughly considered in the post sentence portion of this plan, judicial processes must work in close cooperation with post-sentence processes to achieve the necessary results.

8. 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 complete and comprehensive overview.

As assessment and review of the present provisions is needed to determine what should be proposed. These efforts will be in cooperation and conjunction with the members of the

Executive Committee Task Force of Criminal Justice Reports and Records.

9. COMMUNITY RELATIONS:

Today as never before in the history of the United States there is a critical and urgent need for a healthy and active relationship between courts, prosecutors, and the general public. The present public image of the courts and the prosecutors is one which leaves much to be desired. The general impression left with the public, from the more unique and notorious situations which have been communicated to them, has created a feeling of disrespect and passive indifference toward the courts and prosecutors. Judges and prosecutors that actively participate in various community relation activities represent only a small percentage of the total of those who occupy positions of trust as judges or prosecutors. Those who are participating, and have participated in the programs of community relations and their related activities, have indicated that this is not an undue limitation on court activities and the processing of cases with expediency.

A concentrated and active program by the courts and prosecutors in community relations is needed and will be a catalyst to re-instill the concept of law and order and active participation in the support of law and order. A further benefit of

active participation in such community relation activities would be jurors who have a better understanding of their responsibilities and duties. As a result they would be better informed and more willing to participate as a juror when summoned for duty. Such programs should be designed to meet the needs by active local communication with all age groups.

10. BAIL BOND REFORM AND PERSONAL BOND:

There are three ways to post "bail" in Texas. Each comes within the statutory definition of Article 17.01, Code of Criminal Procedure of Texas which states "Bail" is the security given by the accused that he will appear and answer before the proper court the accusation brought against him, and includes a bail bond or a personal bond". Article 17.02, Code of Criminal Procedure of Texas defines "bail bond" to include a cash deposit in the amount of bail with execution of a bail bond without sureties. Cash so deposited shall be refunded if and when the defendant complies with the conditions of his bond, and upon order of the court. Each of the three ways have unique and individual problems.

Professional bail bondsmen are not new in Texas or elsewhere. The shortcomings of the Texas bail system are generally the same as those in the United States which are widely known and well documented. The professional bail bondsmen range from those who are legitimate to those who are unscrupulous and some go so

far as to become "jail runners".

The problems of the professional bail bondsmen and reform of laws to regulate them is not new to the Texas Legislature. Many efforts have been made, but to date, no effective enforceable legislation has been passed and signed into law which would regulate the professional bail bondsmen on a state-wide basis. Some local areas, through the cooperation of law enforcement personnel, have established criteria that are required of professional bail bondsmen who want to make bail bonds in their jurisdictions. This is not widespread in the state and reflects the need for state-wide regulation.

This type of bail is used by two general groups. One is the group who cannot be considered professionals but who are charged with an offense. They generally are able to pay the premium necessary for a surety bail bond but the majority are not financially able to post a "cash" bail bond.

The other group is what 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 a public expression opposing the release of this group after their first arrest.

The Texas Legislature first provided for cash bail in lieu of sureties in 1965. The use of cash bail though without legal sanction has been prevalent over Texas for years particularly in traffic cases. This procedure is still relatively new. The extent of knowledge of this provision by the public and the Criminal Justice System and the capability of the Criminal Justice System to properly use this method is not known.

The Texas Legislature also provided for personal bond in 1965. Article 17.03, Code of Criminal Procedure of Texas 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 the sufficiency of information on which to make this judgment. The court does not have the time available to inquire of each defendant as to his ties with the community such as a family, a job, past criminal record, etc., upon which to release the defendant on personal bond to return to his family and job pending trial. The present practice of setting bond amount on the offense thwarts the purpose of bond and causes many ill effects. Of these ill effects, the most detrimental is the encouragement, because of situation and circumstances, of criminal recidivism. From the instant there is a need for determination of personal bail, bail or no bail, there is a near total void of information afforded to the court in the pre-trial stage.

Many accused offenders are indigent and unable to pay a professional bail bondsman his required fee for posting bond or to post a cash bail bond to secure his release. 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. In some jurisdictions they meet only once every several months and, since it is necessary that an indictment be returned by a grand jury prior to trial on the offense, the accused must bide his time in the company of hardened criminals.

The determination of the amount of bail should not be a matter of rote. It is fair to say that in too many instances, bail is a matter of rote. The facts and circumstances surrounding the offense must have a direct relationship on the type and amount of bail determined by the court. The court should also consider the past criminal activity of the person seeking to make bail. Even where the offense is bondable, the protection of society from persons who possess dangerous tendencies and are likely to inflict further harm upon release must be given serious consideration.

These needs must be met. Only through long-term planning and future action can we reform the laws regulating the professional bail bondsmen. Knowledge and understanding of the cash bail bond must be communicated to everyone. Personal bond pro-

jects provide competent and qualified staff to afford the courts the necessary factual information must be created continued, and expanded. Each court must be afforded the necessary factual information for the determination of the type and amount of bail.

11. CURRICULUM IN LAW AND UNDERGRADUATE SCHOOLS:

Through the efforts of many interested persons in law schools, the Coordinating Board of Senior Colleges of Texas and other related schools and interested citizens, we have, in an embryotic state, a solid, steady and progressive improvement in the curriculum in our law and undergraduate schools which will provide many of the working tools for future prosecutors and public defenders. There is a need to further the efforts of those who have instituted this change in thinking in Texas.

The law schools are taking various approaches to upgrading curriculum. The Criminal Justice Project at the University of Texas Law School and similar projects at the other law schools are outstanding. Here, second and third year law students not only do classroom work but also spend their summer vacation months as an active participant in the Criminal Justice System. Such programs will promote career prosecutors and public defenders in the foreseeable future and will provide those so necessary to the enforcement of the laws in the entire Criminal Justice System.



Texas needs criminal justice projects, internships, etc., in each law school. Those that presently have programs must receive financial support necessary to continue and expand them. New projects must be financially assisted to create such programs where lacking.

12. PENAL CODE REVISION:

The State Bar of Texas is fast approaching completion of the revision of the Penal Code of Texas for presentation to the Texas Legislature when it convenes in January, 1971. This is a dynamic and realistic approach which affords a clear, concise, and understandable statement of the penal sanctions. This project received financial support from the Texas Criminal Justice Council in 1969.

There is need to continue the support to assure the passage of the revised penal code into law by the legislature at the earliest possible date.

13. CODE OF CRIMINAL PROCEDURE REVISION:

The Code of Criminal Procedure in Texas, which requires legislative enactment, was revised several years ago. It has proven to be highly successful and operative but, as is generally true in such major revisions, additional changes are needed. Errors and omissions in the original legislation necessitates

changes, and decisions by the Supreme Court of the United States may necessitate other changes to conform with the rules propounded.

The State Bar of Texas has a committee designated to make recommendations as to the necessary changes. There is a need to support the State Bar of Texas in this endeavor.

14. SUMMARY STATEMENT:

The problems and needs recognized in the preceding pages and the problems and needs that are recognized in the future will be met by a definitive program of planning and action. To meet the challenges where planning is necessary, consultants with an adequate staff and task forces, each working with the Program Director of Judicial Processes and the other program directors, will be utilized. Their responsibilities will be to do at least the following in each problem area that is recognized now and in the future:

- Describe the problem and need and the existing structure;
- Define, with supporting information appropriate alternative structures and roles;
- Recommend alternatives from the most desirable to the least desirable with a detailed analysis showing the advantages and disadvantages of each;
- Prepare the proposed constitutional and statutory revisions necessary to achieve each of the recommended reforms or alternatives;

--Develop a program to assure success  
in implementing the recommended  
changes.

In areas where immediate action is indicated, programs will be developed to meet those needs.

The ultimate concern of Judicial Processes is "Justice" and all the ramifications thereof. As Daniel Webster stated: "Justice is the greatest interest of man on earth. It is the ligament which holds civilized beings and civilized nations together. . . and must be as durable as the frame of human society". It is realized that such an altruistic philosophical ideal cannot be achieved in this State or nation without the complete rapport and support of all branches of the Criminal Justice System and of the general public. It will only be through planning, action and implementation of successful programs that these high values may be achieved.

## E. CORRECTIONS AND REHABILITATION

Recidivism is a national problem. A former United States Attorney, in a recent speech, in reference to the rate of recidivism, noted that eight of ten individuals convicted of a crime were prior offenders.

Recidivism is also a Texas problem. Over the past twenty years the Texas Department of Corrections has instituted modern correctional programs and generally improved prison conditions. The recidivist rate in the Department has dropped from 75% in 1949 to a 1969 percentage of 17% of those inmates who had participated in rehabilitative pre-release programs within the Department System. Only a small fraction of the inmate population (sex deviates, self-dedicated dope addicts, and those lacking in the faculties necessary to benefit from rehabilitative programs) is excluded from the rehabilitation programs. However, based on Criminal Justice Council staff knowledge and on-site observation of major metropolitan jails, it is known that most other confinement systems in Texas have no rehabilitation programs, and conditions in these systems are generally not conducive to rehabilitation.

### 1. POOR CONDITIONS OF, AND CONDITIONS IN, JAIL FACILITIES

Indications are that there has been little or no change in the basic operation of most jails in Texas during

the past 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 prisoners are at the mercy of, or unduly influenced by, the more hardened prisoners.

Article 5115 of Vernon's Annotated Civil Statutes,  
Title 81, "Jails" states:

"The Commissioners Court shall provide safe and suitable jails for their respective counties, and shall cause the same to be maintained in good sanitary condition at all times, properly ventilated, heated and lighted; structurally sound, fire resistant and kept in good repair. Furthermore, they shall cause the jails in their respective counties to be kept clean and in a healthy condition, provided with water of safe quality and ample quantity and sewer disposal facilities in accordance with good sanitary standards, and provided with clean, comfortable mattresses and blankets, sufficient for the comfort of the prisoners, and that food is prepared and served in a palatable and sanitary manner and according to good dietary practices and of a quality to maintain good health." . . .

. . . "The term "safe and suitable jails," as used in this Act, shall be construed to mean jails which provide adequate segregation facilities by having separate enclosures, formed by solid masonry or solid metal walls, or solid walls of other comparable material, separating witnesses from all classifications of prisoners; and males from females; and juveniles from adults; and first offenders, awaiting trial, from all classifications of convicted prisoners; and prisoners with communicable or contagious diseases from all other classifications of prisoners. Furthermore, the term "safe and suitable" jails shall be construed to mean jails either now or hereafter constructed, except that, in lieu of maintaining its own jail, any county whose population is not large enough to justify building a new jail or remodeling its old jail shall be exempt from the provisions of this Act by contracting with the nearest available county whose jail meets the requirements set forth in this Act for the incarceration of its prisoners at a daily per capita rate equal to the cost of maintaining prisoners in said jail, or at a daily rate mutually agreed to by the contracting counties."

Most city and county jails 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 programs.

2. INADEQUATE NUMBER AND TRAINING OF CUSTODIAL OFFICERS  
IN JAILS

Most local and county jails are not providing an adequate number of custodial officers. Further, most such officers are inadequately trained. Most county jail personnel are only temporary until such time as they are promoted to other positions within the sheriff's office and they usually receive a relatively low salary while working in the jail.

The Penal Code of Procedures in Texas under Article 5116

states:

"Each sheriff is the keeper of the jail of his county. He shall safely keep therein all prisoners committed thereto by lawful authority, subject to the order of the proper court, and shall be responsible for the safe keeping of such prisoners. The sheriff may appoint a jailer to take charge of the jail, and supply the wants of those therein confined; but in all cases the sheriff shall exercise a supervision and control over the jail. Act May 19, 1846, p. 268; G.L. vol. 2, p. 1574; Act August 26, 1856, p. 88; G.L. vol. 4, 506."

The custodian of the jail must be in constant control of the prisoner. He must be aware that most prisoners will eventually be returned to society and the treatment they received while incarcerated may have some effect on their behavior after release.

Recruitment programs for local and county jail personnel should be developed and widely adopted. These personnel should receive extensive education and training in the handling and rehabilitation of the incarcerated.

Continuing education is a necessity for all engaged in corrections work, whether they be employed by local confinement institutions or by the Texas Department of Corrections. An encouraging effort to meet this need has been the planned establishment of the Center for Continuing Education in Criminal Justice in Huntsville as a

cooperative undertaking by the Institute of Contemporary Corrections and the Behavioral Sciences at Sam Houston State University and by the Texas Department of Corrections. The Center will offer programs and services to the entire criminal justice system. The Center is presently in the planning stage with construction of facilities due soon. This program has been supported by fiscal year 1969 funds and this support should be continued.

### 3. LACK OF REHABILITATION PROGRAMS IN JAILS

Most local and county jails in Texas lack any form of rehabilitation programs. There are generally no educational or vocational programs and usually no psychological testing programs; nor are there programs to rehabilitate the drug addict or alcoholic. Further, probation services are inadequate in Texas and work-release programs are almost unknown. Article 42.03, Texas Code of Criminal Procedures, provides for sentencing of misdemeanants whereby they may participate in work-release programs. However, this statute is rarely used by the courts due to the lack of available supervision.

As a corollary to these problems, there appears to be no accurate uniform system for reporting criminal statistics, and therefore no accurate method to measure the rate of recidivism. Such information is necessary to truly gauge the magnitude of correctional problems.



There should exist in every jail facility in Texas meaningful educational and vocational programs to aid the prisoner to return successfully to society.

Every jail facility should have some effective method of prisoner classification based on standard and proven methods of classification and of psychological, psychiatric, educational, and vocational testing.

In every county there should be established a probation service adequately staffed to effectively supervise any offender released on the basis of a probated sentence. A study of probation services should be made state-wide to furnish data necessary to design an optimum system. As a necessary aid to an effective probation service, each sentencing judge should require a comprehensive pre-sentence investigation and a comprehensive post-sentence rehabilitative prognosis. The judge could utilize this information in determining whether or not to suspend all or a part of the sentence. Also the pre-sentence information would aid in classifying the prisoner.

The Texas Department of Mental Health and Mental Retardation is presently operating facilities for in-patient and out-patient treatment in the field of drug abuse and alcoholism. This program should be expanded to increase the staff's abilities, knowledge, and expertise in the fields of drug abuse and alcoholism. This

department and its staff could then provide assistance to jails and penal institutions in establishing treatment and rehabilitation programs.

Although it is known that the recidivism rate for confinement institutions in Texas is great, no accurate method of measuring and reporting this is now known to be in use. An accurate criminal statistics reporting system is needed to measure recidivism.

4. REHABILITATION PROGRAMS IN THE TEXAS DEPARTMENT OF CORRECTIONS

Eventhough the Texas Department of Corrections has achieved a high degree of success in their rehabilitation programs, more such programs are needed to insure further and greater success. This will require planning, equipment, and construction of facilities.

5. REGIONAL CORRECTIONAL FACILITIES

One alternative to most of the aforementioned problems in Texas jails would be the establishment of regional correctional facilities. Presently there is a dire lack of operating and construction funds for jails in counties and cities. Under the regional concept, financial and personnel resources could be pooled to provide adequate facilities and rehabilitation programs. Further, career correctional positions could be established and individuals in these positions could receive adequate education, training and pay.

6. EARLY DETECTION OF PRE-DELINQUENT BEHAVIOR

The scope and seriousness of the juvenile delinquency problem in the State of Texas is actually an unknown factor, and will remain as such as long as reporting systems are not mandatory in this state. However, any act of juvenile delinquency in any area of the State of Texas is a very serious matter and the best possible means of dealing with the problem is in the prevention of juvenile delinquency.

While it is recognized that many agencies both public and private are engaged in the area of preventing delinquency, it is a positive fact that not much has actually been accomplished in the broad general area of prevention.

There are three basic social institutions that certainly could take greater action than they are now taking in the area of preventing juvenile delinquency. These social institutions, of course, are the home, the church, and the school. There will be established a public education program, to assist parents with problem children, through various disciplines, such as public schools, church groups and other public or private agencies. Public information will be made available to these disciplines to assist parents in working through the problems they encounter with their children. However, in too many instances, parents are prone to overlook

a problem, or do not recognize a problem, as such, with a child until it is too late in the child's life and he becomes delinquency oriented.

The second basic social institution referred to, the church, has an opportunity. However, its range is not broad enough. It does not reach enough people and it is not usually considered, an out-reaching institution. Therefore, its scope in working with children is limited.

Of the three basic social institutions this leaves the school. The school has the greatest opportunity to detect delinquency or to detect pre-delinquent activities. After a child reaches the age of six the school has a great responsibility for a large majority of his waking hours.

Beginning in grade one, all teachers should have small classes. Experienced teachers, rather than new, young teachers just out of college, are needed in schools in high delinquency areas. They also should have received special courses in child development. Through the use of the experienced teacher, in a small classroom, it would be possible for a teacher to detect deviate behavior on the part of the child, while not ignoring other academic duties. There should be established in the school systems competent counselling, home visitation and referral resources for psychological, psychiatric and family counselling assistance to work with the pre-delinquent.

#### 7. POLICE TRAINING IN BEHAVIORAL SCIENCES

Another area where good prevention work must take place is within police departments. So many times, a child's first "brush" with the law determines to a large extent, his future attitudes and feelings toward law enforcement and law enforcement personnel. If this feeling is negative it could create a proneness toward delinquent behavior.

Therefore, there must be established, and plans are to establish, in accredited universities or colleges, a training program for police officers who work specifically with juvenile offenders. The curriculum in these courses would not be in the field of police science, but in social science, social behavior, psychology, etc. With this type of training, the police officer working with the juvenile, would be in a much better position to understand the motivation behind pre-delinquent or delinquent behavior of a child, and therefore in a much better position to work constructively and positively with children.

#### 8. YOUTH SERVICE BUREAU

If a child does not appear before a juvenile court, he cannot be adjudicated to be a delinquent child. Therefore, the possibility of reducing delinquency, by preventing it, is

diverting a child who has shown tendencies toward delinquent behavior, from the juvenile justice system.

A well organized community effort can do this and is so recommended in the President's Task Force on Juvenile Delinquency as the "Youth Service Bureau." There has been established one Youth Service Bureau and applications to the Criminal Justice Council to establish several other Youth Bureaus throughout the state are anticipated.

9. USE OF NARCOTICS AND DANGEROUS DRUGS BY JUVENILES

Drug abuse and narcotics among children in general has become a malignant growth in our society. Not only does it reach the adults, but has become malignancy in our youth.

There must be an on-going education program in the dangers to children of the use of drugs and narcotics. Fortunately the Legislature has created such an education program through House Bill No. 467 entitled "Education-Crime and Narcotics Dangers - Advisory Commission". The responsibility for this curriculum has been placed with the Texas Education Agency and is to be used throughout all public schools on a continuing program in grades five through twelve. As there will be continuing research and development and new discoveries in the field of drug abuse and narcotics, there will be established in accredited colleges and universities opportunities

for training programs on an on-going basis for teachers who are responsible for carrying out these responsibilities in the public schools. Unfortunately, too little is known at this time about the overall picture of the drug abuse and narcotics situation and as research and development continue, it will be mandatory that the classroom teacher be kept abreast of new materials through this workshop-training method.

10. COMPREHENSIVE TREATMENT CENTER FOR DRUG ABUSE AND NARCOTICS

As mentioned in an earlier item (paragraph 4), the drug abuse and narcotic cancer has reached the juvenile age child creating untold health and mental problems. While the argument still continues on the question of whether using marijuana, barbiturates and amphetamines leads to the use of the hard narcotic such as heroin, many children are still coming before the juvenile courts for possession of marijuana, even though they are not pushers, but had possession for their own use. It has been discovered that many children are coming before the courts for possession of illegal barbiturates and amphetamines, etc., and have been found to be, if not physically addicted, at least psychologically addicted to the use of these dangerous drugs.

Much research remains to be done in the field of the dangerous drugs and narcotics, but while this research is going on these juveniles appearing before juvenile courts for these

offenses should have a place short of the U. S. Public Health Hospital, where they could receive treatment to remove them from the use of the drugs and/or narcotics. Therefore, there will be created a comprehensive treatment center for drug abuse that would be accessible for a juvenile court to commit a child to such institution for treatment, and at the same time give medical science the opportunity to do research in the field of drug abuse and narcotics.

11. HALF-WAY HOUSE

Many delinquency situations occur because of a severe emotional conflict within the home. If there is no help to resolve the emotional conflict between the child and his parent or parents, the continuation of the conflict will surely cause the child to become a possible delinquent. Frequently, these conflicts can be resolved with outside professional help. But in those instances where there is such a sharp emotional conflict, many times it is necessary to remove the child from the parent, or parents, until the conflict can be resolved, or at least a beginning of the resolution of the conflict.

The conventional half-way house is usually considered in working with a person leaving confinement and returning to society. Another concept in the half-way house is to work with a person who is headed from society to confinement if his problem cannot be resolved. Therefore, it is proposed



that consideration be given to methods of providing a facility for separating a child and parent or parents who are in emotional conflict for a "cooling off period" while professional help is being given both to the child and his parents. At the time when it is felt that the conflict has either been resolved or is making positive progress, the child could be returned from such temporary detention as a "foster-home" setting to the home of his parents.

#### 12. JUVENILES IN NEED OF SUPERVISION

There are many children throughout the State who have had the label of "juvenile delinquent" placed on them by a court when in fact they are not in violation of laws as most people think the term delinquency commonly denotes. These are children who are taken to court on offenses that, if committed by adults would not be considered a violation of the law. These offenses are listed in Article 2338-1, Vernon's Annotated Texas Civil Statutes and are quoted:

--habitually violates a compulsory school attendance law of this state; or

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

--habitually associates with devious and immoral persons.

While it is recognized that these children are in need of assistance on a professional basis, it is definitely felt, and underscored in the President's Task Force on Juvenile Delinquency, that the professional help should not be given by the juvenile court but by other community professional agencies or organizations.

Therefore, it is urged that legislative consideration be given to removal from Article 2338-1 the aforementioned section and further legislation be considered to create the means to work with these children. In the President's Task Force Report, these people are referred to in two categories; "Persons In Need of Supervision", or "Children In Need of Supervision". This would be a positive method of reducing delinquency from a statistical stand point and providing more effective means of controlling juvenile delinquency.

### 13. INTERNSHIPS AND IN-SERVICE TRAINING

The increased number of petitions being initiated in juvenile courts, administrative revocation of paroles and revocation of probation by the courts, drastically points out that the conventional methods of working with the adjudicated delinquents are failing to meet the needs of these young children

There is an urgent need for more quality and quantity control of the adjudicated delinquent.

People in undergraduate work who are planning to enter the law enforcement field in the area of probation or police work should have some "field work" experience during the course of their academic studies. To this end, there will be made available to accredited colleges and universities in the State of Texas, funds to finance "internships" of the undergraduate student so that he may enter police or probation departments and work in the juvenile field to get first hand knowledge of the methods and procedures that are being practiced. After graduating and entering a probation department as a regular staff member, and with other staff members, there of necessity must be an on-going, in-service training program. There should be created in a metropolitan probation department, a position of full time training officer with no other responsibilities than to research the legal and social aspects of juvenile delinquency and to bring them to the attention of the staff in regular in-service training programs. Through this method the staff would constantly be kept abreast of all developments, not only in the legal field but in the child development field, the social sciences, and any changes in psychological concepts as they relate to juvenile delinquency.

#### 14. REDUCTION OF RECIDIVISM

In addition to the academic training and on-going in-service training mentioned above other methods of control of juvenile delinquency must be tried to see if some success or more success can be reached in the reduction of recidivism. Innovation must be the key word in this area. Many delinquent children are academically retarded and should not be subjected to routine classroom procedures. Also, many of them for other reasons should probably, at least on a temporary basis, be removed from the academic setting in its entirety and given remedial education in another setting. Present methods institutionalize the child in one of the state or local county correctional facilities.

However, there should be efforts made to introduce innovative ideas in working with these children short in institutional settings. For years there have been "day care centers" for children usually of pre-school age or in some instances for physically or mentally handicapped children. Staff of the day care program includes probation officers, remedial education teachers, vocational rehabilitation personnel and other personnel in the professional fields as required to meet the needs of the delinquent children. One of the severest problems faced by the correctional institutions for children is that at the time the child is considered for out-right release, or placed on parole, he usually has to return to the same

environmental situation from which he was removed by the juvenile court. In the day care program concept, the family will be involved in counselling along with the children. Competent personnel from the probation, family counselling and/or vocational rehabilitation fields will concentrate efforts to change the environmental situation from which the child would have been removed and to which he would have returned had he gone to an institution. While in many courts throughout the State and nation the concept of group therapy is in wide use today, the day care program goes far beyond the group therapy concept in all of its ramifications.

#### 15. REGIONAL DETENTION FACILITIES

Juvenile detention facilities in the State are wholly inadequate. Very few counties out of the 254 counties in Texas have separate juvenile facilities to detain children who out of necessity must be detained. These are the children who are charged in a delinquency petition with committing a felony or misdemeanor offense or runaway children from other jurisdiction that must be detained pending return to their own jurisdiction, etc. There are less than a dozen counties in the State of Texas that have detention facilities for the specific purpose of detaining juveniles. In all other areas when it is necessary to detain a child the county jail is usually the place where the child is detained. It is a documented fact

that most jail facilities in the counties of the State of Texas are inadequate, understaffed and are in no real position or physical condition to give adequate care and supervision to children. While the statutes do not prohibit the placing of the child in jail they do specify that he shall be separated from adult offenders. No jails have been constructed with the idea that there should be a separate portion of the jail built especially for the purpose of housing juvenile offenders. Cold, hard steel bars of the type used in county jails lend no motivation to a child to withdraw from delinquent behavior.

With the many sparcely populated and wide-spread counties in Texas it is readily obvious that each county in Texas could not afford to build a detention facility especially for juvenile offenders. However, regional detention facilities have been used successfully in other parts of the nation, and consideration should be given to the construction and use of multi-county districts to create and operate detention facilities. If several counties were to combine efforts to contribute financially to the construction and the over-all operation of a detention facility there is no reason why it should not be a successful operation. State and county officials should keep in mind that jails have been planned and constructed for adult offenders and not for children.

16. COMPREHENSIVE SURVEY AND STUDY OF JUVENILE PROBATION  
IN TEXAS

Policies, procedures and practices in juvenile probation departments throughout the State are as varied as are the counties. This means that there are 254 different probation department operations in the state assuming that there is a program of sorts in every county.

There will be made a concerted effort by the Criminal Justice staff to do in-depth study to determine the policies, procedures and practices throughout Texas. As a result of such an in-depth study by the Criminal Justice staff there will be made a concerted effort to draw up standard plans, and policies that could be used throughout the State.

17. REGIONAL JUVENILE PROBATION DEPARTMENTS

Again referring to the many sparsely populated and wide spread counties in the State of Texas, it is also readily seen that it is impossible to employ competent probation officers in each county.

Many counties are encompassed in judicial districts that have multi-county jurisdiction. There should be established a juvenile probation department within each such jurisdiction. With each county making a prorated financial contribution to such a program, it is conceivable that the entire State could be covered by an adequate juvenile proba-

tion program. The obvious alternative to such a plan, in order to cover the State of Texas with an adequate juvenile probation program, would be a state-wide, state supported and state operated juvenile probation system. Obstacles to such a proposal would seem insurmountable at the present time and in the foreseeable future.

#### 18. CODIFICATION OF JUVENILE LAWS

In view of the "population bracket" type statutes that come out of the legislature, the statutes dealing with juveniles and juvenile offenders throughout the state are so wide spread and vary so much that it is impossible to get a clear picture of just what the overall system is.

There needs to be made in the immediate future a codification of all juvenile statutes, in order that a clear picture of the overall juvenile laws can be gleaned, and recommended changes be made if needed.



## F. CRIMINAL JUSTICE INFORMATION AND COMMUNICATIONS

Problems and needs relating to the system's information and communications have very broad significance and have been identified as a high priority item by virtually all disciplines at all levels of government. Needed, planned and existing programs for major improvement in this area are so variable as to justify the consideration of this subject as a special section of this Part of our plan.

### 1. THE OVERALL PROBLEM

Criminal justice information and communications systems in Texas can be characterized as being generally manual, fragmented, and decentralized. Some of the most common problems encountered by criminal justice agencies are:

- An inability to receive and process large volumes of data,
- Slow and inaccurate access to stored information,
- Extreme difficulty in disseminating information to remote locations at the time it is needed,
- Inadequate or non-existent management information for administrative decision making,
- Lack sufficient feed-back for evaluation of prior decisions or policy,
- Unnecessary cross references and duplication of information
- Difficulty of exchanging information between allied agencies
- Non-existent information for planning and research purposes for the State's Criminal Justice System.

Each agency enjoys a high order of independence despite the frequent overlap between jurisdictional and functional boundaries. While each agency has this realm of independence, they are, nevertheless, subject to the impact of activity and policy decisions of other criminal justice agencies.

As a result of these deficiencies and limitations, the various criminal justice agencies either rarely attempt to acquire comprehensive information from other agencies, or they rely solely on internal records that are parochial in nature. The development of these local and agency files creates fragmentary records from the point of view of state-wide information need.

The current situation provides very little support to the overall administration of justice, and only limited satisfaction of the needs of the law enforcement officer in the field. The criminal, on the other hand, needs only separate himself geographically from previous police records to minimize his chance of apprehension.

Another dimension of the problem is the lack of information and common usage of information between the various agencies of criminal justice. It is well understood by these agencies that they are a function within a definable system. Furthermore it is clearly understood that the actions of one agency impacts heavily upon the activities of other agencies;

yet it is difficult to trace a subject through the criminal justice system in its entirety. It is virtually impossible to identify and trace a selective group of subjects or to measure loads on any given segment of the system. For example, it is impossible to determine the true rate of recidivism when city and county jail terms are not included in a subject's complete record.

A major constraint in the development of information exchange between agencies is the lack of common definitions. The uniform crime classification code does not exist. The development of this code should be mandatory if offenses and convictions are to be properly classified leaving as little room as possible for judgement by a multitude of people who handle such information.

There is a real problem in determining where to inquire and whether a complete history has ever been finally recorded. Probation and parole agencies would rarely know of police contact with a parolee or probationer if the event did not occur within the immediate local supervisory jurisdiction. Conversely, the law enforcement agencies of remote jurisdictions would not be likely to find out in a timely manner if a subject was either a parolee or probationer.

The courts have to spend too much time attempting to develop information required to support bail or sentencing

decisions. This problem slows down the process and undoubtedly could contribute lower quality decisions in some cases.

The relationship between the adult and juvenile sectors of the information system require strengthening. There is general agreement that criminal behavior patterns tend to form during the juvenile period. National crime statistics and most law enforcement agencies identify the juvenile problem as being the majority of the total criminal activity, yet very little overall data regarding this problem is available. Most juvenile histories are fragmented about the state in local law enforcement and county court records.

In summary, there is a great need to provide an integrated State level criminal justice information system. The methods and procedures that have served criminal justice in the past are no longer adequate with today's increases in population, mobility of people, and corresponding increases in crime rates. Improvements must be made if we are to cope with these growing social problems.

## 2. THE OVERALL NEED

The cornerstone of effective public service is adequate information management. In no other area of public affairs is the impact of information control more personal nor lasting than that in the criminal justice process. The continued increasing demands upon the criminal justice agencies has

necessitated researching for new technology to meet today's and tomorrow's needs for rapid accessibility and availability of information on a local, regional, state and national level. Additionally, criminal justice agency functions have become more complex and dynamic, and therefore, require not only improvements in the criminal justice process, but also in management, planning, and control, for more effective and sufficient operations.

It has become apparent from the foregoing, that Texas requires:

- A common data base for information, storage, and retrieval that can be available to authorized persons within the criminal justice process;
- A data base that is not only operations oriented, but oriented toward management of the processes, and;
- A state-wide communications system that responds to the needs of all criminal justice agencies in a timely manner.

In other words, Texas needs a totally integrated information system, well grounded in communications, that will cause to bring about the unity and integrity required for the criminal justice process. Such a system should be designed to satisfy the current and forecasted needs of law enforcement, prosecution, defense, courts, probation, corrections, pardons and parole, and other state and local agencies that may have need for criminal justice information.

There is a need for a system that is state-wide in scope: but one that will provide information and communication services to all criminal justice agencies at all levels of government.

G. GRAPHIC REPRESENTATIONS OF CRIME





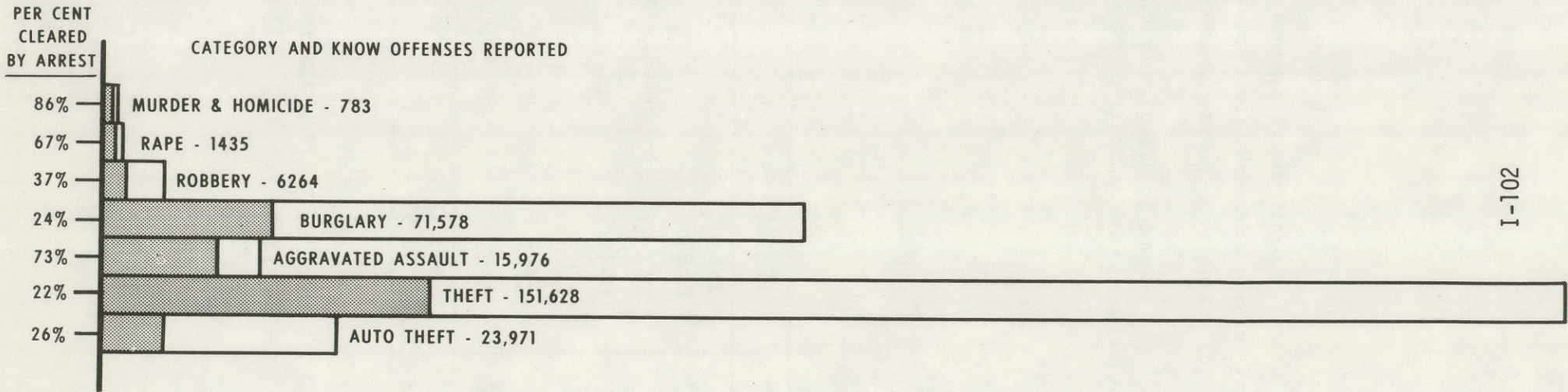
ESTIMATED OFFENSES AND CRIME RATES  
FOR THE MAJOR CATEGORIES OF CRIME  
IN TEXAS FOR 1969

OFFENSE	ESTIMATED OFFENSES	RATE PER 100,000
Murder & Homicide	1257	11.8
Rape	2413	22.8
Robbery	9515	89.7
Burglary	116,204	1095.3
Aggravated Assault	25,828	243.5
Theft	239,643	2258.8
Auto Theft	37,391	352.4
<b>TOTAL</b>	<b>432,251</b>	<b>4074.3</b>

This report is compiled from data reported to the Department of Public Safety by Texas sheriffs and chiefs of police.

In jurisdictions where no report is received, the rate is assumed to be the same as for the average of those reporting in the same population group (urban) or population density group (rural).

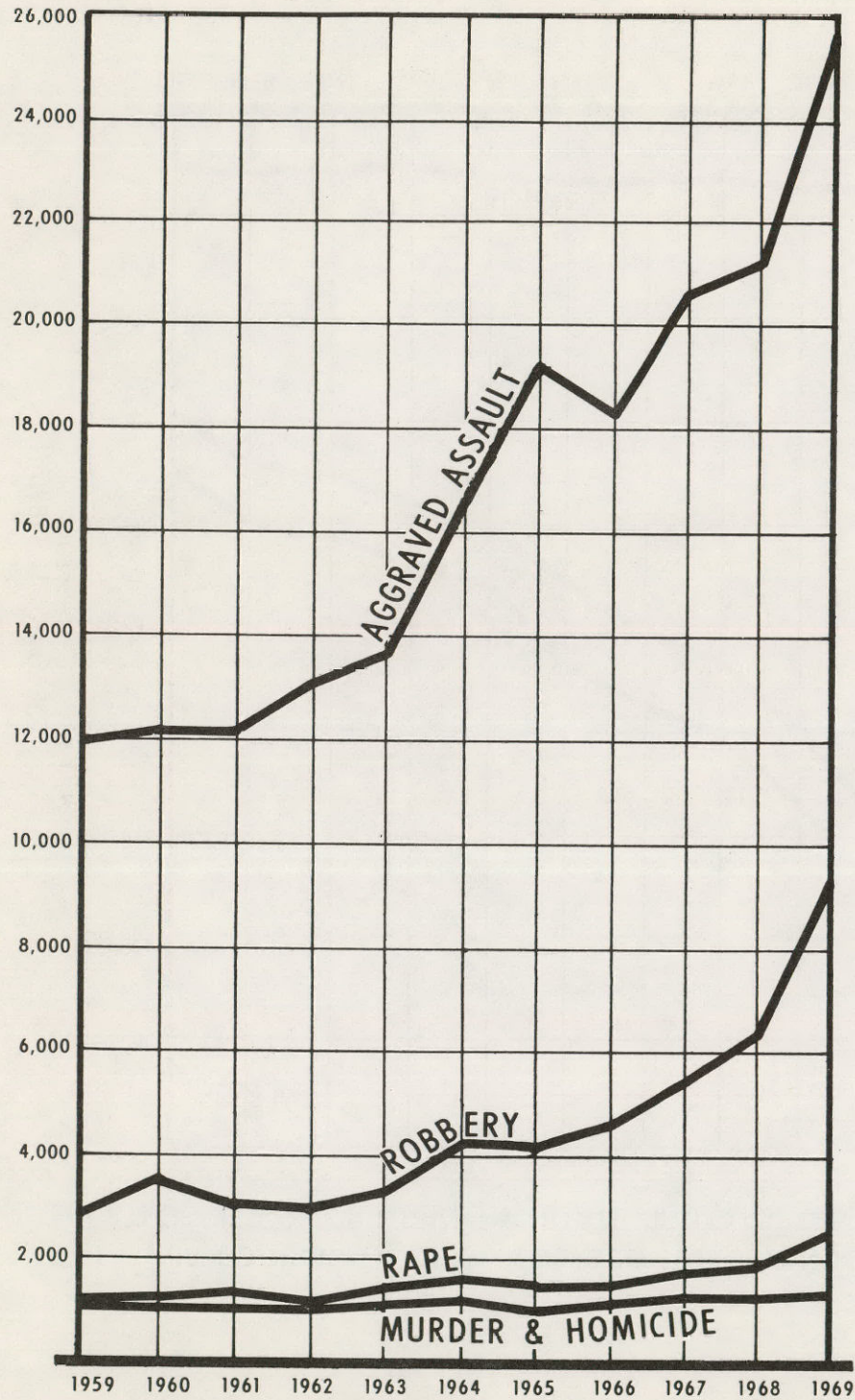
# TEXAS CRIME AND CLEARANCE RATES FOR 1969



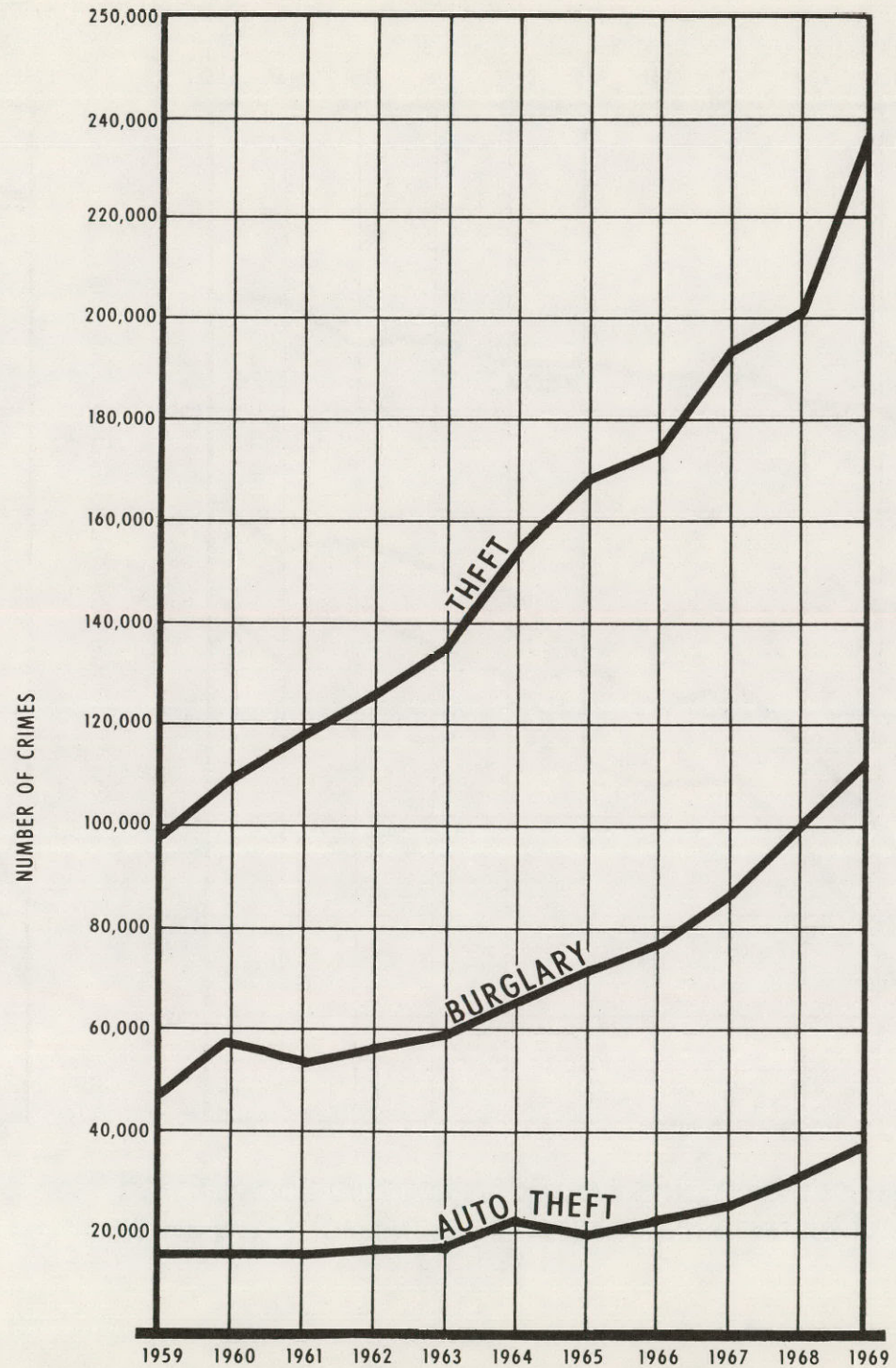
I-102

Source of data: Texas Department of Public Safety, "Texas Crime Reports-1969"

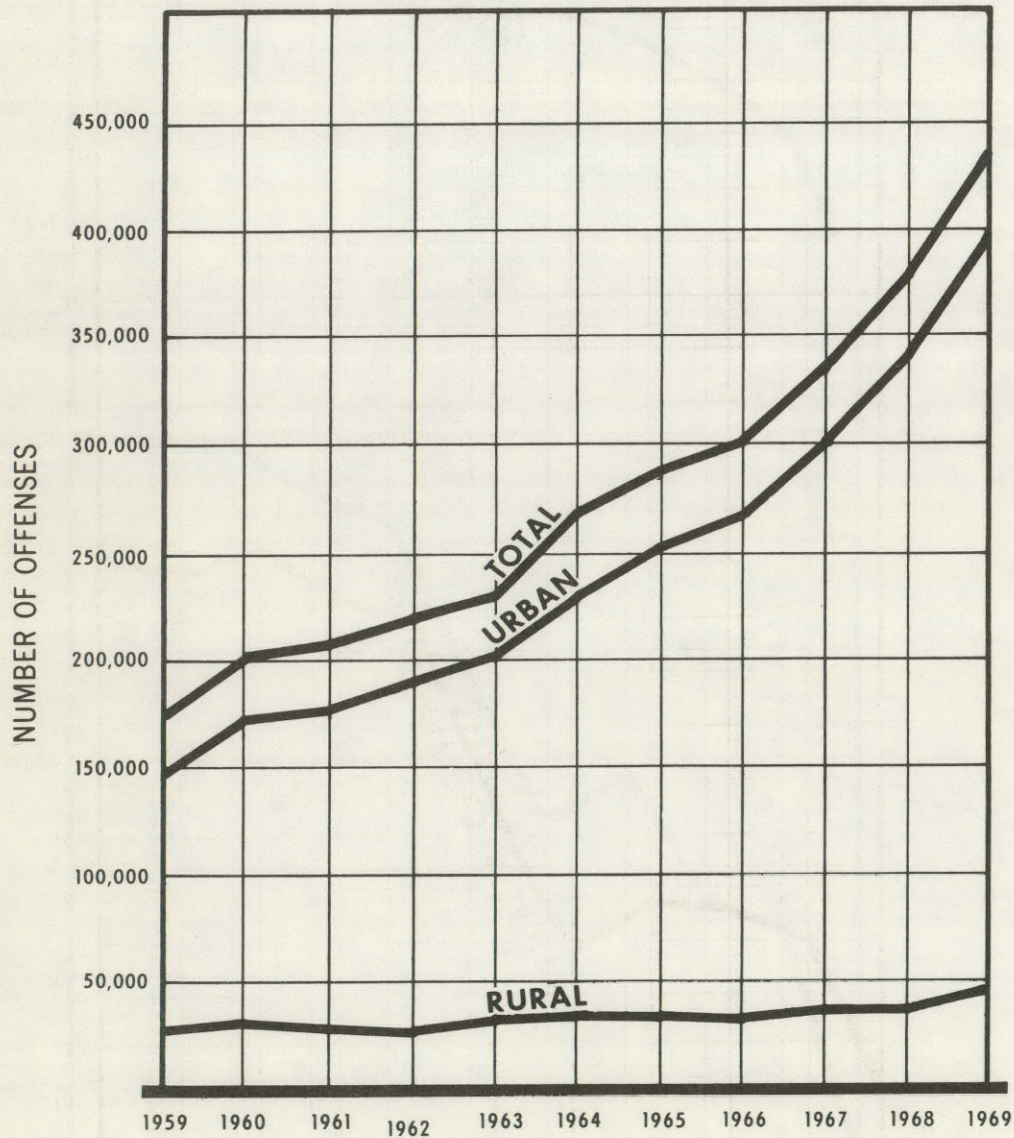
ESTIMATED NUMBER OF VIOLENT CRIMES  
IN TEXAS, 1959-1969



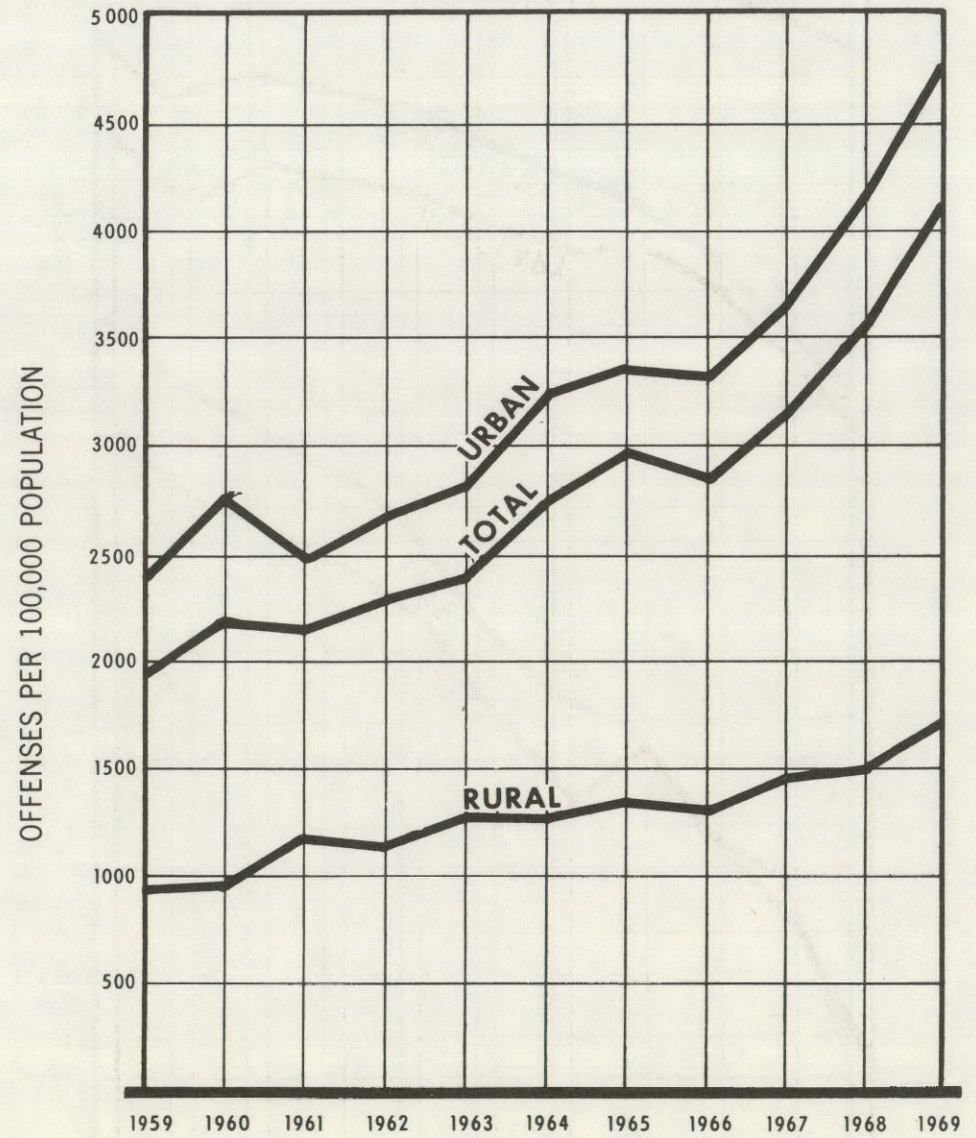
ESTIMATED NUMBER OF CRIMES AGAINST PROPERTY  
IN TEXAS, 1959-1969



ESTIMATED NUMBER OF OFFENSES IN THE SEVEN MAJOR CATEGORIES OF CRIME IN THE STATE OF TEXAS, 1959-1969

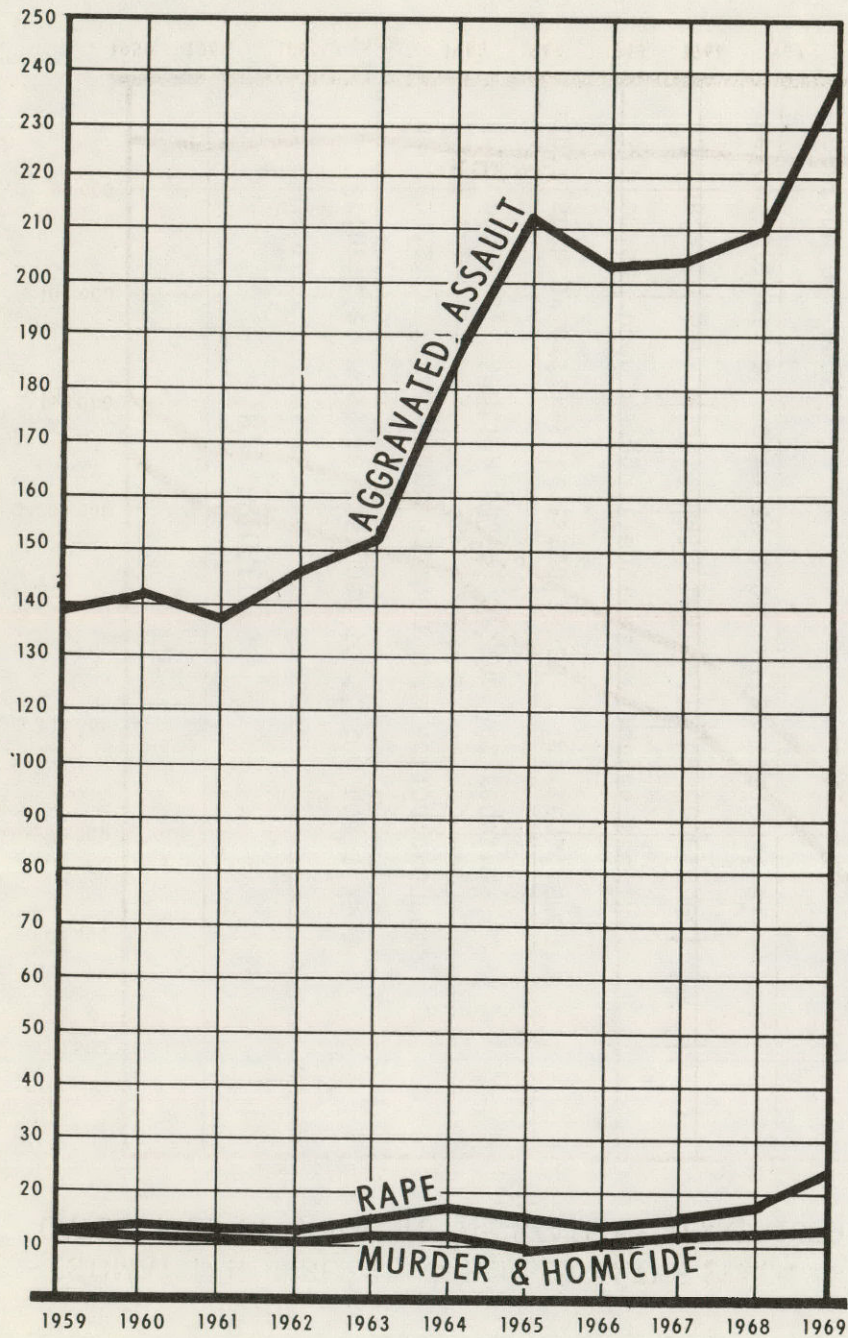


CRIME RATES (OFFENSES PER 100,000 POPULATION) IN THE SEVEN MAJOR CATEGORIES OF CRIME IN TEXAS, 1959-1969

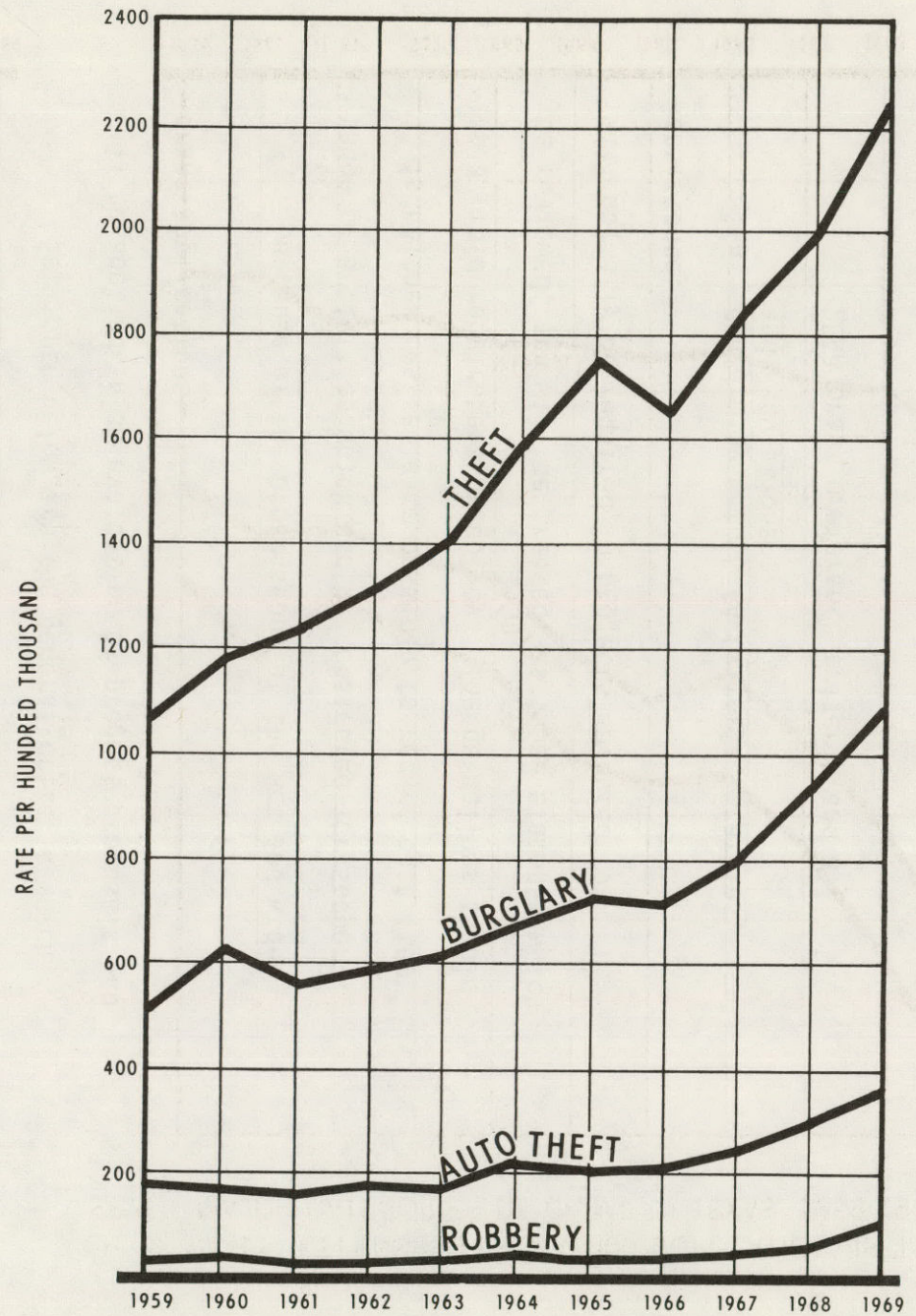


Source of data: Texas Department of Public Safety Crime Reports, 1959-1969

CRIME RATES (OFFENSES PER 100,000 POPULATION)  
FOR CRIMES AGAINST THE PERSON, 1959-1969



CRIME RATES (OFFENSES PER 100,000 POPULATION)  
FOR CRIMES AGAINST PROPERTY, 1959-1969



## H. PRIORITIES

Priorities must be assigned to stated goals as a prerequisite for converting them into action programs and projects. Section 303(4) of the Act requires that such priorities be established. The requirement is premised upon recognition that resources are inadequate to pursue all goals that will be developed; hence, priorities serve as a basis for rational allocation of funds.

### 1. GENERAL GUIDELINES

Set forth below are the general criteria which will be applied in an evaluation of project proposals and grant applications.

Because of the broad scope of the Act and wide range of activities which can be considered for support, it is neither desirable nor possible to regard each item as a rigid requirement or policy. The guidelines should be reviewed, and will be treated, as those elements which will normally be required in projects selected for assistance.

a. Conformity with LEAA Criteria, Statutes, and Regulations

LEAA grant preference criteria and all

applicable statutes and regulations will be applied to each program and each project in making funding determinations.

b. New Techniques or Approaches

Preference will be given to projects seeking to develop or introduce new knowledge, techniques, and approaches to problems under consideration. (Mere expansion of resources or facilities or introduction of improvements in substantial use elsewhere will not ordinarily satisfy this criterion.)

c. Stimulation of Change

Preference will be given to action-oriented efforts, i.e., projects seeking to test or demonstrate ideas, to develop working prototypes or practical aids, or to activate change and improvement. (This does not exclude studies, or projects with study phases, if they incorporate action goals as described above.)

d. Broad Significance

Preference will be given to projects designed to produce models or improvements having value or significance beyond their local impact (i.e., for the nation as a whole or for particular types of areas, communities, agencies or systems.)

e. Grantee Contribution

Preference will be given to projects in which

the grantee is able or prepared to make a substantial contribution (in money, services, or facilities) to the resources needed for execution. (This involves commitment of resources beyond those routinely applied to the area of project activity.)

f. Geographical Significance

Preference will generally be given to project proposals from metropolitan jurisdictions or to project proposals designed to have a regional or state-wide impact. In addition, emphasis will be given to meritorious projects from high crime areas where results can be measured in the shortest time.

g. Construction

Building construction or repair will be funded when it is connected with an innovative program approved by the Council and meets construction program criteria adopted by the Council.

h. Evaluation

Preference will be given to projects which contemplate the most responsible evaluation of results. (This should involve a carefully developed evaluation plan offered as an integral part of the project design.)

i. Program Balance

Preference will be given to proposals which



will help insure a comprehensive range of projects and sound program balance. (In considering otherwise equally meritorious projects, the desires to cover as many potential areas of experimentation as possible and to insure regional, urban, rural, and subject matter representation will be given weight.)

j. Continuation of Successful Efforts

In demonstration efforts where assistance is given to a new program, the ability and intention of the grantee (or other appropriate agency) to continue the program without federal support if proved successful will be considered as a positive factor in evaluation for grant aid.

k. Sponsorship

Sponsorship of all agencies to be affected or having an immediate interest in a project is considered an important element in grant eligibility. (Where, for example, support is sought for a police operations project, co-sponsorship or endorsement of the affected agencies and local government entity would be expected.)

2. SUBSTANTIVE PRIORITIES

Further emphasis will be placed on improving and coordinating law enforcement and criminal justice activities

at both the State and local levels. The goals and objectives identified at the State level and the goals and objectives identified at the local level will each deserve substantial consideration when evaluating programs for the benefit of the entire criminal justice system as a whole.

The Act emphasizes that consideration be given to specific areas, such as the control of riots and civil disorders; organized crime control; regional and inter-governmental coordination, cooperation and control; adaptation of advanced and innovative technology; organization, education and training of regular and special personnel; and the relative severity and urgency of particular law enforcement problems.

3. CATEGORICAL GRANT PREFERENCE CRITERIA FOR 1970 ACTION PROGRAMS

The most effective allocation of available funds among competing project proposals is a most difficult task faced by the Texas Criminal Justice Council.

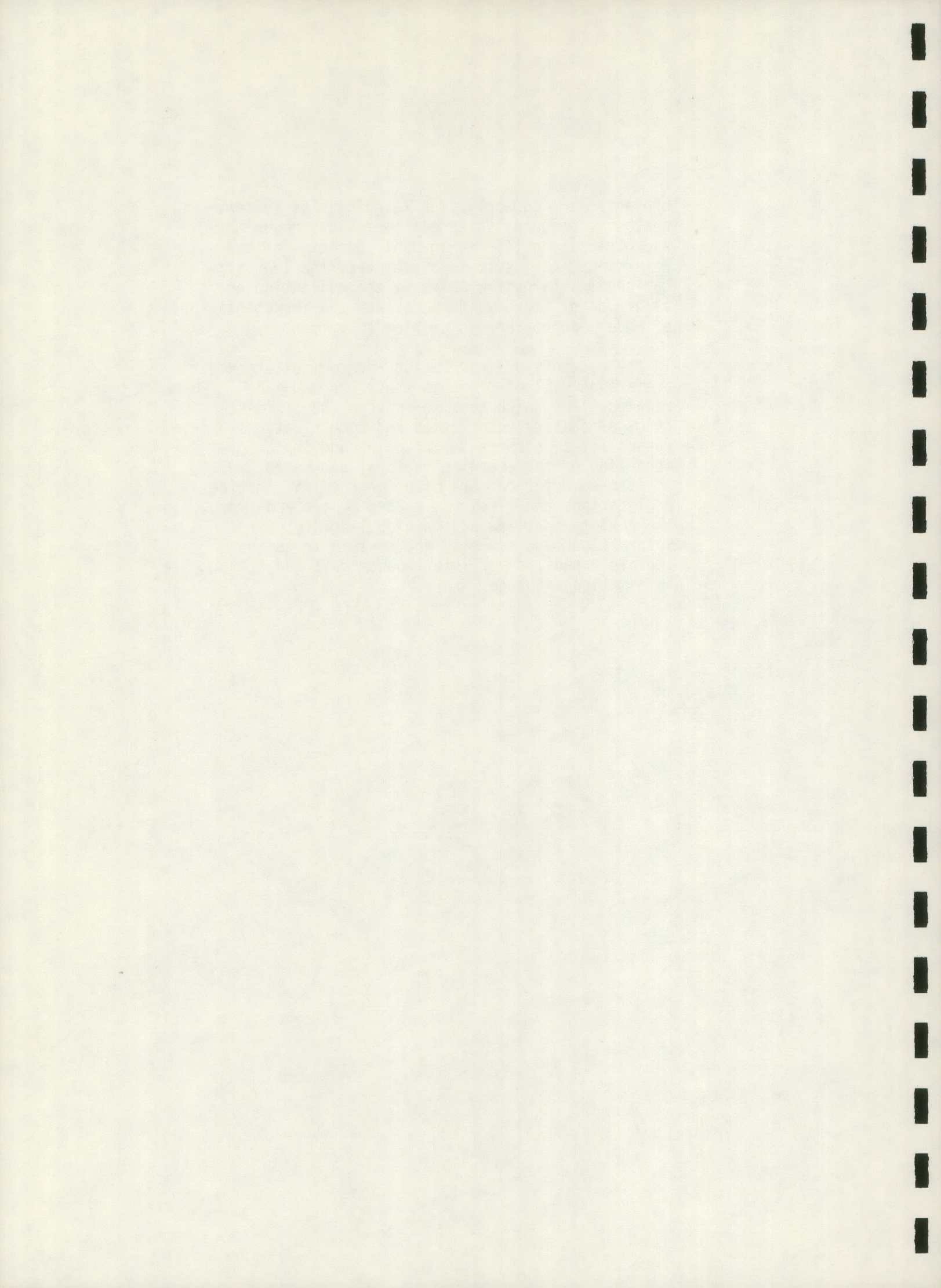
As guidelines for its decision-making, the Council has adopted the following categorical grant preference criteria to be followed for FY 1970 programs:

- In the category of upgrading law enforcement personnel, preference will be given those projects and related items which relate to the recruitment, training and education of police and correctional personnel, within guidelines established by the Criminal Justice Council task forces on education and training of personnel.
- In the category of crime prevention, preference will be given to programs designed to improve the ability of citizens to protect their persons and property from criminal acts; projects designed to prevent the misuse of narcotics and dangerous drugs; programs involving widespread participation in crime prevention by individuals and institutions; programs designed to inform citizens of the nature of the crime problem and of the work of the criminal justice system; and projects developing new methods for preventing crime.
- In the category of prevention and control of juvenile delinquency, preference will be given to those projects and related items which relate to the early detection of tendencies toward delinquency, diagnosis and treatment of delinquents, and the control and suppression of personality traits, conditions, and environments that foster juvenile delinquency.
- In the category of "improvement of detection and apprehension of criminals" priority will be given to programs designed to achieve modern organization, efficient administration, and efficient operations (new techniques, methods, etc.) with expanded utilization of technology. Generally, priority will be given to programs that produce a new capability rather than replace or add to an existing capability.
- In the category of improvement of prosecution and court activities and law reform, preference will be given to those projects and related items which relate to the solution of unique local, regional, or state-wide problems; the development of models and demonstration projects within one locale for guideline and objective application in other locales; research and development projects that will result in definitive action projects and experimental projects for testing and evaluating theoretical approaches to problem solutions.

- In the category of increasing the effectiveness of corrections and rehabilitation, preference will be given to innovative correctional and rehabilitative projects for institutionalized offenders; projects designed to strengthen community-based corrections; programs designed to reduce overcrowded, unsafe, and unsanitary conditions in local jails; and programs which can be effectively implemented within the restrictions of limited funds.
- In the category of reduction of organized crime, preference will be given to projects in state agencies or major metropolitan areas which contribute strength to the integrated, continuous effort against organized crime being developed under the guidance of the Texas Organized Crime Prevention Council.
- In the category of prevention and control of riots and disorders, preference will be given to projects for the prevention of disorder; planning and training for disorder control; projects contributing to the capability of police agencies to detect potential disorders and to act promptly with a strong display of force in the earliest stages of disorder; and to programs that provide for full utilization of state and regional resources as supplements to local resources in early stages of disorder.
- In the category of improvement of community relations, preference will be given to projects designed to work with racial minority groups in high crime and low income sections of major metropolitan areas or to programs designed to work with young people; to "community relations" and not "public relations" projects and to projects providing personal contacts for all levels of personnel in criminal justice agencies with the citizenry.
- In the category of research and development, preference will be given to those projects that seek to apply new equipment, methods and technology to law enforcement problems and needs; to collect, analyze and disseminate information or diagnostics that lead to action-oriented improvement

projects; and to apply such techniques as systems analysis, computer sciences, operations research and other scientific management concepts for the determination of systems objectives, the identification of alternative methods, the evaluation and selection of improved designs, and the implementation of modern approaches to problem solutions.

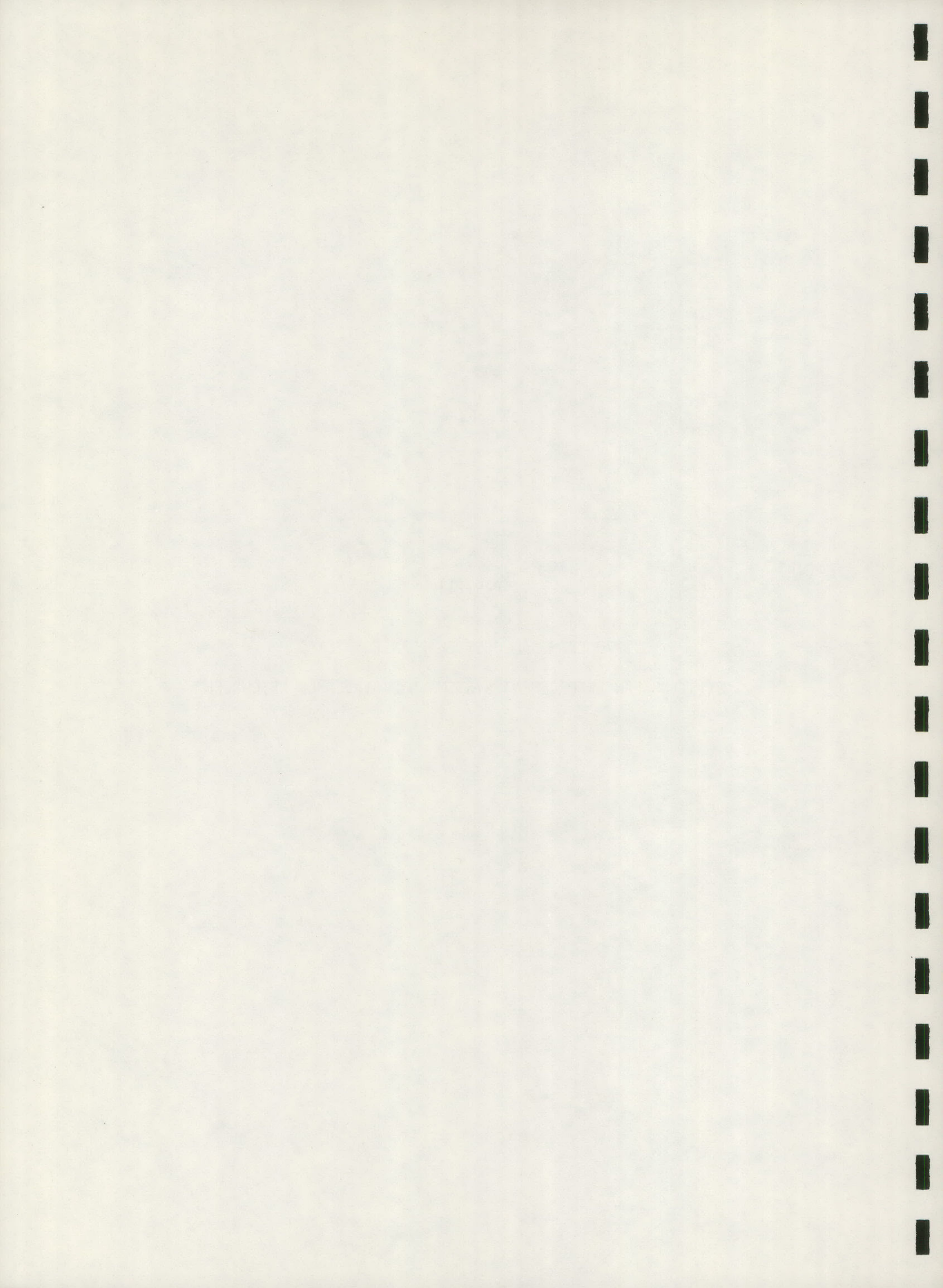
--In the category of information and communications, preference will be given to those projects and related items which seek to improve the State's criminal justice information and communications capabilities; support the planning and implementation of the emerging regional and metropolitan computer centers offering criminal justice applications and services; study, design and improve the quality and flow of individual agency' information requirements; and contribute to and improve capability of inter-agency data and information exchange.



PART II

1970 CRIMINAL JUSTICE PLAN FOR TEXAS

"EXISTING LAW ENFORCEMENT SYSTEMS AND AVAILABLE RESOURCES"





## II. EXISTING LAW ENFORCEMENT SYSTEMS AND AVAILABLE RESOURCES

### A. LAW ENFORCEMENT

1. Department of Public Safety
2. Texas Alcoholic Beverage Commission
3. Sheriffs
4. Constables
5. Municipal Police

### B. JUDICIAL PROCESSES

1. System of Courts
2. Prosecution
3. Defense

### C. CORRECTIONS AND REHABILITATION

1. State Adult Correctional and Rehabilitation Confinement Facilities
2. Local Adult Correctional and Rehabilitative Confinement Facilities
3. Texas Youth Council
4. Juvenile Institutions
5. Adult Probation
6. Juvenile Probation
7. Board of Pardon and Parole
8. Juvenile Parole

### D. OTHER RESOURCES

1. Governor
2. Attorney General
3. The Legislature of the State of Texas

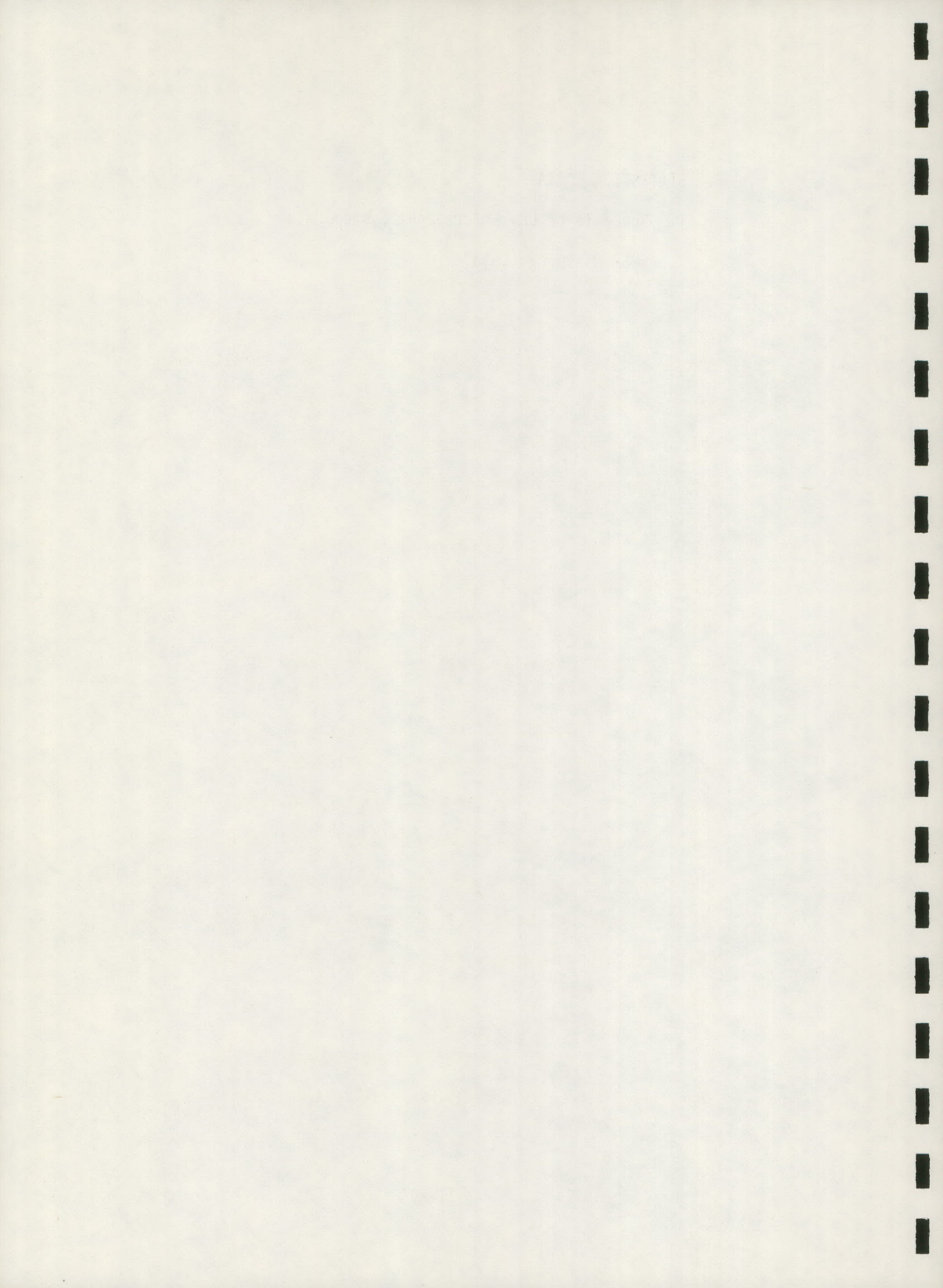
4. The Adjutant General's Department
5. Office of Consumer Credit Commissioner
6. The Texas Education Agency
7. Texas Department of Mental Health and Mental Retardation
8. Commission on Law Enforcement Officer Standards and Education
9. Law Enforcement Officers - Interlocal Assistance
10. The Texas Board of Private Detectives, Private Investigators, Private Patrolmen, Private Guards, and Managers
11. Texas Organized Crime Prevention Council
12. Judicial Qualifications Commission
13. Civil Judicial Council
14. State Bar of Texas
15. Medical Examiner
16. Coroner
17. Model Cities Program

#### EDUCATION, TRAINING AND INFORMATION

1. Education and Training in Law Enforcement in Texas
2. Education and Training in Corrections in Texas
3. Judicial Processes
4. Texas District and County Attorney's Association
5. Related Programs and Projects

F. STATISTICAL DATA

1. Schedule of Law Enforcement System Data
2. SMSA Resources Data



## A. LAW ENFORCEMENT

### 1. DEPARTMENT OF PUBLIC SAFETY

#### a. 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 "the enforcement of 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 major line divisions and six major staff divisions with supporting bureaus and sections.

#### b. Responsibilities

The 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.

The DPS is authorized and required by statute to perform certain important functions for or involving other law

enforcement agencies. Five of these cooperative and support functions are: (1) crime prevention and public education, (2) criminal records, (3) communications, (4) police officer training, and (5) crime laboratory examinations. The specific statutory authority and requirements for the performance of these functions are contained in Appendix A.

c. General Statement of the Texas DPS Administration

(1) General Doctrines and Policies

DPS 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 fully in these matters, but to leave the basic responsibility to them unless specifically assigned to do otherwise.

It is the policy of the DPS to assume primary responsibility for police traffic supervision on the rural highways of this State and to cooperate with and assist local officers when they do such work, but to accept full and primary responsibility for the discharge of this function on rural highways, including the regulation of commercial traffic.

DPS will cooperate with all governmental agencies discharging their statutory duties when assistance complies 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 the amount of the statewide problem of that service existing in any particular area so that DPS may, as nearly as practicable, render to all citizens their equitable share of the service available.

(2) 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 the detection, apprehension and arrest with or without warrant of violators of traffic and criminal laws, making of investigations related thereto, filing of necessary charges in court, and handling of prisoners so arrested to bring them to the appropriate court. The non-police or regulatory function involves the administration of programs for regulating the exercise of the privilege of operating a motor vehicle on the highways. Some examples of the regulatory function include activities such as testing of driver qualifications upon application; exercising post-licensing control of drivers through interview, re-examination, suspension, etc.

It is the policy of DPS that police personnel--commissioned officers who are armed--will perform the basic police functions of the Department. When police personnel become aware

of instances where the Department's regulatory authority should be exercised--as in the case of a problem driver when the officer believes that re-examination, interview or initiation of suspension proceedings are needed--the case will be referred to the personnel charged with the administration and operation of the regulatory activity involved.

Personnel assigned to the regulatory activities of this Department who may become aware of instances where the Department's police authority should be exercised will refer the case to the service or agency charged with carrying out that activity. As the one exception, drivers license personnel will file charges and secure warrants for transmission to the appropriate police service on violations arising out of the application for original, renewal or duplicate drivers license. This policy does not preclude the exercise of the authority to make a citizen arrest.

DPS has the responsibility for performing police traffic accident investigation in the rural areas of this State. In discharging this responsibility, DPS delegates to the Highway Patrol the primary responsibility to investigate and report motor vehicle traffic accidents occurring on rural highways and the responsibility to secure from the drivers of the motor vehicle involved the necessary written reports required by law. License



and Weight and Motor Vehicle Inspection Services are delegated secondary responsibility to conduct these investigations in certain instances, while the Drivers License Service has the responsibility to supplement these services in making the investigations when circumstances make such action desirable.

Members of the Highway Patrol and License and Weight and Motor Vehicle Inspection Services, are alert for wanted persons and felons and make all reasonable effort to detect and apprehend such persons.

Members of the uniformed police services who apprehend criminals and wanted persons are responsible for developing and following through on their cases. If extended investigation is necessary to complete the case, it will be referred to other services or agencies specifically charged with such investigations.

DPS has a general responsibility to assist and cooperate with local governmental agencies in the protection of life and property and in the restoration of order in time of disaster.

d. Method of Administration

The control of DPS is vested in a public safety commission of three members, each of whom serves a six-year

term with one member's term expiring each two years. Commission members are appointed by the Governor with the advice and consent of the Senate. The Commission names the Director and the Assistant Director.

The Director has the overall responsibility of administration of all 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 Texas Criminal Justice Council.

e. Programs of DPS

(1) By subject matter with which they deal the programs of DPS fall into three general classes:

- Street and Highway Traffic Management
- Crime Suppression and Control
- Disaster and Emergency Control

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

- (a) Police Law Enforcement Function
  - Highway Patrol Service
  - License and Weight Service
  - Motor Vehicle Inspection Service (limited)
  
- (b) Criminal Law Enforcement Division
  - Narcotics Section
  - Intelligence Section
  - Texas Ranger Service
  
- (c) Administrative and Regulatory Function
  - 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
  
- (d) Staff Support and/or supplemental function
  - 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
- Administrative Assistant (legal counsel)
- Communications Service
- Data Processing Division
- Defense and Disaster Relief

(2) Programs Under the Criminal Law Enforcement Division

The Chief of Criminal Law Enforcement is responsible for the direction and coordination of all field criminal law enforcement units of DPS and for liaison with and coordination of the activities of his Division with the personnel and activities of the Department's Identification and Criminal Records Division. The Texas Ranger Service consisting of a headquarters captain and six companies, the Intelligence Section, and the Narcotics Section are the component parts of the Criminal Law Enforcement Division. They carry out the crime suppression and control programs of the Department, supported by the staff agencies, and assisted by the traffic police units.

(3) Programs Under the Traffic Law Enforcement Division

The progress under the Traffic Law Enforcement Division are outlined in more detail in order to more clearly delineate responsibilities for police traffic supervision and general police work by this Division.

(a) Highway Patrol Service

The program of the Highway Patrol is "Police Traffic Supervision and General Police Work on Rural Highways." This program consists of the following major activities:

- Police Traffic Supervision on Rural Highways
  - Police Traffic Direction
  - Police Traffic Accident Investigation
  - Police Traffic Law Enforcement and Patrol
- General Police Work--Primarily on Rural Highways
  - Criminal Law Enforcement (Limited)
  - Security Activities
  - Emergencies and Disasters

(b) License and Weight Service

The program of the License and Weight Service is "The Supervision of Commercial Vehicles and For Hire Traffic and Limited Traffic and General Law Enforcement on Rural Highways." This program includes the following major activities:

- Supervision of Commercial Vehicle Traffic--Basic
  - Assistance to Commercial vehicle owners and operators on technical matters
  - Supervision of motor carrier operations
  - Traffic Law Enforcement on Commercial and "For Hire" Vehicles.

--Limited Traffic and General Law Enforcement  
on Rural Highways--Secondary

(c) Drivers License Service

The program of the Drivers License Service is "The Licensing and Post-license Control of Drivers." This program consists of the following major activities:

- Examination of new drivers
- Improvement and control of problem drivers

(d) Motor Vehicle Inspection Service

The program of the Motor Vehicle Inspection Service is "Vehicle Inspection Station Supervision and Limited Traffic and General Law Enforcement on Rural Highways." This program includes the following major activities:

- Inspection Station Supervision--Basic
  - Station qualification
  - Station inspection
  - Station control
- Limited Traffic and General Law Enforcement  
on Rural Highways -- secondary

(e) Safety Education Service

The program of the Safety Education Service is "Public Safety Education." This program consists of the following major activities:

- Public Traffic Safety Education
- Public Education in crime prevention and  
civil defense matters

--Public Information

--Cooperation with and assistance to other agencies

(f) Communications Service

The program of the Communications Service is "Police Communication." This program consists of the following activities:

--Transmission and receipt of Department messages

--Transmission and receipt of emergency-type messages for other police agencies

--Other special assistance to departmental agencies

(g) Regional Crime Laboratory

The program of the Regional Crime Laboratories is "Expert Examinations, Photography, and Interrogation." This program consists of the following major activities:

--Expert laboratory examination of potential evidentiary materials

--Collection, preparation, and transmission of potential evidentiary materials for more complex examination

--Expert opinions on, and photographic recording of potential evidentiary materials and situations

--Interrogation of suspects and witnesses with the aid of the polygraph

f. General Obligations

Personnel of all services, agencies, and units in the Department are subject to assignment by the Director to

perform in any program of activity when he deems such assignment necessary.

g. Management

The organization chart on the following page and the foregoing explanations of the method of administration adequately summarizes the description and general organization of DPS.

h. Personnel

(1) Total appropriated positions for DPS by recent years are as follows:

1967--2,723

1968--3,277

1969--3,581

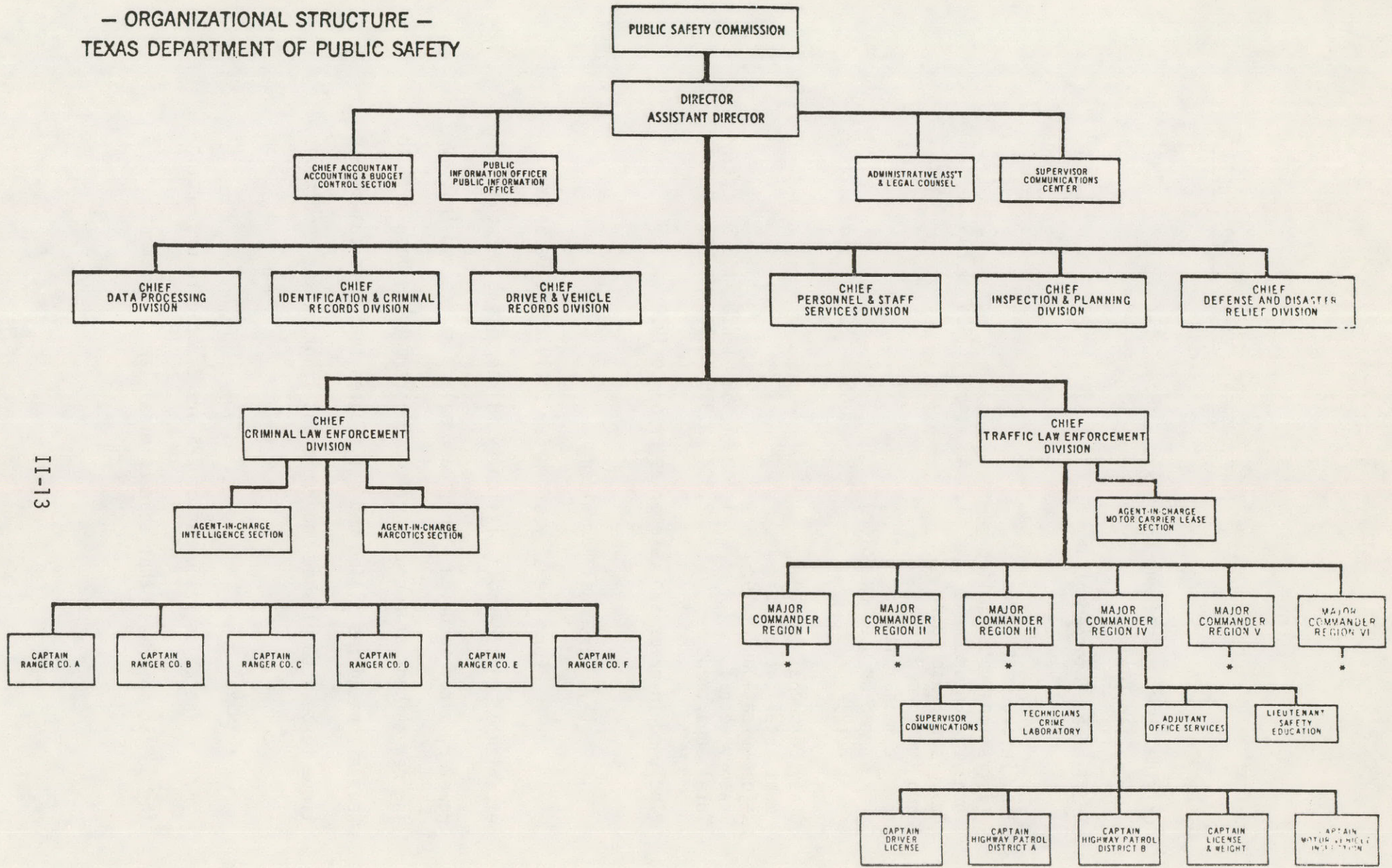
1970--3,875

1971--4,063

(2) Department allocation of personnel by major categories in recent years:



- ORGANIZATIONAL STRUCTURE -  
TEXAS DEPARTMENT OF PUBLIC SAFETY



II-113

\* Other Regions are substantially the same as Region IV

	<u>1967</u>	<u>1968</u>	<u>1969</u>	<u>1970</u>	<u>1971</u>
Criminal Law Enforcement (Sworn)	94	95	117	163	195
Traffic Law Enforcement (Sworn)	1,240	1,359	1,487	1,520	1,554
*Law Enforcement Admin- istration Dept. Limited				12	12
Total Law Enforcement	1,334	1,454	1,604	1,695	1,761
Drivers License Patrol- men (uniformed and commissioned but not armed or used on police duty)	252	365	365	365	365
Other Personnel (manage- ment, staff, clerical, (Communications, labor- atory, etc.)	1,248	1,556	1,620	1,875	1,937
Total Department	2,834	3,375	3,589	3,875	4,063

\*Included in prior two categories prior to 1970.

### (3) Personnel Recruiting

For several years prior to 1968 the Department experienced considerable difficulty in recruiting personnel. However, after securing significant salary raises and innovating new methods of recruiting, the Department has been able to keep all vacancies filled and anticipates that this can continue to be accomplished under present labor market conditions.

#### i. Scope

The major resources of DPS are devoted to protecting the public in areas other than criminal law enforcement.

Therefore, to relatively assess the magnitude of DPS responsibilities and the contribution which the Department can be expected to make in the areas of criminal law enforcement, it is useful to note the size of the problem in the major areas of Department responsibilities.

The Texas estimated total of 372,912 index crimes committed in 1968 represents an increase of 39,929 crimes over 1967, or a rate increase of 12.0 percent compared to the 11.8 percent increase in 1967. The five-year increase was 143,658 crimes or over 62 percent compared to 36 percent in 1966 over the previous five years. Indications are that this trend will continue. Traffic in narcotics and dangerous drugs is showing an enormous increase in Texas, particularly in our public schools and colleges. The threat of civil disturbances has become increasingly grave and requires that proper equipment be kept in readiness together with continuous training and intelligence activity.

The responsibilities of the Department in the field of highway traffic management are increasing at a rapid rate. All of the factors that make up highway traffic, that is, people, drivers, motor vehicles and highways, continue to increase in number. The big increases in these elements of highway traffic brought about a total of 62 billion vehicle miles traveled in 1968, of which total approximately 27 billion were

driven on rural highways. Reported accidents for the previous five-year period have increased 39 percent with a 27.5 percent increase in traffic deaths and more than double the economic loss.

The responsibilities of DPS in defense and disaster relief continue to be vital. With natural disasters periodically certain and enemy and nuclear attack always a possibility, preparedness of both is essential in order to achieve maximum survival in either case. To accomplish this, other State agencies and 1,150 political subdivisions must depend upon the State office of Defense and Disaster Relief for guidance, leadership, assistance, support and management in all civil defense and disaster relief programs and activities.

Texas also has 6.1 million licensed drivers to license and control with an increase to an estimated six and one-half million by the end of 1971. Prior to 1968, more than two-thirds of these drivers renewed their licenses by mail. The required appearance in person at a local office for photographing, retesting, and renewal has vastly increased manpower and facility requirements needed to serve these drivers.

All of these increases reflect the rapidly expanding growth of Texas and the needs for the future.

j. Cooperative Responsibilities (Statutory)

Article 4413, Texas Revised Civil Statutes, authorizes and requires the Texas 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.

(1) Crime Prevention and Public Education

"Article 4413 (4) Duties and Powers of the Commission.

The Commission shall formulate plans and policies for --- the prevention of crime --- and for the education of the citizens of the State in the promotion of Public Safety and law observance."

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

(2) 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

wheresoever the same may be procured. The Bureau shall collect information concerning the number and nature of offenses known to have been committed in this 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."

(3) 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 this State, its counties and municipalities and other states and the national government.

(4) 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."

(5) 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."

k. Budget - Fiscal Year 1970

<u>General Revenue</u>	<u>Other Funds</u>	<u>Total</u>
	\$ 34,925,260	\$ 34,925,260

Fiscal Year 1971

General Revenue	\$ 34,494,802	\$ 34,494,802
-----------------	---------------	---------------

It is estimated that less than one-half of the total budget is utilized in general, crime control. Additional budget data is contained in the following budget tables.

The following tables reflect the activities of the line

activities of the Criminal Law Enforcement Division and the Highway Patrol Service and the staff support activities of the Identification and Criminal Records Division including the crime laboratories.

DEPARTMENT OF PUBLIC SAFETY

	For the Years Ending	
	August 31, 1970	August 31, 1971
<b>Personal Services--</b>		
1. Director	\$ 27,500	\$ 27,500
2. Assistant Director	22,500	22,500
3. Chief, Criminal Law Enforcement	17,500	17,500
4. Chief, Traffic Law Enforcement	17,500	17,500
5. General Counsel	17,500	17,500
6. Salaries of Classified Positions (non-transferable)	24,040,793	25,439,733
7. Seasonal and Part-time Help	18,750	18,750
8. Longevity Pay	346,160	372,210
9. Professional Fees and Services	<u>30,000</u>	<u>30,000</u>
Total, Personal Services	\$ 24,538,203	\$ 25,963,193
<b>Other Expenses--</b>		
10. Purchase of automobiles (including automobiles for the Highway Patrol, which automobiles shall be air-conditioned) and operation of automobiles, expenses for training, operations of law enforcement training schools, consumable supplies and materials, current and recurring operating expenses (including travel expense, except travel by airplanes and helicopters which are owned by the Department of Public Safety), photographic equipment, and capital outlay, but excluding purchase of airplanes and helicopters, and the expense of operating airplanes and helicopters	8,061,702	7,961,021
11. Purchase of airplanes and helicopters, and maintenance and operating expenses of six (6) airplanes and seven (7) helicopters owned by this Department, including all salaries and other expenses necessary for the operations of such airplanes and helicopters (non-transferable)	468,596	473,588
12. Clothing allowance for members of the Texas Rangers, the Narcotics Section, the Intelligence Section, and Pilot Investigators (at \$500 per member per year)	81,000	97,000



DEPARTMENT OF PUBLIC SAFETY  
(Continued)

	For the Years Ending	
	August 31, 1970	August 31, 1971
13. For the construction of an addition to the Homer Garrison Jr. Police Training Academy at the Department's State Headquarters in Austin	\$ 864,638	\$ U.B.
14. For the construction of a regional headquarters building in Waco on a site to be furnished by the Texas State Technical Institute	530,828	U.B.
15. For the construction of a subdistrict headquarters building in McAllen, contingent upon the city of McAllen furnishing land	262,717	U.B.
16. For the construction of a radio station at Ozona and for the purchase and operation of a 330 watt transmitter and other necessary equipment, to be spent contingent upon Crockett County furnishing land and an appropriate transmitter tower to the State	54,585	
17. For the purchase of land and the construction of a radio station at Lampasas	55,000	
18. For the completion of the present construction project of an area office at Kerrville	<u>8,000</u>	
GRAND TOTAL, DEPARTMENT OF PUBLIC SAFETY	<u>\$ 34,925,269</u>	<u>\$ 34,494,802</u>
From current revenues and receipts and any balances on hand at the beginning of the fiscal year, the above appropriations are to be paid from the Operator's and Chauffeur's License Fund in the sum of	\$ 11,667,874	\$ 11,831,596
From current revenues and receipts and any balances on hand at the beginning of the fiscal year, the above appropriations are to be paid from the Motor Vehicle Inspection Fund in the sum of	1,579,090	1,609,952
There is hereby appropriated to the Department of Public Safety for the policing of the State Highway system, from the State Highway Fund, the sum of	<u>21,678,305</u>	<u>21,053,254</u>
TOTAL, DEPARTMENT OF PUBLIC SAFETY	<u>\$ 34,925,269</u>	<u>\$ 34,494,802</u>

1. 1969 Statistical Data

TEXAS DEPARTMENT OF PUBLIC SAFETY  
TRAFFIC LAW ENFORCEMENT DIVISION  
TEXAS HIGHWAY PATROL SERVICE

1969 FELONY ARRESTS

<u>OFFENSES</u>	<u>INCIDENTS</u>	<u>PERSONS ARRESTED</u>
Murder	12	15
Rape & Sex Offenses	10	13
Robbery	42	94
Burglary	94	162
Assaults	89	110
Theft	124	204
Auto Theft	408	617
Other Felony	<u>692</u>	<u>911</u>
TOTAL	1471	2126

Texas Department of Public Safety

Fingerprints and Records Bureau Activities  
For 1969

Items Received for Processing		Items Prepared and Mailed	
Criminal Transcripts	80,504	DPS Bulletins	196,702
Criminal Photographs	30,383	Inquiries Answered	16,862
Fingerprints	229,575	Non-Ident Notices	95,226
Stolen Cars	33,931	DPS Criminal Transcripts	138,814
Recovered Cars	32,592	Radio Messages Sent	40,588
Fugitives (Wanted)	4,492	Name Checks	27,615
Fugitives (Cancelled)	4,607	Certified Copies	5,475
Totals	416,084		521,282
Daily Averages	1,553		1,945

Daily Averages are based on 268 working days annually.

Crime Laboratory Activities in Criminal Matters  
For 1969

Section	Examinations
Chemistry & Toxicology	20,104
Firearms	6,091
Photography	*
Polygraph	1,597
Questioned Document	4,727

In addition the Chemistry and Toxicology section made 5,464 analyses of body fluids for alcohol and drugs in traffic law enforcement.

\*Photographers assisted 30 times by photographing crime scenes, demonstrations, surveillance movies for Narcotics and Intelligence.

Court appearances  
(All lab sections) 573

TEXAS DEPARTMENT OF PUBLIC SAFETY  
IDENTIFICATION & CRIMINAL RECORDS DIVISION  
THE MODUS OPERANDI BUREAU  
ACTIVITIES 1969

Criminal Reports Received	67,465
Criminal Cases searched, indexed & filed	8,626
Known Criminals coded, placed on punch cards for future reference	508
Items of stolen property indexed & filed	14,159
Crime Briefs published in Weekly Bulletin	368
Criminal Cases received in Latent Section	426
Latent prints examined	3,634
Latent prints suitable for identification	1,065
Prints identified	280
Field investigations made	159

TEXAS RANGERS ACTIVITY SUMMARY

CALENDAR YEAR - 1969

OFFENSES	COMPANY A			COMPANY B			COMPANY C			COMPANY D			COMPANY E			COMPANY F			STATE										
	OFF.	CASES	INV.	OFF.	CASES	INV.	OFF.	CASES	INV.	OFF.	CASES	INV.	OFF.	CASES	INV.	OFF.	CASES	INV.	OFF.	CASES	INV.								
		NEW COMP.			NEW COMP.			NEW COMP.			NEW COMP.			NEW COMP.			NEW COMP.			NEW COMP.									
MURDER	20	26	5	641	22	9	8	563	5	6	16	279	9	9	8	1299	9	9	9	1119	28	28	18	877	93	87	64	4778	
ASSAULT TO MURDER	13	21	1	67	14	18	1	55	4	4	6	40	7	5	8	183	8	11	4	127	13	16	2	208	59	75	22	680	
RAPE	6	10	0	208	4	2	0	30	7	10	4	72	7	3	1	207	3	2	0	14	12	10	4	221	39	37	9	752	
ASSAULT TO RAPE	1	1	0	2	1	1	2	7	1	1	0	9	1	1	2	7	4	4	1	51	2	2	1	22	10	10	6	98	
ROBBERY	54	100	37	308	28	24	5	210	19	17	9	276	34	14	4	651	25	22	14	403	53	70	33	594	213	247	102	2442	
ASSAULT TO ROB	3	8	1	25	0	3	1	11	7	5	0	96	1	0	1	43	6	8	3	52	2	0	2	31	19	24	8	258	
BURGLARY	255	240	98	2086	187	132	118	921	299	172	115	1596	157	142	76	2399	229	229	86	2600	421	332	145	3127	1548	1247	638	12729	
THEFT OF LIVESTOCK	20	8	.1	321	5	1	1	73	33	10	6	296	15	8	5	706	56	23	18	1469	48	25	11	737	177	75	42	3602	
THEFT OVER \$50	125	153	63	877	61	51	19	540	108	37	36	725	51	47	22	1287	125	77	29	2267	91	61	26	873	561	426	195	6569	
SWINDLING AND FRAUD	76	95	26	341	33	14	8	162	42	31	22	262	7	13	6	395	78	86	57	851	53	34	10	734	289	273	129	2745	
ARSON	6	11	2	116	7	0	0	31	3	0	2	42	2	2	1	23	3	1	1	53	7	3	1	84	28	17	7	349	
KIDNAPPING	5	22	5	26	1	0	0	5	1	1	1	17	1	1	0	24	0	0	0	3	0	0	0	10	8	24	6	85	
NARCOTICS	5	6	3	126	8	8	3	44	4	6	2	92	11	20	4	594	10	11	1	519	12	17	6	420	50	68	19	1795	
AUTO THEFT	27	48	8	119	8	7	2	30	19	16	17	67	14	5	2	87	21	25	6	168	23	28	13	163	112	129	48	634	
AGGRAVATED ASSAULT	4	10	2	5	3	2	1	6	1	3	3	33	3	2	3	7	0	0	0	5	4	2	1	34	15	19	10	90	
GAMBLING	9	49	56	237	6	5	5	139	3	35	8	270	28	27	49	535	7	13	13	913	1	1	3	283	54	130	134	2377	
UNLAWFULLY CARRYING ARMS	6	6	2	13	1	2	0	8	0	0	0	5	3	7	8	26	0	0	0	21	3	3	0	13	13	18	10	86	
MISSING PERSON	0	0	0	152	1	0	0	38	4	0	1	85	0	0	0	81	2	0	1	105	7	1	4	98	14	1	6	559	
RACIAL DISTURBANCE	1	12	0	36	2	0	0	22	0	0	0	2	0	0	0	8	0	0	0	8	0	0	0	38	3	12	0	114	
QUESTIONABLE DEATH	9	0	0	70	5	1	1	36	3	0	1	32	3	2	1	25	2	1	1	98	17	1	6	135	39	5	10	396	
JAILBREAK	2	16	1	160	3	18	0	26	6	10	4	53	2	13	4	70	6	8	4	112	8	13	3	134	27	78	16	555	
RIOT	0	0	0	89	0	0	1	7	0	0	0	1	0	0	0	11	0	0	0	47	0	0	0	5	0	0	1	160	
FUGITIVE	31	43	35	301	13	12	13	402	4	2	3	175	6	10	7	450	7	4	3	526	11	9	8	223	72	80	69	2077	
OTHER OFFENSES	33	63	37	1444	70	38	3	590	29	17	13	160	64	40	0	777	51	48	44	635	53	28	19	1124	290	243	124	4729	
TOTAL	711	948	383	7770	483	348	192	3946	602	383	268	4694	416	380	221	9895	652	582	295	12166	869	684	316	10188	3733	3325	1675	48659	
OTHER WORK DONE																													
EVIDENCE TO LABORATORY	131				166				64				100				258				499				1,218				
REPORTS SUBMITTED	2,112				1,535				1,705				1,204				2,424				2,402				11,382				
WRITTEN STATEMENTS TAKEN	180				123				204				185				221				303				1,216				
ARRESTS - FELONY (Result Inv.)	264				253				194				164				174				337				1,386				
FELONY CONVICTIONS	55				80				164				119				128				157				703				
Number of Years	440				535				1,055				721				767				1,081				4,599				
Life Imprisonment	0				1				4				1				19				3				28				
Death Penalty	0				0				0				0				0				0				0				
ARRESTS - MISDEMEANOR	204				231				67				114				113				39				768				
Total Fines	\$11,013				\$4,580				\$1,590				\$7,411				\$5,219				\$3,390				\$33,203				
PRISONERS TRANSPORTED	74				249				172				132				186				170				983				
SEARCHES AND SEIZURES	62				154				63				117				70				96				562				
VALUE OF PROPERTY RECOVERED	\$365,999				\$280,675				\$103,335				\$60,320				\$209,443				\$216,255				\$1,236,027				
ASSISTED OFFICIALS	2,957				2,400				2,348				2,680				4,929				5,916				21,230				
SPECIAL INVESTIGATIONS	1				8				35				9				2				40				95				
HOURS OF:																													
Field Supervision	1,216				2,335				1,043				0				1,006				1,014				6,614				
Field Liaison	909				626				1,059				28				933				943				4,498				
Office Duty	2,289				2,208				2,093				2,610				2,886				1,739				13,825				
Investigation	33,124				22,496				17,668				28,538				34,164				28,945				164,935				
Court Duty	672				524				942				597				864				1,118				4,717				
Other Duty	6,318				10,456				7,329				5,296				7,499				10,188				47,086				
TOTAL HOURS	44,528				38,645				30,134				37,069				47,352				43,947				241,675				
MILES (Auto)	403,778				420,643				379,941				393,368				563,368				461,731				2,622,829				
MILES (Other)	1,710				10,511				11,420				28,533				1,195				5,566				58,935				
HOURS HORSEBACK	2				4				0				0				88				5				99				

II-26

## 2. 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:

1. The licensing and regulation of manufacturers, wholesalers and retailers of alcoholic beverages;
2. The collection of alcoholic beverage taxes, licenses, and fees; and
3. The enforcement of the laws relating to the operations of alcoholic beverage businesses and consumption.

A major part of the Commission's activity involves regulation, licensing and collection of taxes and fees, but it has an enforcement division composed of 199 sworn officers who are vested with the authority and powers of peace officers. Although most of their efforts are concentrated on offenses dealing with illegal manufacture, transportation and sale and the regulation of the licensed businesses, they do make many arrests for criminal offenses, especially offenses related to consumption of alcohol.

### 3. SHERIFFS

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 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.

#### a. Historical Development

During the Anglo-Saxon rule in England, the King placed an official in each Shire or County called the King's Reeve. This official became the principal officer of the Shire under the name of "Shire Reeve" or Sheriff. The Sheriff was responsible for keeping the public peace and to do so he was authorized to muster the "posse comitatus." He executed writs and operated the jails. In short, the whole plan of local government centered in the Sheriff's office.

The office of the Sheriff was continued in the thirteen colonies following the Revolutionary War and that office exists in each county of the State of Texas today.

b. Management

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.

(1) Personnel

In Texas, sheriffs' department personnel 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 commissioner's court.

(2) Budget

The sheriff must submit his budget to the County Commissioner's Court for approval, and must compete with other county agencies for the funds needed to operate his department. All fees, mileage, 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.

4. CONSTABLES

The constable, an elected precinct official provided for in the Constitution, serves as an officer of the precinct Justice of the Peace Court. He is elected to a four-year



term and is paid on either a salary basis or a fee basis, depending on the county. The Commissioner's 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 Commissioner's Court on matters of personnel and budget. He is primarily concerned with the civil process rather than criminal. However, he is granted broad police powers in some locations and serves as an active law enforcement officer.

## 5. MUNICIPAL POLICE

### a. 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 marshall 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.

### b. Administration

In all major cities in the State of Texas the chief of police is appointed to office by the chief executive of the city, either the city manager or mayor depending on the form of government in that particular 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.

In police organization as in industry the purpose is to coordinate the efforts and capacities of people engaged in a common task. Generally the greater the size and complexity of the task, the more necessary it becomes to employ such concepts as specific duty assignments. Allocation of responsibility, span of control, where a policeman must be versatile and perform a myriad of duties, the police chief can participate and directly oversee the work of his department. In large police departments, sheer size alone--plus the highly specialized nature of the work involved--makes it impossible for the chief to supervise personally all of the activities of the force. Well established concepts of organizations, therefore, become vital to efficient performance of police duties in all but the very smallest municipalities.

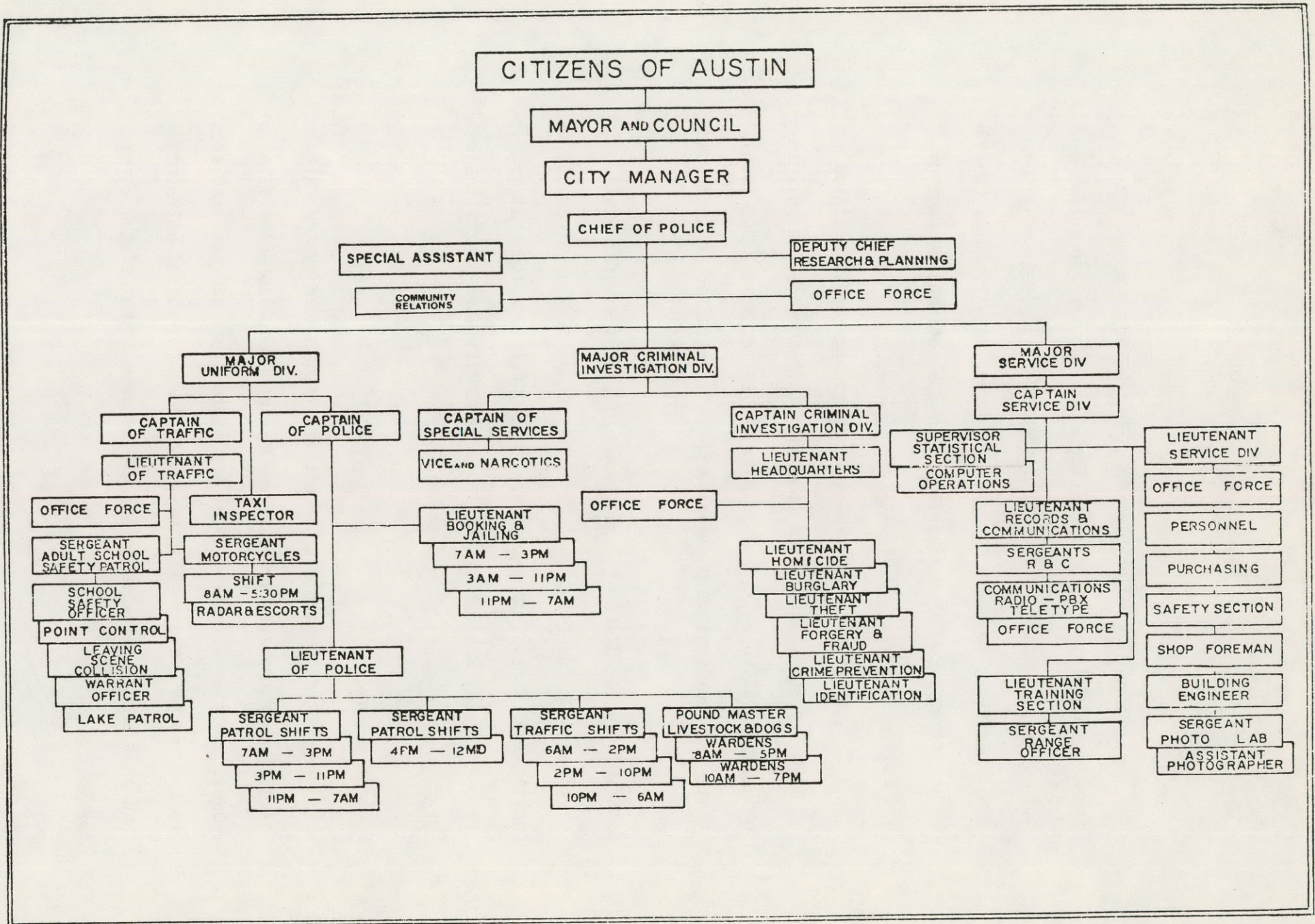
Police departments are organized to attain the basic objective of protecting life and property, and attempt to achieve these specific goals: (1) prevention of criminality; (2) repression of crime; (3) apprehension of offenders; (4) recovery of property; and (5) regulation of noncriminal conduct. Three major tasks are performed in pursuit of these goals (with various subdivisions of each): (1) law enforcement; (2) traffic regulation; and (3) crime prevention. The

detailed activities which must be performed in carrying out these tasks are usually classified into three broad categories: (1) line, (2) auxiliary (or staff) and (3) administrative. Line functions include crime investigation, patrol juvenile crime control, traffic control, and vice control. Auxiliary functions include records management, property maintenance and control, communications, jail duties, laboratory services, and similar activities. Management tasks that are involved in the administrative function are planning, direction, control, finance, personnel, training, and public relations.

c. Organization

To indicate the structural elements of Texas municipal police departments, a generally typical organization chart is presented on the following page.

This chart of the Austin police department (Austin's population is over 250,000) is representative of several of the larger Texas cities. Smaller cities, of course, do not have such complex plans, but even in those cases the general aspects of organization are often the same. For instance, the four main divisions--patrol, investigation, service, and traffic--are evident in small as well as large cities, although they may be combined in some of the smaller departments.



d. Personnel

One of the major problems confronting Texas police agencies today is that of competing with industry for qualified personnel. In order to compete successfully it frequently becomes necessary to raise salaries and lower requirements. However, Texas probably compares favorably with the national average of 1.4 policemen per 1,000 population.

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 may also adopt local civil services systems on legal authority contained in their own charters.

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

e. Budget

Police department budgets are recommended by the chief executive of the city and approved by the Council or Commission. However, cities operating under the State civil service laws are restricted to minimum salaries at the lowest grade of patrolman and promotional criteria to all grades except that of the chief of police.

f. Scope

The work load of the Fort Worth Police Department may give an idea of the scope of police activities. In 1968, Fort Worth, a city of 420,000 population, registered 26,245 prisoners into its jail and maintained an average daily census of 100.5 prisoners in its Rehabilitation Center. An average of 59.8 arrests were made each day by the police force which consisted of 636 sworn personnel. The dispatcher division of the Fort Worth Police Department dispatched a total of 453,760 radio calls through the modern dispatching center.

## B. JUDICIAL PROCESSES

### 1. SYSTEM OF COURTS

Texas, unlike most states in the United States, has two courts of final jurisdiction: The Supreme Court of Texas hears civil cases (includes decisions under juvenile statutes) only and the Court of Criminal Appeals hears only criminal cases.

#### a. Supreme Court

The Supreme Court of Texas was established in 1876 by Article V, Section 2, Constitution of the State of Texas.

The Supreme Court is composed of a Chief Justice and eight Associate Justices who are elected for a six year (overlapping) term. Each must be a citizen of the United States and of Texas, at least thirty-five years of age and ten years as a practicing lawyer or judge of a court of record or both. Each receives an annual salary of \$29,000.

#### b. 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. This constitutional amendment superceded a court of appeals which had both civil and criminal jurisdiction and which 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 shall be Presiding Judge. Their qualifications are the same as those required of members of the Supreme Court of Texas and elected for a six-year (overlapping) term. Each receives an annual salary of \$29,000.

The constitutional revision in 1966 did not affect the statutory provision which allows the appointment of two commissioners to assist the court should they deem it necessary. Since the amendment in 1966, this authority has not been exercised.

There is no intermediate appellate court for criminal cases.

c. 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 fourteen Courts of Civil Appeals, each of which has a Chief Justice and two Associate Justices and these courts are numbered according to their respective geographical districts from which they hear appeals from trial courts. Their qualifications are the same as those required of members of the Supreme Court of Texas and are elected to six-year (overlapping) terms. Each receives an annual salary of \$26,000.

Their jurisdiction is limited to civil cases (includes decisions under juvenile statutes) only.

d. 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; a practicing lawyer and/or judge of a court for four years next preceding his election; and a resident of the district in which he was elected for two years next preceding his election. Each judge is elected for a term of four years and receives an annual salary from the State of \$20,000 which in many instances is supplemented by county funds of the counties in the respective judicial district.

There has been created a total of 212 District and Criminal District Courts, identified by separate numbers except where specifically statutorily designated by name, each having its own judge and statutory geographical jurisdiction, i.e., district. While the majority of district courts exercise both civil and criminal jurisdiction some, by statutory provision, have exclusive criminal jurisdiction or designated preference of criminal jurisdiction. 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 courts are located at the county seats of the county or counties comprising their respective geographical district.

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

Administrative District". Judges may also be so assigned when the regular judge of a district court is absent, disabled, or disqualified.

The Honorable Fidencio Guerra, Judge, 139th Judicial District, the Honorable Noah Kennedy, Judge, 148th Judicial District (formally the Constitutional County Judge of Nueces County--appointed by Governor Preston Smith as District Judge in 1969) and the Honorable Truman E. Roberts, Judge, 52nd Judicial District, are all members of the Texas Criminal Justice Council.

e. Special Courts

Courts of Domestic Relation and Juvenile Courts are creatures 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 have definite salaries set while others have a minimum to maximum salary scale; while others provide for the equivalent to the total (basis state plus local supplement) salary of a district or other judge. While the judges of the aforementioned courts come within the Judicial Retirement Law, these judges do not.

These courts are limited in subject matter jurisdiction to one county and each statute defines the subject matter, scope and limitation. Each courts' 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 twenty-two, are generally heard by district courts because of their general jurisdiction. These courts may have family law subject matter jurisdiction, and some also have juvenile law subject matter jurisdiction as well. The Juvenile Courts hear matters pertaining to the statutory matters relative to juveniles. There are now five "Juvenile Courts" created in Texas although the fifth court does not become effective until January 1, 1971. 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 Relation may be designated as the court in the respective county which will exercise juvenile jurisdiction and this gives exclusive jurisdiction in juvenile matters to that court.

f. County Courts

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

Each county in Texas has a County Court and a judge who is elected for a four year term. The legislature determines the salary or salary range, which is paid by the county, which generally is in relation to the population of the county. The County Court has limited subject matter jurisdiction. The qualification is that the judge be well informed on the law of the State. The County Court has general probate jurisdiction, limited original civil jurisdiction, limited criminal jurisdiction and limited appellate civil and criminal jurisdiction. In appeals from inferior courts, there is a trial "de novo". These are known as "Constitutional" County Courts and there are two hundred and fifty four (254) in Texas.

The "Constitutional" County Judge is also the presiding officer of the County Commissioners Court and performs many administrative duties.

In addition to the "Constitutional" County Courts", the legislature by statutes have created fifty-one (51) "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, thirteen 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 fifty-one (51) "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.

g. Justice of the Peace Courts

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

The constitution provides that each county be divided by the county commissioners' court into not less than four nor more than eight precincts. A justice of the peace is elected within each precinct, except that in any precinct with 8,000 or more inhabitants, two justices are elected. There are presently nine hundred and three (903) 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 for \$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".

h. Municipal 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 qualifications for the office and the term of office varies from two years to an indefinite period at the pleasure of the governing body. The salary is determined by the charter or ordinance of the city governing body.

A municipal court has jurisdiction within the territorial limits of the city, town or village in all criminal cases involving violations of city ordinances. A considerable portion of its time is consumed in processing traffic



violations. There are five hundred and sixty-nine (569) municipal courts in the nine hundred and fifty (950) cities and towns in Texas. The metropolitan cities usually have more than one municipal court.

The Texas legislature, in 1969, passed four bills which affect the municipal courts. These changes are:

- 1) Changed the name from "Corporation Court" to "Municipal Court".

- 2) Provides permissive authority to the City of Wichita Falls to adopt a court of record to be known as the "Municipal Court". They may create as many as necessary to dispose of the cases arising in that city. The rest of the statutory provisions are the same as other courts of record.

- 3) Changed the form of the complaint in the Municipal Court to conform with complaints and indictments in misdemeanor and felony cases.

- 4) Provides for a directed verdict of "not guilty" as in any other criminal case.

i. BUDGETARY DATA FOR THE SYSTEM OF COURTS

(1) SUPREME COURT OF TEXAS

Personal Services

1. Judges, 9 at \$29,000	\$ 261,000	\$ 261,000
2. Clerk, Supreme Court (0429)	13,500	13,500
3. Chief Deputy Clerk, Supreme Court (0425)	11,000	11,000
4. Administrative Assistant, Supreme Court (3541)	10,512	10,872
5. Secretary, Board of Law Examiners (0418)	10,512	10,872
6. Secretary II for Secretary, Board of Law Examiners (0133)	4,608	4,764
7. Briefing Attorneys, 9 NTE \$7,800	70,200	70,200
8. Salaries of Classified Positions	<u>99,963</u>	<u>103,361</u>

Subtotal, Personal Services

\$ 481,295      \$ 485,569

Other Expenses

9. Travel	\$ 2,200	\$ 2,200
10. Consumable supplies and materials, current and recurring operating expense (excluding travel expense), and capital outlay	<u>26,007</u>	<u>24,125</u>

Total, Supreme Court of Texas

\$ 509,502      \$ 511,894

(2) COURT OF CRIMINAL APPEALS

For the Years Ending  
August 31,            August 31,  
1970                            1971

Personal Services

1. Judges, 5 at \$29,000	\$ 145,000	\$ 145,000
2. Clerk, Court of Criminal Appeals (0415)	13,500	13,500
3. Chief Deputy Clerk (0425)	11,000	11,000
4. Briefing Attorneys, 5 NTE \$7,800	39,000	39,000
5. Salaries of Classified Positions	<u>42,216</u>	<u>43,651</u>

Subtotal, Personal Services

\$ 250,716            \$ 252,151

Other Expenses

6. Consumable supplies and materials, current and recurring operating expense (excluding travel expense), and capital outlay	8,604	7,464
7. Travel Expense	2,200	2,200
8. Additional Law Books	1,000	1,000
9. Additional Capital Outlay	<u>1,100</u>	<u>U.B.</u>

Total, Court of Criminal Appeals

\$ 263,620            \$ 262,815

COURTS OF CIVIL APPEALS  
(Total Budget - 14 Courts of Civil Appeals)

		For the Years Ending	
		August 31, 1970	August 31, 1971
Personal Services			
(1)	42 Judges at \$26,000	\$1,092,000	\$1,092,000
(2)	14 Clerks (0405) at 12,500	175,000	175,000
(3)	11 Deputy Clerks (0401)	61,776	63,888
(4)	2 Secretary (0133)	5,256	5,436
(5)	1 Stenographer (0126)	4,464	4,608
(6)	7 Briefing Legal Clerks	54,600	54,600
(7)	9 Clerks (0051)	34,020	35,208
(8)	3 Deputy Clerks (0401)	18,612	19,224
(9)	9 Stenographers (0128)	18,612	19,224
(10)	3 Stenographers (0128)	5,616	5,808
(11)	27 Stenographers (0128)	47,304	48,924
(12)	3 Secretaries (0135)	5,088	5,256
(13)	1 Janitor (Part-time)	<u>1,890</u>	<u>1,956</u>
	Sub-total, Personal Services	\$1,524,238	\$1,531,132
(14)	Consumable supplies and materials, current and recurring operating expense (excluding travel expense and capital outlay	\$ 48,800	\$ 49,433 & U.B.
(15)	Travel expenses for attendance at judicial conferences called by the chief Justice of the Supreme Court of Texas	\$ 7,000	\$ 7,000
(16)	Office Equipment and Library Expense	<u>\$ 5,073</u>	<u>\$ 1,500</u>
	Total, 14 Courts of Civil Appeals	<u>\$1,585,111</u>	<u>\$1,589,065</u>

2. PROSECUTION

a. 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 (5) years' experience as a practicing attorney in this State in criminal cases. His annual salary is \$20,500. It is his primary responsibility to represent the State in all proceedings before the Court of Criminal Appeals, the highest appellate court having criminal jurisdiction.

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

It is the statutory duty of the State's Attorney to review all cases presented to the Court of Criminal Appeals to determine if they were properly tried, properly appealed and that all points are sufficiently briefed, and to properly present the State's point of view to the Court of Criminal Appeals. It is sometimes necessary to file supplemental briefs covering matters or presenting other legal points which have not been presented to the Court of Criminal Appeals by the local county or district attorney. It is also the duty of the

State's Attorney to argue all cases before the Court of Criminal Appeals where he deems necessary. The case load of the Court of Criminal Appeals is extremely high, with an average of 877 cases filed in each of the last three years. In addition to this, 745 writs of habeas corpus were received by the Court last year.

As a part of these duties in presenting the cases to the Court of Criminal Appeals, it is often necessary that the State's Attorney confer and consult with local county and district attorneys in the trial, and the filing of briefs from the trial court, as well as upon presentation of the case to the Court of Criminal Appeals.

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

As the State's Attorney, it has also become a traditional duty to participate in various functions designed

to educate and train law enforcement officers and agents. This entails lectures and speaking engagements at various schools, institutes and training schools, as well as the participation 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.

STATE PROSECUTING ATTORNEY BEFORE THE COURT OF CRIMINAL APPEALS

For the Years Ending  
 August 31,      August 31,  
 1970              1971

Personal Services

1.	State's Attorney	\$ 20,500	\$ 20,500
2.	Secretary III (0135)	<u>5,808</u>	<u>6,000</u>
	Total, Personal Services	\$ 26,308	\$ 26,500

Other Expenses

3.	Travel	700	700
4.	Consumable supplies and materials, current and recurring operating expense (excluding travel expense), and capital outlay	1,292	1,292
5.	For dictating and other equipment	<u>850</u>	<u>U.B.</u>
	Total, State Prosecuting Attorney Before the Court of Criminal Appeals	<u>\$ 29,150</u>	<u>\$ 28,492</u>

11-55



b. District Attorney

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

The three offices charged with the responsibility of representing the State in criminal litigation are: (1) the district attorney, (2) the criminal district attorney, and (3) the county attorney. In most instances, a county is represented by a district attorney and a county, but, if the Legislature has created the office of criminal district attorney for that particular county, such office takes the place of the office 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. It should also be noted that in some counties, the Legislature

has designated the county attorney to also perform the duties of district attorney.

There are presently sixty-seven (67) offices of district attorney and seventeen (17) offices of criminal district attorney. Each of these officers is elected for a four year term by the voters in the county or counties of his district. Each is paid a salary of \$11,000 by the State and some counties also provide a salary supplement in addition.

With one exception (Harris County) the district attorney and all criminal district attorneys have both criminal and civil jurisdiction. The jurisdictional limits, county or counties, 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 (Harris County) the district attorney handles the prosecution of felony cases and handles civil suits in the district court.

Texas has no prohibition against a district attorney or criminal district attorney 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 brother - prosecutor 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 are provided a budget of only \$11,000, his salary, and must operate a one-man office. He may even have to personally provide his office furniture, fixtures, supplies, library, etc.

The processing of charges follows a general pattern, whether the prosecution is in a metropolitan or 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 waiver an examining trial before that magistrate. Yet, the district attorney or criminal district attorney, at his discretion (for many and various reasons) may take the charge forthwith before a grand jury. If after an examining trial is held and there is sufficient evidence presented, the magistrate sets a bond and the case is bound over to the grand jury for its determination of a true-bill (indictment) or no-bill. The accused, except in a capital case where proof is evident or where he has twice previously been convicted of felony offenses,

is entitled to bail. The number of charges filed, the frequency of examining trials and the frequency of grand juries all contribute to the delay of a speedy trial and congested dockets in the trial court.

Administration of the office of a metropolitan district attorney or criminal district attorney as compared to the administration of the office a rural district attorney is as varied as is the crime experienced in each respective area. In the largest metropolitan city and county (Houston-Harris) in Texas the district attorney is the administrator of an office composed of 67 assistant district attorneys, 15 investigators and 35 secretarial and clerical personnel, for a total staff of 117. 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.

The following information extracted from the annual report by the Honorable Carol Vance, District Attorney, Harris County (Houston) Texas, who is a member of the Criminal Justice Council of Texas, is indicative of the magnitude and scope of the metropolitan office of district attorney or criminal district attorney.

- Felony Cases - With the addition of four new District Courts in October, 1969, the ten District Courts of Harris County disposed of a record number of 8,504 felony cases in the year 1969. This compares with 6,576 for 1968; 5,639 for 1967; 5,098 for 1966; and 4,729 for 1965.
- There was also a record number of 446 contested cases tried in 1969; compared to 401 for 1968; and 338 for 1967. Jury trials increased from 343 for 1968 to 355 for 1969, while cases tried before the court jumped from 62 to 91 for the same periods of the 355 jury cases. Of the 355 jury cases, 243 resulted in convictions, 87 in acquittals and the remainder in hung juries. Sixty-one of the 91 court trials were convictions with 30 acquittals. There were 3 death penalties, 26 life sentences, and 13,056 1/2 years sentenced. This compares with 4 death penalties, 38 life sentences and 12,085 years sentenced for 1968.
- Misdemeanor Cases - The Court judges and prosecutors are to be particularly commended for keeping their dockets current in spite of a huge increase in caseload. In fact, the four county courts disposed of a record number of 17,414 cases compared to 14,036 for 1968; and 12,000 for 1967. Compared to 1968, convictions increased from 7,291 to 8,366; however, jury trials remained the same at 303 for both years. Court trials decreased from 244 for 1968 to 233 for 1969.
- Fines for 1969, totaled \$529,992.00 compared to \$415,101.00 for 1968; and jail sentences were correspondingly increased from 120,372 days for 1968 to 130,237 days for 1969.
- Grand Jury Division - 1969 again experienced another increase in the number of cases presented to the Grand Jury and the number of indictments returned. This year 7,500 indictments were returned compared to 6,907 for 1968 and 5,705 for 1967.
- The breakdown for the Grand Jury showing the increase in crime and cases cleared the last years is as follows:

YEAR	CASES PRESENTED	INDICTMENTS	NO BILLS
1969	8,392	7,500	892
1968	7,644	6,907	737
1967	6,241	5,705	536
1966	5,295	4,711	584

--Juvenile Division - The Juvenile Division decreased their volume of delinquency cases from 1,424 for 1968 to 1,010 for 1969. Dependency cases also were reduced from 120 for 1968 to 76 for 1969. Commitments to the Texas Youth Council decreased from 521 for 1968 to 292 for 1969.

--Appellate Division - The Appellate Division handled 195 appellate cases before the Court of Criminal Appeals compared with 179 cases for 1968, and 103 cases for 1967. The most striking statistic for the entire office is that out of the 195 cases handled, only 4 cases were reversed. When you consider the number of convictions capable of being appealed exceeded 13,000 in our district and county courts, 4 reversals reflects a fantastic appellate record for the entire office.

--Commercial Fraud Division - Of some 24,118 bad checks turned over to our office for prosecution, 5,048 charges were filed. This compares with 21,679 checks for 1968; with 4,118 charges filed.

--Bail Bond Division - There were 1,719 bond forfeitures in 1969, compared to 1,166 for 1968. Cash collected on judgements was up considerably to \$150,123.71 in 1969, from \$102,806.50 for 1968. Judgements for 1969 were entered in the amount of \$213,118.00 compared to \$181,289.00 for 1968. Civil cases on bond forfeitures also increased from 1,046 in 1968 to 1,499 for 1969.

--Non-Support Division - The Non-Support Division conducted 5,607 personal interviews, wrote 9,772 letters to reluctant fathers, filed 198 informations, and had 12 indictments returned. Jail sentences increased to 8,452 total days served, from 3,074 days for 1968, and 619 days for 1967. On reciprocal cases, 847 were received from other jurisdictions resulting in 224 new

cases initiated, 530 judicial orders entered, and 200 contempts filed for failure to support.

--Special Investigations - 61 special investigations were instituted in 1969. Of these, 27 investigations were presented to the Grand Jury resulting in 71 indictments. A total of 59 cases instituted by the S.I.D. were disposed of in our courts during 1969.

--Complaint Division - Some 8,187 complainants were personally interviewed by the Complaint Division in addition to the constant telephone calls handled. An attempt was made to more carefully screen charges made by complainants by permanently assigning an assistant to the Complaint Division; consequently, in 1969 the number of misdemeanor charges filed was reduced to approximately 359 from 680 for 1968.

c. County Attorney

As noted above, unless there is a criminal district attorney, each of the two hundred and fifty-four (254) counties of Texas has a county attorney who is an elected official serving a four year term. There are presently two hundred and twenty-six (226) county attorneys.

The jurisdiction of the office is co-extensive with the limits of the county, and, with the exception of Harris County, has both criminal and civil jurisdiction. In the exercise of criminal jurisdiction, his primary duty is to represent the State in misdemeanor cases tried in the county court and the justice of the peace courts. The duties may be expanded by statute to require the assumption of the duties

of the district attorneys for that particular county. In many instances, the county attorney assists the district attorney in felony matters within his particular county.

In the rural areas of the State, the county attorney, like the district attorney, generally operates a "one-man" office. The salary of the county attorney, staff, furniture, fixtures, library, etc., are determined by the Commissioners Court of the respective counties. The variance in salary, staff, supplies, furniture, fixtures, library, etc., is as great as the number of offices. There, likewise, is no prohibition against the county attorney engaging in a private law practice, and in the rural areas, must rely upon this private practice to supplement his income.

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

d. Municipal Attorney

The office of municipal attorney is created by the government of the respective city and they determine the salary,



staff, etc. 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 cities' legal business. There are presently six hundred eighty-eight (688) offices of municipal attorney in the State.

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

### 3. DEFENSE

By Act of February 15, 1858, the Texas Legislature provided that "When the defendant is brought into court for the purpose of being arraigned, if it appears that he has no counsel and is too poor to employ counsel, the Court shall appoint one or more practicing attorneys to defend him..." This article remained unchanged through the years but was construed by the Texas Court of Criminal Appeals to require the appointment of counsel for an indigent accused only in (1) capital cases (2) all cases where a plea of not guilty was before the court, and (3) 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 Texas Legislature provided in Article 26.05, Texas Code of Criminal Procedure, for the appointment 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 and with compensation for court-appointed counsel.

The Texas Legislature in 1969, amended Section 1, Article 26.05, Texas Code of Criminal Procedure to read as follows:

"Section 1. A counsel appointed to defend a person accused of a felony or a misdemeanor punishable by imprisonment, or to represent an indigent in a habeas corpus hearing, shall be paid from the general fund of the county in which the prosecution was instituted or habeas corpus hearing held, according to the following schedule:

- For each day in trial court representing the accused, a fee of not less than \$25.00, not more than \$50.00;
- For each day in trial court representing the accused when the state has made known that it will seek the death penalty, a fee of not less than \$25.00 nor more than \$100.00;
- For each day in court representing the indigent in a habeas corpus hearing, a fee of not less than \$25.00 nor more than \$50.00;
- For expenses incurred for purposes of investigation and expert testimony, not more than \$250.00;
- For the prosecution to a final conclusion of a bona fide appeal to the Court of Criminal Appeals, a fee of not less than \$100.00 nor more than \$250.00;
- For the prosecution to a final conclusion of a bona fide appeal to the Court of Criminal Appeals in a case where the death penalty has been assessed, a fee of not less than \$100.00 nor more than \$500.00."

This amendment became effective May 27, 1969.

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

"(a) Whenever the court determines that the child alleged to be a delinquent child is not represented by counsel and (after giving the parents, guardian, or other person or persons responsible for the care and support of the child a reasonable opportunity to be heard) that the parents, guardian, or other person or persons responsible for the care and support of the child are financially able to employ counsel, the court shall order the parents, guardian, or other person responsible for the care and support of the child to employ counsel to defend the child. 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, and 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 according to the following schedule:

"(1) for each day in trial court representing the child, a fee of not less than Twenty-five Dollars (\$25) nor more than Fifty Dollars (\$50);

"(2) for expenses incurred for purposes of investigation and expert testimony, not more than Two Hundred and Fifty Dollars (\$250);

"(3) for the prosecution to a final conclusion of a bona fide appeal to the Court of Civil Appeals or Court of Criminal Appeals, a fee of not less than One Hundred Dollars (\$100) nor more than Two Hundred and Fifty Dollars (\$250).

"(e) The minimum fee will be automatically allowed unless the trial judge orders more within five (5) days of the judgement. An attorney may not receive more than one fee for each day in court, regardless of the number of cases in which he appears as appointed counsel on the same day."

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

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

In 1966, the National Legal Aid and Defender Project made a generous grant to the Houston Legal Foundation to establish a coordinated assigned counsel system for Harris County. Under this plan, every attorney licensed to practice law in the State and residing in the county would, on a rotation basis, be recommended to the judge for appointment to represent an indigent accused of crime. Even here the appointment

was made by the judge--the foundation only made the recommendation that certain counsel be appointed to represent a certain defendant. Attorneys--experienced in the field of criminal law--were on the foundation staff and available to assist the appointed counsel. Theoretically, this is an ideal system. From a practical standpoint, it is unrealistic for the court to appoint an attorney totally without experience in the practice of law in any fashion, to represent one accused of crime.

The program was received with mixed emotions and the three-year grant is expiring this year. To continue the operations of the Houston Legal Foundation, Senate Bill 286, cited as Article 2372 p-1, VACS was passed. It provides:

"Section 1. For the purpose of providing timely and effective assistance of counsel to those persons accused of crime and who are financially unable to employ counsel on their own, the commissioners court of any county in this state having a population of more than 1,200,000, according to the last preceding federal census, may contract with some already established bar association, nonprofit corporation, nonprofit trust association or any other nonprofit entity (which has for its purpose the providing of timely effective assistance of counsel for the indigent accused of crime) to assist the courts in providing the timely and effective assistance of counsel.

"Section 2. Under the terms of such contract, provision may be made for the contracting entity to provide additional legal counseling and advice to the court appointed counsel as well as the necessary investigative services authorized by Article 26.05, Code of Criminal Procedure, 1965.

"Section 3. Likewise, for the purpose of providing the judge before whom a criminal case is pending the information necessary for making a proper determination as to whether or not the accused should be released on personal bond as authorized by Article 17.03, Code of Criminal Procedure, 1965, the commissioners court of any such county may contract with such above named entity to interview the accused, to verify the information given, to make the appropriate recommendation as to release to the judge of the court where the case is pending, and, if the accused is released on his personal bond, to assure the judge of that court, such entity will assist in securing the presence of the accused at his trial.

"Section 4. Such contract may not be entered into for in excess of one year, but may be renewed from time to time. Either party to such contract may terminate the same by giving six months notice of intention to do so.

"Section 5. Services provided under said contract shall be compensated for from the general funds of the county, and the commissioners court is empowered to accept grants or other financial assistance from the federal government or other private source to aid and assist in carrying out the purposes of this Act."

Whether or not the commissioners court of Harris County (Houston) will exercise the authority granted is unknown as the Harris County budget is presently being considered and it will be several months before it is finally approved.

The Legislature had a general (state-wide) Public Defender bill introduced in 1969. The results of this effort was a local (one county) mandatory Public Defender law. House Bill 615, Public Defenders-Tarrant County-Appointment and

Compensation, which became effective September 1, 1969, and is cited as Article 341-1, Vernon's Annotated Civil Statutes provides:

"Section 1. (a) Recent federal and state court decisions have emphasized the constitutional obligation of the state to afford needy persons the effective assistance of counsel in criminal actions. In some counties, the bar has partially met this obligation through creation of a nonprofit organization, primarily financed by federal grants, which provides counsel; in other, volunteers from the bar donate their services to defend needy persons. And in still other counties, the courts concerned appoint counsel under Articles 26.04 and 26.05, Code of Criminal Procedure, 1965.

(b) Especially in the metropolitan counties, the obligation to furnish competent counsel imposes a substantial burden on county financial resources. None of the alternative methods presently employed to furnish counsel has proved entirely satisfactory and the Legislature finds that a countywide public defender system, functioning either alone or in a combination with other methods, may better satisfy the constitutional and statutory obligations for providing counsel for the needy accused.

(c) In view of the findings and determinations expressed in Subsections (a) and (b) of this section, there is established in Tarrant County the offices of Public Defender of Tarrant County, hereafter referred to as the "public defender."

"Section 2. (a) Each criminal district judge of Tarrant County shall appoint one attorney to serve as a public defender and define his duties and responsibilities. A public defender serves at the pleasure of the appointing judge.

(b) To be eligible for appointment as a public defender, a person must: (1) be a member of the State Bar of Texas; (2) have practiced law at least three years, and (3) be experienced in the practice of criminal law.

"Section 3. (a) The public defenders shall receive an annual salary of not less than \$10,000 to be fixed by the Commissioner Court of Tarrant County and paid from the appropriate county fund.

(b) The provisions of Article 26.05, Code of Criminal Procedure, 1965, as amended, regarding daily appearance fees shall not apply to public defenders, however, all other provisions of Article 26.05, Code of Criminal Procedure, 1965, as amended, regarding fees and allowances shall apply to public defenders.

(c) A public defender may not engage in any criminal law practice other than that authorized in this Act, for any services rendered in connection with a criminal case.

(d) A violation of Subsection (c), Section 3 of this Act shall be cause for removal of the public defender by the judge who appointed him.

"Section 4. (a) 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.

(b) A public defender may inquire into the financial condition of any person whom he is appointed to represent and shall report any findings of the investigation to the court appointing him. The court may hold a hearing into the financial condition of the defendant and shall make a determination as to his indigency and to his entitlement to representation by a public defender.

"Section 5. At any stage, including appeal or other post-conviction proceedings, the court concerned may assign a substitute attorney. The substitute attorney shall be entitled to compensation as provided in Article 25.05, Code of Criminal Procedure, 1965, as amended."



The Criminal District Judges in Tarrant County each appointed a public defender as required. Only the passage of time will indicate the effectiveness of this system and the results will no doubt have a decided effect on actions by further legislative sessions.

## C. CORRECTIONS AND REHABILITATION

### 1. STATE ADULT CORRECTIONAL AND REHABILITATION CONFINEMENT FACILITIES

The State of Texas today has one of the nations largest and most modern state prison systems, the Department of Corrections. Prior to Texas gaining her independence from Mexico in 1836, the Congress of the Mexican State of Coquilla, Texas, in 1829 authorized the establishment of the first prison system in Texas.

After Texas joined the union, the first legislature, on May 11, 1846, voted to establish a state penitentiary and authorize the the governor to appoint one to three commissioners and a superintendent.

In 1927, Texas passed legislation authorizing a nine man board to supervise a general manager responsible only to that board. This system of management has been followed since, with the legislature in 1957 changing the name of the Texas Prison System to the Department of Corrections and the manager's title to Director. The nine non-salaried members of the Texas Board of Corrections constitute the policy making board and are appointed for a six year overlapping term by the governor. The chief executive of

the system, the Director, is appointed by that board. The present Director of the Texas Department of Corrections, Dr. George J. Beto, was appointed March 1, 1962, and is a member of the Texas Criminal Justice Council.

Huntsville, Texas, is the location for the administrative headquarters as well as the Huntsville Unit. There are thirteen other units of the Texas Department of Corrections and they are all located in the eastern portion of Texas, ranging from Tennessee Colony on the north near Palestine, Texas, to Brazoria near the Gulf of Mexico on the south.

There are 98,869 acres of land currently utilized by the Texas Department of Corrections. Total assets of the Texas Department of Corrections including, buildings, fixed assets, construction in progress and appropriated funds, etc., amounts to \$63,471,700.38 as of August 31, 1969.

These assets are being utilized for betterment of the State and local governments of Texas as well as the rehabilitation and corrections of its confined inmate personnel. The Texas Department of Corrections is assisting many schools and jails throughout Texas in providing them with many items used in their daily operations. These items are manufactured by the inmates of the Texas Department of Corrections in their rehabilitative projects. These projects teach the incarcerated inmate trades which may be utilized by them when they are returned to society as free citizens. These items are provided the local units of government at a minimal cost, therefore, saving the local units of government many tax dollars.

The incarcerated inmate personnel of the Texas Department of Corrections exceeds 12,600 inmates. The recidivist rate of the Department is ranging between 16 and 20 percent, however it is estimated that as the rehabilitation programs are refined, expanded and enlarged that the rate of recidivism would be approximately 20 percent.

The Texas Department of Corrections recognizes the fact it has a dual responsibility of protecting society as well as rehabilitating the incarcerated offenders. Therefore, they devote a major part of their activity toward rehabilitation to train them as best possible to meet future everyday requirements of society as a productive and law-abiding citizen. To successfully accomplish this requires a gigantic effort to train the inmates in the field of endeavor best suited to each of them. There are many things needed to carry out this program that are not provided for by legislative appropriations. To meet this deficiency, the Texas Department of Corrections each year produces the Texas Prison Rodeo with featured entertainers each Sunday in October. Each prisoner is provided an opportunity to participate in the rodeos and any prize money won is credited to his trust account. The public is encouraged to attend, and tickets are sold. In 1968, the prison rodeo produced a net profit of \$161,786.32.

Several State Medical Research Institutions need animals for research purposes and the Texas Department of Corrections operates a very efficient program to provide these animals. The State of Texas has special schools for blind students, and the braille

text books, are produced by Texas Department of Corrections through its education and recreational fund activity.

Treatment, as broadly defined in the correctional environment, is concerned with all of the aspects of inmate life. Provisions must be made for physical well-being; spiritual and moral growth; attainment in educational, vocational and technical areas; and assistance in resolving behavioral problems that lead to and result from incarceration.

The total effort of the Treatment Area is directed towards reduction of the crime rate through reduction of recidivism. Programs are designed with one goal in mind: "Provide an environment that will assist an individual in his return to the free-society and enable him to function in that free-society as a productive member."

Proper unit and job assignment for the newly-arrived inmate is the constant goal of the Classification Committee. Data is collected on family background, employment, education, prior criminal record, medical history, religious affiliation, and all other major aspects of the individual. Specialists in the fields of psychology and sociology prepare comprehensive case histories. Before making the final assignment, the Classification Committee analyzes the data and talks with each man individually.

A Classification Committee at each unit determines a specific job assignment, considers promotions in assignment, and recommends trusteeship.

Through the cooperative efforts of the Rehabilitation Commis-

sion of Texas, the Texas Employment Commission and the United States Department of Labor, there is a vocational training program known as the Manpower Development Training Act for training inmates in eight fields of vocational training. This is one of the most successful rehabilitative programs conducted by the Texas Department of Corrections. The Ferguson Unit for first offenders has educational projects on machine shop, upholstery, culinary arts, radio and television, air conditioning, refrigeration, auto repairs, building trades, auto mechanics, sheet metal and woodwork. Each of the prison units are provided a religious department, library, music, athletic, as well as motion pictures. Counseling of the inmates is a major part of the rehabilitative program. During the inmates off duty time, he is provided with craft shop facilities.

The Texas Department of Corrections has been established by the legislature as an independent school district and this accreditation provides the inmates extensive educational opportunities that are of excellent quality. Many thousands of inmates have received General Education Development or high school diplomas. There are also over a thousand inmates enrolled in college courses being taught by accredited college personnel.

There is established and operating a pre-release unit that prepares each of the inmates for his return to society. This program has received outstanding cooperation from many citizens and groups of citizens throughout the state. Their participation in this program is of extreme importance. Driver Education Train-

ing is one of the courses provided by the pre-release center. There is established and operating, a work release program where inmates are transported to and from civilian jobs each day and earn wages by doing productive work in civilian industry. Many of these inmates retain these jobs after their release.

Each of the prison units maintains a canteen or commissary operation for the convenience of the inmates and employees. These canteens or commissaries offer for sale at reasonable prices many items that inmates may personally purchase from their own private funds. Sales from these commissaries last year ending August 31, 1969, amounted to \$1,193,941.84, the profits being in the educational and recreational fund, and are used for the welfare of the inmates. Some of the inmates need prosthetic appliances such as dentures, eye glasses and eyes. Too frequently the inmate is not financially able to purchase these appliances. Whenever possible, these prosthetic appliances are provided the inmate without cost to the State from the educational and recreational fund.

Many of the inmates are trained in the industries that are operated by the Texas Department of Corrections for the benefit of the State as a whole. Some of these industries are as follows: cardboard carton factory; sign shop; licence plate plants; laundries for each of the units; print shop; the prison store which handles the items necessary to operate all of the units; textile mills which manufactures cloth, sheets, towels, etc.. Many of these items are used by the State Hospitals, Special Schools, and institutions at a fractional cost to the taxpayer, soap and

detergent plant; canning plant, that cans vegetables used by other state departments as well as the prison system; tire recapping plant, which recaps tires for other state departments as well as the Texas Department of Corrections and this way reducing the cost of tires for the state as a whole; garments are manufactured in both women and men's prison units, these garments are not only used by the inmates but by the patients of the mental health and mental retardation units throughout the State and other state departments or institutions. There is a building with over 72,000 square feet devoted to furniture refinishing plant. This plant refinishes furniture for schools throughout the State as well as other state departments. Inmates have been trained to convert the automobile certificate of titles for the Texas Highway Department into a form that is used by computers. At the current time the inmates are converting the drivers licence of all the drivers throughout the State of Texas for the Department of Public Safety. The Department of Corrections makes all of its own mattresses and provides mattresses for many of the jails and state hospitals. It also operates saw mills and kilns for the finishing and curing of lumber. It operates a shoe factory, woodworking factory, and unique operation is the dental laboratory which manufactures many thousands of dollars' worth of dentures that are used by state hospital patients and the prison. In addition to the above the Texas Department of Corrections manufactures all of the bricks that are used in the very extensive building program carried on by the department. It constructs all



of its own buildings using and teaching inmate labor to become craftsmen in the building trade.

A well run correctional program must provide nutritious, well balanced meals for its inmates. The Texas Department of Corrections is able to provide such meals because of its modern agricultural program.

Thirty-eight different edible crops are grown on 5,935 acres devoted to food production on ten producing farms. Over 6.5 million pounds of fresh produce, excluding Irish potatoes, are furnished to Food Services from a year-a-round production program.

Surpluses from all producing units are trucked to the Central Unit Canning Plant for processing into products to be used by the department when the particular item is not available directly from the fields. Canned goods above the Department requirements are federally graded and sold to other tax-supported institutions of the State.

Staggered plantings permit the growing season of each vegetable to be extended to whatever limits the weather permits. Departmental cold storage facilities provide an extended period of utilization of some vegetables.

As the total program of the Department changes, making less labor available for agricultural work, mechanical harvesters and other production aids become a vital part of

the agricultural program. The edible crops program, with its tremendously high labor requirement, is being progressively modernized with machinery such as the greens cutter, carrot-beet digger, and peanut combine. Combines are used in harvesting corn, maize, rice, clovers, oats, peas, beans, and grasses. This harvesting equipment is centrally controlled, maintained, operated, and stored in the off season.

There is being developed in cooperation with the Sam Houston State University in Huntsville, Texas, the Institute for Continuing Education. This institute is being developed to train personnel for all facets of criminal justice, including correctional personnel.

COMPOSITE AGRICULTURAL REPORT - A FIVE-YEAR COMPARISON

	1964	1965	1966	1967	1968	
Food Items Processed	609,358	475,972	403,974	564,462	407,940	
Total Raw Products Sent to Central Canning Plant						
Green Beans	196.6	188.2	103.5	213.6	159.0	<i>In Tons</i>
Sweet Corn	1,288.7	484.8	490.1	986.8	799.7	
Sweet Potatoes	256.6	0.0	0.0	0.0	0.0	
Turnip Greens	185.6	113.4	217.5	91.1	79.6	
Mustard Greens	116.7	123.7	196.1	208.8	131.9	
Collard Greens	19.2	13.7	14.8	7.1	5.9	
Spinach Greens	215.5	81.0	81.9	186.7	129.6	
Cabbage	415.5	335.5	66.1	44.1	15.8	
Cucumbers	47.2	58.8	50.2	38.9	15.3	
Tomatoes	587.1	633.5	473.3	793.8	263.5	
Pumpkin	124.6	0.0	0.0	0.0	45.5	
Carrots	0.0	230.2	29.8	202.7	203.1	
Beets	242.6	173.7	86.5	108.2	308.7	
Irish Potatoes in Storage	2,657,012	3,942,000	2,907,955	4,016,300	3,846,900	
Corn Production						
Acres Planted	8,842	10,323	8,436	11,443	10,482	
Bushel Yield/Acre	62.82	54.42	34.67	56.06	42.07	
Total Bushels Produced	555,483	561,730	292,521	641,487	440,929	
Cotton & Cottonseed Production						
Cotton Acreage	9,347	9,421	7,813	7,855	8,546	
Bale Yield	11,381	10,587	6,926	8,047	4,990	
Avg. Yield/Acre	1.2	1.1	0.9	1.0	0.58	
Cotton Value & Income	1,626,420.66	1,522,021.40	1,118,576.03	1,380,223.24	1,062,041.33	
Cottonseed Value	238,518.90	225,547.01	234,002.08	179,087.89	111,312.43	
Total Value of Production & Income	1,864,939.56	1,747,568.41	1,352,578.11	1,559,311.13	1,173,353.76	
Swine Population	13,144	17,812	15,830	15,453	16,871	
Pigs Farrowed	16,909	28,220	24,853	21,959	24,898	
Horse Population	840	867	806	799	729	
Colts Foaled on Units	63	84	75	42	62	
Registered Holstein Cattle	191	270	283	256	256	
Purebred Holstein Cattle	0	0	26	81	105	
Dairy Production						
Total Milk Produced	9,681,041	10,322,808	10,365,090	10,602,409	10,054,463	<i>In Pounds</i>
Avg. Monthly Production	806,753	860,234	863,757	883,534	837,871	
Avg. # Cows Milked Daily	1,161	1,092	1,017	884	800	
Avg. Milk/Cow/Day	22.8	25.8	27.9	32.9	34.4	<i>In Pounds</i>
Beef Cattle Population	7,646	9,119	9,373	9,982	12,110	
Calf Production						
Total Calves Branded	3,907	3,905	4,547	4,669	4,732	
Total Calves Sold	1,917	1,877	1,229	2,712	1,367	
Avg. Wt. of Calves Sold	413	442	447	448	480	
Avg. Price/Pound	17.42	22.81	24.34	25.40	26.46	
Avg. Net/Head	72.42	100.92	108.95	113.88	126.94	<i>Dollar \$ Value</i>
Brucellosis & TB Test Survey						
TDC Dairy Herds						
No. Bangs Tested	1,833	1,548	1,324	1,173	1,097	
Reactors	5	2	1	2	11	
Suspects	0	2	3	0	0	
No. TB Tested & Reactors	1,829 (0)	2,190 (0)	2,626 (0)	2,514 (0)	2,183 (0) (x) - Reactors	
TDC Stocker Herds						
No. Bangs Tested	4,503	4,732	2,947	5,906	6,323	
Reactors	16	21	4	18	6	
Suspects	27	22	7	4	0	
No. TB Tested & Reactors	1,884 (0)	2,635 (0)	1,668 (0)	1,634 (0)	2,249 (0) (x) - Reactors	
Chickens Hatched	115,846	130,465	115,001	133,592	128,850	
Avg. # Hens in Production	44,387	41,449	41,376	38,635	39,832	
Total Doz. Eggs Produced	756,852	714,588	737,559	775,799	793,140	

2. LOCAL ADULT CORRECTIONAL AND REHABILITATIVE CONFINEMENT FACILITIES

Texas Adult Confinement Correctional Facilities and Resources range from superior on the State level to practically non-existent on the local level. The local county jails in most instances do not provide adequate confinement facilities or correctional programs for their incarcerated prisoners. The local units of government have failed to provide adequate financial resources for the construction, maintenance and operation of facilities or programs of rehabilitation on the local level. Most metropolitan, city and county jails are over populated and those incarcerated are being required to sleep on the floors and on tables. In some cases, the metropolitan jail is handicapped by the lack of financial support to provide necessary personnel where areas exist in the jail that could be utilized for additional confinement. Some of the areas could also be used for correctional programs. Much of this is brought about by the climate of thinking of the local population and local officials in that they do not provide financial support for rehabilitation of offenders of the community. This would lower the recidivist rate and ultimately would reduce the population of those confined in the jails. A survey of several metropolitan jails has been made and it was found that the over crowding of these facilities is resulting in many indignities being imposed upon the incarcerated and the increasing of the

recidivist rate in these institutions. Many of the jails in the smaller counties should not be permitted to continue to operate or confine prisoners, as they are unable to meet the minimum standards as required by law.

At the present time, El Paso County is preparing to undertake a change in the operation of their jail so as to include rehabilitative programs for those incarcerated who are qualified to participate.

### 3. TEXAS YOUTH COUNCIL

Article 5143d, V.A.C.S., enacted by the 55th Legislature, created the Texas Youth Council and charged it with the responsibility of administering the State's correctional facilities for delinquent children, providing a program of constructive care, treatment, education and training aimed at the rehabilitation and re-establishment in society of children adjudged delinquent by the courts of Texas and committed to the Council, and providing active parole supervision of delinquent children released from the State Training Schools.

The statute also vested in the Texas Youth Council responsibility for the administration and operation of the State Home for dependent and neglected children and responsibility for the "coordination and combination of such facilities" and for "the creation of new facilities within the appropriations provided by the Legislature...."

Other major statutory duties and functions of the Texas Youth Council are:

- Administer statewide juvenile parole programs.
- Establish and operate Half-way Houses, Group Homes, Foster Homes, etc., as required, to serve the needs of the children in the care of the agency.

- Carry on a continuing study of the problem of juvenile delinquency in this State and seek to focus public attention of special solutions to this problem.
- Cooperate with all existing agencies and encourage the establishment of new agencies, both local and state-wide, if their object is services to delinquent and pre-delinquent youth of this State.
- Assist local authorities of any county or municipality when requested by the governing body thereof in the developing, strengthening and coordination of educational, welfare, health, recreational or law enforcement programs which have as their object 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 Legislature of its activities and accomplishments and of its findings as to its major needs relative to the handling of the children committed to it by courts of the State. The report shall include specific recommendations

for legislation, planned and drafted as part of an integrated, unified and consistent program to serve the best interest of the State and the youth committed to the Texas Youth Council and recommendations for the repeal of any conflicting, obsolete or otherwise undesirable legislation affecting youth.

A brief description of the rehabilitation process at the training schools shows that all youngsters who have been committed to the Texas Youth Council are admitted to a state-wide reception and classification center. The rehabilitation process begins at the moment of admission, as it is believed that the period of time a youngster remains in the Reception Center is one of the most important periods in the entire treatment and training programs. The staff of the Reception and Classification Center is a clinical team composed of medical doctors, dentists, psychiatrists, psychologists, social workers, educators, chaplains, youth activity supervisors, and house-parent personnel. The Director of Reception and Classification is the team leader and coordinator. Each youngster is carefully evaluated and placed, by committee action, in the training school best suited to his/her individual needs. The Director of Reception and Classification is directly responsible to the General Superintendent for planning, organizing, coordinating, and directing all activities and services.



A new reception and diagnostic center for girls throughout the State of Texas will be opened by the Texas Youth Council in 1970. This has been the only major construction as of this date.

The Texas Youth Council believes that the community, city, county or region should provide these services to children and youth:

1. Responsible Parents
2. Responsible Church, Civic and Citizens Groups
3. United Fund Agencies
4. Community Councils
5. Local (and State) Child Health Services
6. Community Based MH/MR Services and Centers for Community Psychiatry
7. Local (and State) Aid to Families with Dependent Children
8. Child and Family Services (Public and Private)
9. Public and Private School Services
10. O.E.O. Projects
11. Poverty Programs (Neighborhood Youth Corps, etc.)
12. Legal Aid Services
13. Court Services (Juvenile, Family and District Courts)
14. Local Juvenile Probation Departments and Services
15. Homemaker Services
16. Foster Home Services
17. Group Care
18. Half-Way Houses
19. Other Community Based Programs for Children and Youth
20. Local Recreation Resources, etc.

The Texas Youth Council is prepared to offer to delinquent children and youth the following services:

--Reception, Diagnostic and Classification Services

--"Institutional Communities" Programs

--Child Care and Treatment - Medical -  
Psychiatric - Psychological - Casework

-Individualized Treatment  
-Group Therapy  
-Guided Group Interaction  
-Operant Conditioning Programs

--Educational

-Academic  
-Vocational  
-Special

--Custodial and Security

--Diagnostic Parole

--Group Home Placement (Childrens Homes, Boys Ranches,  
Other Group Homes)

--Work Placements

--Foster Home Placements

--Other Special Treatment Programs

--State Parole Supervision

--Half-Way Houses (Small Group Homes in Community)

--Coordination and Cooperation with State Mental  
Health/Mental Retardation Programs

Dr. James A. Turman, Executive Director, Texas Youth Council  
is a member of the Texas Criminal Justice Council.

THE TEXAS YOUTH COUNCIL

Governor

Texas Youth Council

Executive Director  
and  
Central Office Staff

(Training Schools for Delinquent Children)

(State Homes for Dependent and Neglected Children)

Gatesville  
State Schools  
for Boys

Mountain  
View School  
for Boys

Gainesville  
State School  
for Girls

Crockett  
State School  
for Girls

Brownwood  
State School  
for Girls

Waco State  
Home

Corsicana  
State Hom..

West Texas  
Childrens  
Home

Statewide  
Reception Center  
for Boys

Statewide  
Reception Center  
for Girls

Valley  
School

Hackberry  
School

Terrace  
School

Hilltop  
School

Riverside  
School

Live Oak  
School

Sycamore  
School

16-II

YOUTH COUNCIL  
CENTRAL OFFICE

For the Years Ending  
August 31, 1970      August 31,  
1971

Out of the General Revenue Fund:

Administration

Personal Services--

1. Executive Director	\$ 22,500	\$ 22,500
2. Deputy Executive Director	20,000	20,000
3. Assistant Director, Research	15,500	15,500
4. Director of Child Care and Training	14,500	14,500
5. Director of Finance	14,500	14,500
6. Chief of Maintenance and Construction	14,500	14,500
7. Salaries of Classified Positions	124,754	128,996
8. For payment of fees to the Chief Psychiatric Consultant on Mental Health and Psychiatric Services (NTE \$22,500), and for other professional psychiatric fees and services to be allocated by the Texas Youth Council for transfer and expenditure by the institutions under its administrative jurisdiction, and per diem of Board Members	\$ 105,000	\$ 105,000
Total, Personal Services	\$ 331,254	\$ 335,496

Other Expenses--

9. Travel Expense	18,950	18,950
Total, Administration	\$ 350,204	\$ 354,446

Parole Supervision

Personal Services--

10. Director of Parole	\$ 14,500	\$ 14,500
11. Assistant Director of Parole	13,000	13,000
12. For Classified Salaries and Wages	533,474	551,612
Total, Personal Services	\$ 560,974	\$ 579,112

Other Expenses--

13. Travel Expense	82,800	82,800
Total, Parole Supervision	\$ 643,774	\$ 661,912

14. Other operating expenses for Central Office and Parole Supervision, current and recurring operating expense (excluding travel expense), purchase and operation of one pickup truck, and capital outlay	74,473	74,473
--	--------	--------

Total, Youth Council, Central Office	\$ 1,068,415	\$ 1,090,831
--------------------------------------	--------------	--------------

RECAPITULATION, ARTICLE II

PUBLIC HEALTH, HOSPITALS, SPECIAL SCHOOLS AND YOUTH INSTITUTIONS  
(Continued)

	Fiscal Year 1970		
	General Revenue	Other Funds	Total
Texas Youth Council:			
Central Office	\$ 1,068,415		\$ 1,068,415
Half-way House	150,000		150,000
Reserve Fund	25,000		25,000
Educational Stipends	10,000		10,000
Building and Repair Program	8,840,877		8,840,877
Gatesville School for Boys	4,508,758		4,508,758
Mountain View School for Boys	1,331,994		1,331,994
Brownwood School for Girls	429,937		429,937
Gainesville School for Girls	1,100,571		1,100,571
Crockett State School for Girls	571,994		571,994
Waco State Home	807,458		807,458
Corsicana State Home	817,788		817,788
West Texas Childrens Home	747,693		747,693
Total, Texas Youth Council	\$ 20,410,485		\$ 20,410,485

RECAPITULATION, ARTICLE II

PUBLIC HEALTH, HOSPITALS, SPECIAL SCHOOLS AND YOUTH INSTITUTIONS  
(Continued)

	Fiscal Year 1971		
	General Revenue	Other Funds	Total
Texas Youth Council:			
Central Office	\$ 1,090,831		\$ 1,090,831
Half-way House	150,000		150,000
Reserve Fund	25,000		25,000
Educational Stipends	10,000		10,000
Building and Repair Program	U.B.		U.B.
Gatesville School for Boys	4,619,416		4,619,416
Mountain View School for Boys	1,362,383		1,362,383
Brownwood School for Girls	639,872		639,872
Gainesville School for Girls	1,126,279		1,126,279
Crockett State School for Girls	583,629		583,629
Waco State Home	824,764		824,764
Corsicana State Home	838,063		838,063
West Texas Childrens Home	765,929		765,929
Total, Texas Youth Council	\$ 12,036,166		\$ 12,036,166

#### 4. JUVENILE INSTITUTIONS

##### a. Historical Development

As noted in Section II, The Texas Youth Council has the largest responsibility for juvenile correctional institutions in the State. The lack of adequate detention facilities planned and operated specifically for juveniles in the State, is one of the most glaring deficiencies in the State correctional system for juveniles. There are less than one dozen counties in the State that provide separate juvenile detention facilities other than the county jail. While the statute does not prohibit placing children in jails for adults, it does specifically state, and has for years, that they should be segregated from the adult offender. Historically, Texas has been far behind in the creation of separate juvenile detention facilities for children who must be detained for various reasons, such as the nature of their offense, run-aways from other jurisdictions, and pending their return to other jurisdictions, inability to locate parents after an arrest of a child, and etc.

##### b. Detention Administration

As referred to in other sections of this Plan, many of the jails in the State of Texas are inadequate for

the confinement of adults, to say nothing of the confinement of children who have been charged with an offense under Article 2338-1, Vernon's Annotated Texas Statutes. As noted in other sections of this plan, there are as many varied juvenile probation departments as there are counties, with some counties completely lacking any juvenile probation services. In those counties that are fortunate enough to have separate facilities for detention for the juveniles, whether it be known as a juvenile home, detention center, or detention home, again we find fragmented administration. A detention facility that is a warehouse type of facility, with no program, no educational facilities, no real direction, is just as poor as a county jail system that has a separate section for juvenile offenders.

c. Local Training Institutions

With the exception of privately endowed and financed homes for boys, such as boys ranches, boys towns, etc., there is an absence of local training institutions for a juvenile with the exception of two counties. The reason that this situation exists as it does, is the high expense involved in operating and maintaining a boys' or girls' training school at the local level. A training school per se, without proper financing for a competent staff, can do more damage to a child, than it can help in a rehabilitative way.



## 5. ADULT PROBATION

### a. Historical Development

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

In 1947, an Adult Probation Law was enacted providing for conditions of supervision, and this Law was in force along with the old suspended sentence law. The judge or jury could avail themselves of 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 enabling legislation to permit them to hire county probation officers, and with such enactment the first professional probation officers were employed.

With the passage of the "Adult Probation and Parole Law" of 1957 (Art. 781d C.C.P.) all Texas counties were authorized

probation officers to be hired at the discretion of the Commissioner's Court with funds to be provided from the general fund of counties.

The present Act enacted in 1965 (Art. 42.12 C.C.P.) repealed the old suspended sentence law in its entirety and provided for probation in all felony cases where punishment assessed did not exceed ten years, and for misdemeanors (Art. 42.13 C.C.P.) with certain restrictions, with the power to grant probation given to both judge and juries. The act places the responsibility for probation with the counties and there is no provision for State aid.

The Act authorizes district judges having jurisdiction of criminal actions to appoint, with the advice and consent of Commissioner's Court, probation officers and to designate their duties and fix their salaries. The probation officer should be charged with the responsibility of conducting pre-sentence investigations. However, in too many instances the judges of the various criminal courts throughout the State do not require a pre-sentence investigation prior to placing a person on probation. It is frequently the practice of too many judges to hand down a probated sentence without any background information available on which to base this decision.

A probation officer also is charged with the responsibility to supervise and outline a program that will help rehabilitate those persons who have been placed on probation and through case work services, to make sure the terms of probation set out by the judge of the criminal court involved are enforced to the letter. If they are not enforced, the probation officer is charged with the responsibility of going to the district attorney and requesting that a motion for revocation for probation be initiated.

b. Qualifications and Caseloads

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

There are now more than 150 Adult Probation Officers in Texas. Some of these officers in the smaller counties supervise juveniles as well as adults. Of the 254 counties, 102 have adult probation services. All of the major population areas are covered with the exception of El Paso County which

has no officers. It was stated as the intent of the law that the caseload of each probation officer not substantially exceed 75 probationers.

No designated State agency is responsible for adult probation. As an example of caseloads, Travis County with a population of 250,000 has 596 individuals under supervision for felonies, and 400 for misdemeanors. At a recent conference, officers reported caseloads ranging from 150 to 325, far exceeding the statutory intent.

c. Demonstration Project

In 1968 a demonstration project was developed using local and Federal funds for the "Texas Adult Probation Project" in a six-county region centered in Travis County. The goal of the project is to demonstrate the effectiveness of the program to encourage the Legislature to provide a form of State support. In a population area of about 350,000, the project is supervising 901 felony probationers and 403 misdemeanor probationers.

6. JUVENILE PROBATION

a. Historical Development

Texas enacted its first Juvenile (delinquency) Court Act in 1907, which provided permissively for probation officers. The present Juvenile Court Act was passed in 1943 Art. 2338-1 V.A.C.S. and is based upon the concept of "Parens Patriae" which had been adopted as the fundamental principle of juvenile court procedure throughout the United States.

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

They are:

- habitual violators of any penal law of this State of the grade of misdemeanor where the punishment prescribed for such offense is by pecuniary fine only; or
- habitual violators of any penal ordinance of a political subdivision of this State; or
- habitual violators of a compulsory school attendance law of this State; or
- habitual deportment to injure or endanger the morals or health of himself or others; or

--habitual associate of vicious and immoral persons.

In addition, recent statutory changes have provided for "Discretionary Transfer" of children from the juvenile court to the adult court. This is for boys 15 and 16 years old, and in the case of girls 15 through 17 years old, who at the discretion of the judge of the juvenile court, can transfer their cases, preferably on a motion by the prosecuting attorney to an adult court for their consideration. The case can then be presented at an examining trial, presented to a grand jury, and tried in the adult court, or can, by the adult court or the grand jury, be transferred back to the juvenile court for disposition. In the event that it is transferred back to the juvenile court for disposition, there can, at no other date, be any criminal action taken for the same offense after the child reaches adult age.

Each county in Texas has a court of record designated as a juvenile court. In most counties this is the county probate 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 and the remainder have part-time district or county courts. The

The statutory courts are not part of the State judicial system but are funded by local commissioners courts from the general funds of counties.

Beginning in 1919, Texas began enacting "bracket and local" statutes which provided for juvenile probation officers. Some of the statutes are permissive and some mandatory. The statutes use the terms "juvenile officer" and "probation officer" interchangeably. In actual practice, as of today, 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 assigned to a juvenile court and his principal duties are casework.

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 of counties for the necessary staff, or for the staff designated in the local law.

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

served as school attendance officers or as adult probation officers.

b. Professionalization and Compensation

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 degree in a behavioral science and some try to recruit workers with master's degrees in social work. Some departments have additional staff such as attorneys, special investigators, and psychologists. In an effort to upgrade correctional services, the Legislature in House Resolution No. 469, created in 1965 the Institute of Contemporary Corrections and the Behavioral Sciences at Sam Houston State College in Huntsville.

Salaries for juvenile probation officers are set by Commissioner's Courts. They range from about \$4,000 per annum to about \$14,000. All monies for juvenile probation services come from the general fund 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. The budgets range to approximately \$1 million for larger counties.

c. Extent of Juvenile Delinquency

Until the 1970 census has been completed, there can be no current realistic determination made estimating the



number of juvenile delinquents in Texas. Texas does not have a mandatory reporting system for juvenile delinquency activities in each of the counties in the State. There will never be a clear-cut picture of the extent of juvenile delinquency until such mandatory reporting is required.

There does seem to have been an increase in juvenile delinquency, but apparently in proportion to the estimated increase of children in the juvenile group. As more families move to urban areas, the population of the juvenile delinquency age bracket continues to increase. However, the alarming part of the increase of juvenile delinquency is not so much of the child himself being referred one or more times, but the type and nature of the offense for which the child is referred. Drug abuse and narcotics, based on a random sampling of probation departments throughout the State, apparently has been on a terrific increase. This is followed again, by a random sampling throughout probation departments in Texas, of an increase in the nature and act of the offense committed. There apparently are more violent acts, such as shootings, stabbings, and armed robbery existing in the juvenile field now than there have been in the past.

One urban probation department reported that they had a three to five percent increase in juvenile delinquency in 1969, as compared to 1968, however, there have been a four-hundred percent increase in drug abuse and narcotic offenses that have been referred to them. This was verified by this urban pro-

bation department, through the juvenile section of the sheriff's  
office and police department.

## 7. BOARD OF PARDON & PAROLE

### a. Historical Development

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

The present Board was created by a Constitutional Amendment of 1936 and is composed of three members, with term of office set at six years. 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--subject to the advice and consent of two-thirds of the members of State Senate and each for a six-year term. It has been a 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 which 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" (Art. 781d C.C.P.). 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 (Art. 42.12 C.C.P.) 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 and four area offices serving from 30 to 101 counties and 27 field offices and the institutional office. Each area office is headed by an area supervisor, and there are 69 field parole officers. In addition, 18 employees do clerical and office work in these area offices. The Institutional unit has 11 parole officers and eight clerical employees under the Institutional supervisor who compile data, investigate and interview inmates for the Board.

b. Personnel

The qualifications of a parole officer are: 26 to 55 years of age, with four years of successfully completed education in an accredited college, and two years of full time paid employment in responsible correctional work with adults or juveniles, social welfare work, teaching or personnel work.

c. Budget

The total appropriation to the Board for the fiscal year

end August 31, 1969, was \$1,244,051.00. The Administrative Division's expenditures for the period was \$218,605.00. The Division of Parole Supervision's expenditure for the fiscal year was \$970,177.00. The appropriations for FY 1970 and 1971 follows:

BOARD OF PARDONS AND PAROLES

	For the Years Ending	
	August 31, 1970	August 31, 1971
Out of the General Revenue Fund:		
Personal Services--		
1. Board Members, 3 at \$18,000	\$ 54,000	\$ 54,000
2. Salaries of Classified Positions	1,038,178	1,073,476
3. Seasonal Help	2,000	2,000
Total, Personal Services	\$ 1,094,178	\$ 1,129,476
Other Expenses--		
4. Travel	154,160	154,160
5. Consumable supplies and materials, current and recurring operating expense (excluding travel expense), and capital outlay	73,897	71,409
GRAND TOTAL, BOARD OF PARDONS AND PAROLES	<u>\$ 1,322,235</u>	<u>\$ 1,355,045</u>

d. Statistics

All inmates paroled have served more than the minimum time required by law. Sixty-three percent serve all of their sentence without parole. More than 90 percent of those paroled are in good standing or have successfully completed parole. Ten percent of the paroles were revoked in 1969. The Board estimates that the cost of parole is one-fourth that of incarceration of \$273 per year compared to \$1,152.

The Board supervised a total of 6,575 individuals during the year 1969. In addition, they supervised 620 parolees and 579 probationers from other states. There were 677 paroles revoked during the year. Of more than 35,900 individuals who have been released on parole during the past 22 years, 29 percent have violated and clemency has been revoked. During the year, 11,606 cases were considered for parole, 8,328 recommendations were made to the Governor and 7,956 or 96% were granted.

DEPARTMENT OF CORRECTIONS

For the Years Ending  
 August 31, 1970      August 31, 1971

Out of the General Revenue Fund:

Personal Services--

1. Per Diem of Board Members	\$ 3,000	\$ 3,000
2. Director (full emoluments)	27,500	27,500
3. Assistant Director (full emoluments)	18,500	18,500
4. Assistant Director for Business (full emoluments)	18,000	18,000
5. Assistant Director for Treatment (full emoluments)	18,000	18,000
6. Assistant Director for Agriculture (full emoluments)	18,000	18,000
7. Assistant Director for Construction (full emoluments)	18,000	18,000
8. Assistant Director for Industries (full emoluments)	18,000	18,000
9. Supervisor Food Services (full emoluments)	11,500	11,500
10. Medical Director (emoluments)	20,000	20,000
11. Psychiatrists (emoluments) NTE \$17,000	34,000	34,000
12. Physicians (emoluments) NTE \$20,000	120,000	120,000
13. Supervisor Anesthetist	14,000	14,000
14. Dentist (emoluments) NTE \$13,500	81,000	81,000
15. Dental Technician	8,300	8,300
16. Pharmacist	13,500	13,500
17. Pathology Technician	11,000	11,000
18. Optometrist	11,000	11,000
19. Salaries of Classified Positions (non-custodial)	3,518,820	3,638,460
20. Salaries of Classified Positions (Custodial Officers)	8,763,419	9,061,375
21. Intern Program	<u>75,000</u>	<u>75,000</u>
Total, Personal Services	\$ 12,820,539	\$ 13,238,135
22. Vocational-Technical Education--for salaries, wages, travel and other expenses	200,000	200,000
23. Consumable supplies and materials; current and recurring operating expense, including rewards; inquests; uniforms; medical expense of employees injured in line of duty; reimbursement of revolving funds; maintenance and operation of one airplane; capital outlay, including passenger cars; and contingencies	7,424,211	7,557,868
24. Center for continuing education in corrections	\$ 700,000	\$ 600,000 & U.B.
25. Building Appropriation		
A. Completion of Stage IV and part of Stage V at the Coffield Unit	1,100,000	400,000
B. Build levee at Ellis Unit	<u>500,000</u>	<u>          </u>
GRAND TOTAL, DEPARTMENT OF CORRECTIONS	<u>\$ 22,744,750</u>	<u>\$ 21,996,003</u>

## 8. JUVENILE PAROLE

### a. Historical Development

The first State-financed juvenile parole program in Texas began September 1, 1961. The 57th Legislature provided funds for the Texas Youth Council to create a division of parole supervision with a director to be headquartered in the Central Office in Austin with five parole officers to be located in the five large cities of the State.

Prior to this time, courtesy supervision had been provided by volunteers and county officials. Juvenile parole had been designated a responsibility of the State since the creation of the Texas Youth Development Council in 1949, but no funds had been appropriated by the Legislature for its implementation.

The Texas Youth Council was created in 1957 (Art. 5153d V.A.C.S.) and charged with the responsibility of administering the State's facilities for delinquent children, providing a program of constructive care, treatment, education and training aimed at the rehabilitation and reestablishment in society of children adjudged delinquent by the courts of Texas and committed to the Council, and providing active parole supervision of delinquent children released from the State training schools.



The Texas Youth Council consists of a three-member, policy-making board appointed by the Governor of Texas with the consent of the State Senate. They 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 upon the Council by any provision of law. The Council is responsible for the State training schools for delinquent children, the juvenile parole program, a program providing consultation to communities in the area of delinquency and crime prevention, and for gathering state-wide juvenile court statistics.

b. Personnel

As of August 31, 1969, the TYC had 43 officers supervising boys in 174 counties and girls in 105 counties of the 254 counties in Texas. Six of these were supervisors, 11 were officers working with girls and 26 officers were working with boys. Four new officers were employed in fiscal year 1969 to supervise boys in 254 counties and girls in 184 counties. In regard to distribution throughout the State the areas ranged from six officers assigned to offices in the two most populated counties, Harris and

Dallas, while in the less populated areas one officer covers a multi-county region.

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.

c. Budget

The total operating budget of the TYC for the fiscal year ending August 31, 1969, was \$11,406,775. The funds for parole supervision were included in the central office allocation of \$3,217,975. The central office salary fund was \$505,297 for parole.

d. Statistics

Again, at submission of this plan, statistics are not readily available from the Texas Youth Council on their parole release and revocation program. One of the glaring and alarming situations in the parole field is when a juvenile court finds it necessary to remove a child from his home and place him in a State training institution. There is no follow-up work in the environmental situations that so frequently causes the juvenile delinquent act in the first instance. Therefore, when a child has gone through a course of training and rehabilitation in a Texas Youth Council facility, too frequently, he is returned at the time

of his parole to the same environmental situation that caused his confinement in the first place.

Until such time that Texas can conceive a system whereby a concerted effort can be made in alleviating the environmental problems while the child is in an institution, there will be a constant rate of recidivism for the parolee in the State training schools.

D. OTHER RESOURCES

1. GOVERNOR

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

The Governor conducts in person, or in such manner as is 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 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.

GOVERNOR'S OFFICE

For the Years Ending  
 August 31, 1970      August 31, 1971

Operational Services--

1.	Governor	\$ 55,000	\$ 55,000
2.	Lieutenant Governor while Acting Governor	10,000	10,000
3.	Executive Assistant	26,500	26,500
4.	Salaries of Administrative Assistants, Classified Positions, part-time and seasonal help, travel expense (including expenses of the Secretary of State and Lieutenant Governor when traveling for the Governor), consumable supplies and materials, current and recurring operating expenses, capital outlay, operation and maintenance of State-owned Executive aircraft, expenses incident to operation of the Division of Federal-State Relations, and other expenses for which no other provisions are made	1,043,877	1,061,859
5.	Mansion Expenses, including salaries of classified positions, wages, contractual services for housekeeping, consumable supplies and materials, current and recurring operating expenses and capital outlay	<u>60,000</u>	<u>60,000</u>
	Total, Operational Services	\$ 1,195,377	\$ 1,213,359

Program Services--

6.	Contributions incident to memberships (including Interstate Oil Compact Commission, Compact on Education, Council of State Governments, and Multi-State Compact)	115,000	115,000
----	--	---------	---------

GOVERNOR'S OFFICE  
(Continued)

For the Years Ending  
August 31, August 31,  
1970 1971

<p>7. To provide from the General Revenue Fund assistance to metropolitan and rural regional planning agencies exercising the planning functions, including but not limited to planning for balanced transportation both inter-city and intra-city, authorized by Chapter 570, Acts of the Fifty-ninth Legislature, Regular Session, 1965, as amended, and for administrative expenses (including salaries, printing and travel) relating to services to the regional planning agencies. A grant made under this appropriation shall not exceed local funds available to the recipient agency</p>	\$ 600,000	\$ 700,000 & U.B.
<p>8. State Office of Economic Opportunity: For payment of salaries and wages of exempt and classified positions, professional fees and services, part-time and seasonal help, travel, consumable supplies and materials, current and recurring operating expenses, capital outlay and all other activities for which no other provisions are made</p>	84,000	86,000
<p>9. Deficiency Grants: For the payment of claims arising prior to the convening of the next Legislature by the Governor in accordance with Article 4351, R.C.S., and for grants to aid in cases of disasters, the need for, and the amount of such aid to be determined by the Governor, and for other purposes needed in the operations of State Departments and agencies, including legal defense of officials and employees</p>	200,000	U.B.
<p>10. Governor's Committee on Aging: For payment of salaries of exempt and classified positions, professional fees and services, part-time and seasonal help, travel, consumable supplies and materials, current and recurring operating expenses, capital outlay, service projects in accordance with the provisions of Title III of the Older Americans Act of 1965, and for all other activities for which no other provisions are made, the following sums are appropriated: General Revenue Fund Federal Funds, estimated to be</p>	25,000 440,000	25,000 440,000

GOVERNOR'S OFFICE  
(Continued)

For the Years Ending  
August 31,                      August 31,  
1970                                      1971

11. To provide from the General Revenue Fund for special planning projects and studies including but not limited to Comprehensive Health Planning, Texas Criminal Justice Council, Coastal Resources Study, State Economic Study, Manpower Development, and Governor's Committee on Human Relations, including salaries of exempt and classified positions, professional fees and services, part-time and seasonal help, travel, consumable supplies and materials, current and recurring operating expenses, capital outlay, planning grants, and all other activities for which no other provisions are made	\$ 585,000	\$ 644,728 & U.B.
12. For payment in emergencies to National Guard troops	<u>150,000</u>	<u>U.B.</u>
Total, Governor's Office	\$ 3,394,377	\$ 3,224,087
Less Estimated Other Funds	<u>440,000</u>	<u>440,000</u>
Net General Revenue	<u>\$ 2,954,377</u>	<u>\$ 2,784,087</u>

Notwithstanding the provisions of this Act relating to the Position Classification Plan, the Governor may, at his discretion, determine the step within the salary pay group for compensation for personnel employed in the Governor's Office under the Position Classification Plan. Funds appropriated above for salaries of classified positions may be expended to employ personnel in classified positions listed in Article V of this Act.

The appropriations made above to the State Office of Economic Opportunity shall be used to match Federal funds in accordance with the provisions of the Federal Economic Opportunity Act of 1964.

## 2. ATTORNEY GENERAL

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

The Attorney General, as chief legal officer of the State, is elected for a term of two years and receives an annual salary of \$29,000.

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

Furnishing legal advice to various officials and agencies is one of the most important constitutional powers of the Attorney General. Although opinions of the Attorney General are not binding upon the judiciary, it has been



repeatedly held by the courts of Texas that opinions of the office are persuasive to the courts. Moreover, problems which are the subject of official opinions often are not litigated, and such opinions thus stand as the highest available interpretation of existing law.

Although the Constitution does not confer upon the Attorney General the authority to institute criminal proceedings or to represent the State in criminal proceeding, 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.

a. Law Enforcement Division

The Attorney General has established--as one of the many divisions of his office--the Law Enforcement Division. The primary function of this division is to represent the State of Texas: (1) in criminal proceedings before the United States Supreme Court, and (2) in writs of habeas corpus (after final conviction) before any court. This division represents the following state agencies in the following respect:

(1) Texas Department of Corrections:

- Habeas Corpus
- Civil Rights Suits
- Defense of Damage Suits
- Consultation with Director of TDC

- (2) Texas Board of Pardons and Paroles:
  - Questions concerning the granting of a pardon or a parole regarding time served
  - Consultation with members of the Board
- (3) Texas Parks and Wildlife Department:
  - Enforcement matters
  - Consultation with members of the Board
  - Defense of Damage Suits
- (4) Texas Board of Medical Examiners:
  - File injunction and contempt proceedings concerning the practice of medicine without a license
  - Consultation with members of the Board
- (5) Alcoholic Beverage Commission
  - Appeals from Administrative Orders
  - Injunctive and declaratory judgment suits
  - Forfeitures
  - Collection of delinquent fees and taxes
  - Preparation of Bonds
  - Advise the Administrator and Board
  - Attendance of Board Meetings
- (6) Texas Department of Public Safety:
  - Suspension of license appeals
  - Contempt proceedings
  - Defend all damage and civil rights suits
  - Consultation with Board Members
- (7) Texas Highway Department:
  - Suits involving Motor Registration
  - Consultation with Board Members
- (8) Texas Youth Council:
  - Habeas Corpus
  - Civil Rights and Damages
  - Juvenile Appeals
  - Consultation with Director and Board Members

- (9) Texas Department of Mental Health and Mental Retardation
  - Habeas Corpus
  - Civil Rights Suits
  - Consultation with Commissioner
- (10) Texas Bureau of Labor Statistics:
  - Suits Involving violations of the Labor Laws
  - Advise the Administrator and Board Members
  - Mobile Home Inspection Act
  - Advise the Boxing and Wrestling Commissioner and handle all law suits.
- (11) Secretary of State:
  - Extradition
  - Consultation with Secretary of State and his staff
- (12) Governor's Office:
  - Extradition
  - Represent the Governor's Office in civil right matters.
- (13) District and County Attorneys:
  - Habeas Corpus Suits whenever we are asked to assist them in pleadings, evidentiary hearings and in rehearings and resentencing of prisoners.
  - Assist them in trials regarding the constitutionality of our State Statutes, i.e., obscenity, Sunday closing laws, sodomy, etc.
- (14) All State Agencies:
  - Injunctive matters pertaining to civil disturbances involving State supported universities and colleges and state agencies.
  - Federal cases attacking the constitutionality of our state criminal laws and civil statutes which might concern any of the above agencies
  - Write opinions.

Seventeen assistant attorney generals are assigned to this division. Increased petitions, during the past several years, for post-conviction relief have materially increased the workload of this division. On January 1, 1969, the Enforcement Division had 733 pending cases on their docket. To date, December 15, 1969, 1051 new cases have been assigned to the division, and presently have 939 active cases. Added to the active cases 126 cases are being held in suspense pending orders of the court. The number of habeas corpus suits being filed account for the increase of law suits being handled by this division; 921 were filed during the calendar year of 1968; 548 during 1967; 451 filed during 1966.

Of the seventeen assistants in the division, one assistant offices in Huntsville, Texas, at the Texas Department of Corrections, wherein he advises the Director in matters of habeas corpus and in other legal matters regarding the Department.

b. Crime Prevention Division

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

- Act as special assistant to the Attorney General on various projects planned by him;
- Act as liaison officer between the Attorney General and all law enforcement agencies throughout the State;

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

- To up-grade the pay schedules and qualifications of all officer personnel;
- To personally assist the law enforcement officers in instigating a better police community relationship;
- To help those responsible for recruiting officer personnel to establish and maintain a better system of training all new officers;
- To combat in every possible manner one of the greatest threats to our society--the rising disregard for the rule of law which is the guarantee of all freedom;
- To make talks to as many organizations as possible in an effort to combat the great lack of respect for authority on the part of the general public.

In the discharge of these duties, it is contemplated that in addition to the personal contacts with the heads of the local law enforcement agencies, it will work with the:

- Texas Police Association
- Sheriffs Association of Texas
- Texas Police Chiefs Association
- County and District Attorneys Association
- Texas Municipal Police Association
- East Texas Peace Officers Association
- Justices of the Peace and Constables Association
- Guadalupe Peace Officers' Association
- Coastal Bend Peace Officers' Association
- Hill County Peace Officers' Association
- North Texas Police Chiefs Association

and any other organization having as its primary purpose the betterment of law enforcement generally and bearing in mind that a distorted image of the police officer weakens law enforcement.

This Division makes approximately 65 speeches each

year to Peace Officers, Justices of the Peace, Constables and Civic Organizations. It processes an average of 160 telephone calls per month from law enforcement officers. It gives 30 to 60 unofficial opinions per month. Lectures on the college level to Peace Officers working on their certifications, and gives general consultation with both county and district attorneys.

At the present time this Division is composed of 3 men, one of which has the duties of First Assistant to the Attorney General.

The Attorney General also sponsors the annual Law Enforcement Conference for the benefit of County Attorneys, District Attorneys, Criminal District Attorneys, County Judges, Judges of the County Criminal Court, Sheriffs, and other law enforcement officials.

The Attorney General of Texas, the Honorable Crawford Martin, is a member of the Criminal Justice Council of Texas.

C. BUDGETARY DATA FOR THE ATTORNEY GENERAL'S OFFICE

For the Years Ending  
 August 31,            August 31,  
 1970                      1971

(1) Out of the General Revenue Fund

1. Attorney General	\$ 29,000	\$ 29,000
2. First Assistant	25,000	25,000
3. Executive Assistant	23,500	23,500
4. Administrative Assistant	22,500	22,500
5. Opinion Committee Chairman	22,500	22,500
6. Assistant Attorney General V and VI, 18 NTE \$22,500	405,000	405,000
7. Salaries of Assistant Attorneys General, NLT \$8,400 - NTE \$20,000	894,436	894,436
8. Salaries of Classified Positions	282,883	292,718
9. Professional fees and services, including amounts necessary for enforcement of Tort Claims Act; and for witness expenses in the investigation, adjust- ment, prosecution and litigation of causes includ- ing travel and per diem expenses not to exceed travel and per diem paid to State employees under the provisions of this Act. Such amounts as may be necessary may be transferred from this item to other items of expenditure for the purpose of en- forcing the Tort Claims Act.	200,000	225,000

ATTORNEY GENERAL'S OFFICE  
(Continued)

10. Travel (including maintenance and/or lease of airplane)	95,000	95,000
11. Consumable supplies and materials, current and recurring operating expenses, rent (excluding travel expense), and capital outlay	100,500	85,000
12. Court Costs (including costs of depositions and court reporters' fees)	<u>100,000</u>	<u>100,000</u>
Total, Out of the General Revenue Fund	<u>\$2,200,319</u>	<u>\$2,220,154</u>

(2) Out of the Attorney General's Operating Fund:

The Comptroller is hereby authorized and directed to transfer the funds hereinafter appropriated to the Attorney General's Office into a special fund in the State Treasury to be known as the Attorney General's Operating Fund, and all transfers, deposits and balances in the Attorney General's Operating Fund are hereby appropriated for the necessary salaries, wages, traveling and operating expenses, including professional services involved in performing the legal responsibilities of the Attorney General's Office.

In addition to positions authorized in the Schedule of Classified Positions, the Attorney General may, in accordance with the provisions of Article V, Section 1, and with the prior approval of the Classification Officer, employ such personnel within the limits of appropriated funds, as are necessary to carry out his legal responsibilities.



ATTORNEY GENERAL'S OFFICE  
(Continued)

	For the Years Ending	
	August 31, 1970	August 31, 1971
13. Out of:		
State Highway Fund, No. 6	14,000	14,000
Game and Fish Fund, No. 9	26,000	26,000
Board of Barber Examiners Fund, No. 40	10,000	10,000
Veterans Land Board Fund, No. 52	22,600	22,600
Medical Registration Fund, No. 55	24,000	24,000
Optometry Fund	10,000	10,000
State Building Fund	17,000	17,000
Professional Engineers Fund, No. 56	17,000	17,000
Insurance Agents License Fund, No. 85	42,000	42,000
Dental Registration Fund, No. 86	5,000	5,000
Board of Hairdressers and Cosmetologists Fund, No. 88	14,000	14,000
Liquor Act Enforcement Fund, No. 97	35,000	35,000
Real Estate License Fund, No. 114	13,000	13,000
Board of Corrections Mineral Fund, No. 272	22,000	22,000
Aircraft Fuel Tax Fund, No. 150	12,000	12,000
	\$ 283,600	\$ 283,600
Total, Out of Special Funds		
GRAND TOTAL, ATTORNEY GENERAL'S OFFICE	\$2,483,919	\$2,503,754

### 3. THE LEGISLATURE OF THE STATE OF TEXAS

The Legislature of the State of Texas was established in 1876 by Article III of the Constitution of the State of Texas. It is composed of a Senate with thirty-one members and a House of Representatives with 150 members, each of whom are elected from their respective districts.

The qualifications are as follows:

--Senators - Twenty-six years of age, a citizen of the United States, a qualified voter, and a resident of Texas for five years and of the district from which elected for one year next preceding his election.

--Representatives - Twenty-one years of age, a citizen of the United States, a qualified voter, and a resident of Texas for two years and the district from which elected for one year next preceding his election.

The terms of office are:

--Senators - Four years (one-half chosen each two years)  
--Representatives - Two years

The compensations are: \$4,800 annually; per diem of \$12 for the first 120 days of each session; secretarial and other office expenses; and travel expenses of \$2.50 for each 25 miles. (from home to Austin and return once only)

The constitution vests all legislative power of the state in a Senate and a House of Representatives which together are called "The Legislature of the State of Texas."

By virtue of his office, the Lieutenant Governor is president of the Senate, with the right to debate and vote on questions in committee of the whole and the right to cast the deciding vote when the Senate is equally divided. The Senate elects one of its members president pro tempore to perform the duties of the Lieutenant Governor during his absence or disability or when the office is vacant. The House of Representatives biennially elects a speaker from its membership as its presiding officer.

Representatives are apportioned among the counties on the basis of population. The general rule is that each district shall contain approximately the number of persons obtained by dividing the population of the state by the number of members in the House. A county may constitute a district by itself, entitled to elect one or more representatives, or it may be joined with one or more contiguous counties to form a district. Also, in the cases of a surplus, a county may be joined with one or more contiguous counties to constitute a district.

The Legislature meets in regular sessions on the second Tuesday of odd-numbered years and in special sessions when convened by the Governor. The length of the regular sessions is limited to a maximum of 140 days. Special sessions

are limited to 30 days, but there is no limitation on the number of special sessions which may be called. Only legislative matters submitted by the Governor may be considered in special session. No constitutional amendments may be taken up.

A constitutional amendment in 1930 divided the regular session into three periods and specified types of business to be considered in each. The first 30 days are set aside for the introduction of bills and resolutions, acting upon emergency appropriations, passing on recess appointees of the Governor and considering emergency matters submitted by the Governor. The second period, also 30 days, is intended for committee hearings on pending business and the consideration of emergency matters submitted by the Governor. The last period, 60 days, is for legislative consideration of pending business and such emergency matters as the Governor may submit. The purpose of the amendment was to minimize the end-of-session rush which characterizes legislative bodies generally, but an escape provision of the amendment has prevented a real test of its usefulness. Either house, the amendment provides, may "otherwise determine its order of business by an affirmative vote of four-fifths of its membership", and every Legislature since the adoption of the amendment has chosen not to follow the designated timetable.

Except when the Senate is in "executive session", all legislative sessions are open. Neither house may, without the consent of the other, adjourn for more than three days, nor to a place other than that where the Legislature is sitting.

Each house functions through committees set up under its own rules, the House usually maintaining a few more regular committees than the Senate. It is customary for the presiding officer of the respective houses to appoint standing, special, and conference committees, although each house is free to designate the method of selection.

Under the Legislative Act of 1961, the committee system was expanded, and provisions were made whereby standing committees, special committees, and general investigating committees created by the respective bodies could function whether the Legislature was in session or not.

In addition to its legislative powers, and powers related thereto, the Legislature is granted certain special powers by the constitution. With the advice and consent of the Legislature, the Governor may grant reprieves, commutations of punishments, and pardons in the case of treason. Finally, two-thirds of the members of each house may at any regular session of the Legislature propose amendments to the

constitution which become effective if adopted by a majority of the voters balloting thereon.

Appointments by the Governor to state and district offices must be confirmed by two-thirds of the Senate present.

4. THE ADJUTANT GENERAL'S DEPARTMENT

The Adjutant General's Department of Texas was established by the Texas Legislature in 1905. (Article 5787, Vernon's Annotated Civil Statutes).

The current Adjutant General's Department replaced the old Office of the Adjutant General which was created first 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 the time of peace, as directed by the Governor.

In the field of law enforcement, the mission of the Department is "On order of the Governor, to provide State military forces to assist civil authorities in preserving peace, order, and public safety. The Adjutant General's Department is a major contribution to State riot and disorder control plans and has developed contingency 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's Department.

The Adjutant General of Texas is appointed by the

Governor with the concurrence of the Senate. The current Adjutant General of Texas, Major General Ross Ayers, is a member of the Texas Criminal Justice Council. 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 nation-wide 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 to otherwise use the State Guard.

The current authorized peacetime strengths of the various components of the Adjutant General's Department and their actual strength as of 31 August, 1969, are shown below:

	<u>Authorized</u>	<u>Actual(8/31/69)</u>
Texas Air Guard	2,775	2,770
Army National Guard	17,237	17,010
Texas State Guard	3,029	2,511

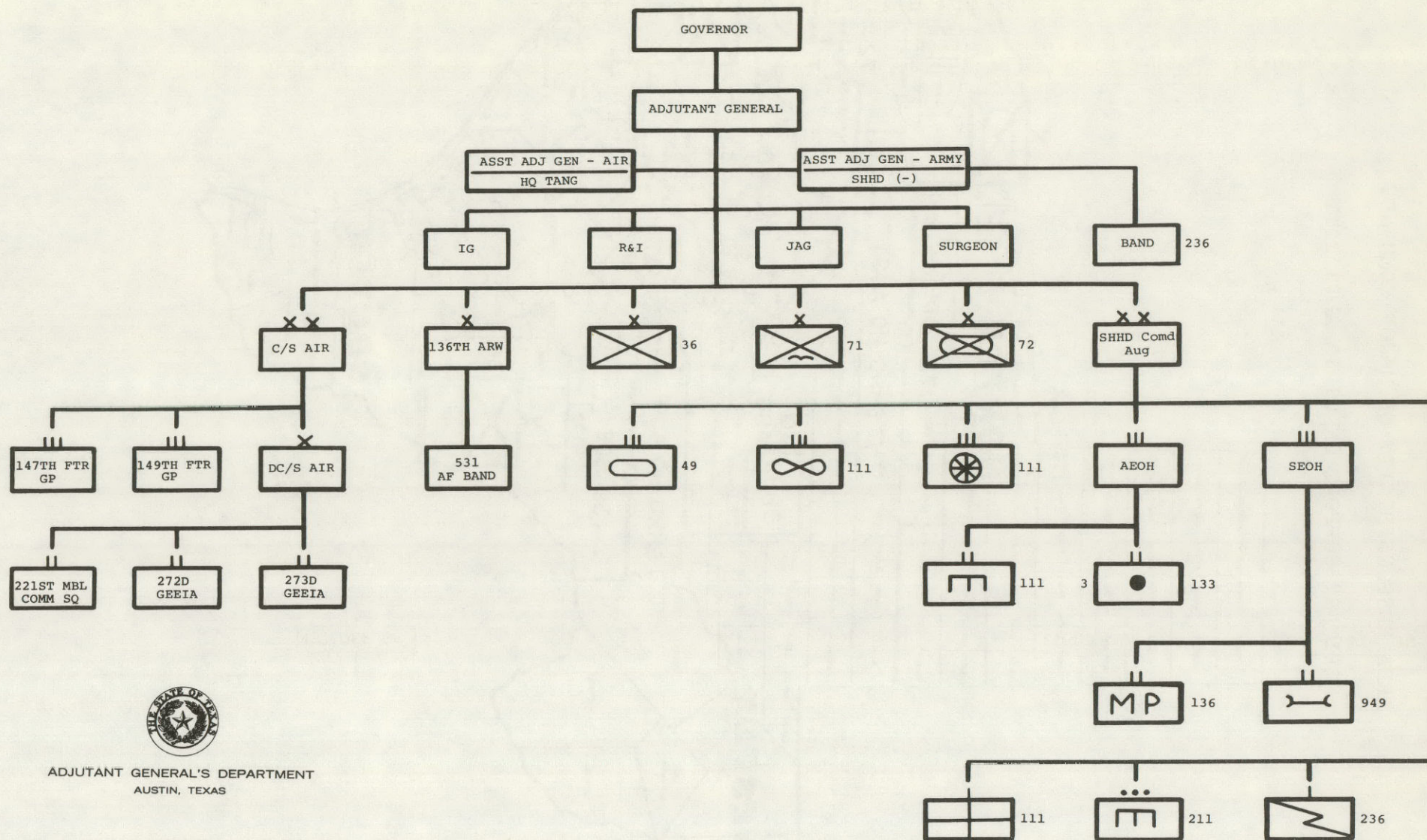
Budget data for the Adjutant General's Department and organizational charts for the National Guard and the State Guard are provided on the following pages.





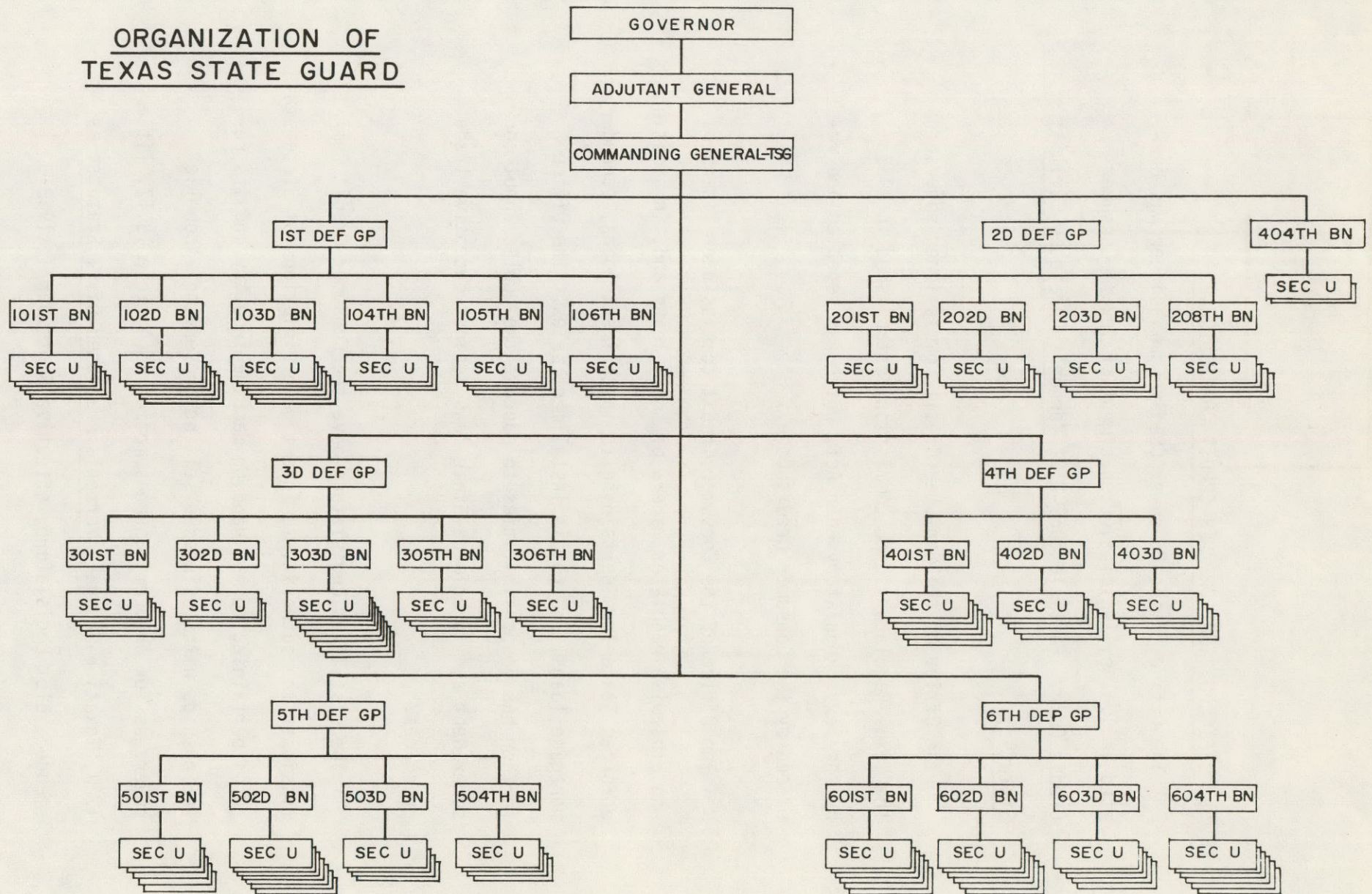
COMMAND ORGANIZATION - TEXAS NATIONAL GUARD

II-137



ADJUTANT GENERAL'S DEPARTMENT  
AUSTIN, TEXAS

ORGANIZATION OF  
TEXAS STATE GUARD



II-138

5. OFFICE OF THE CONSUMER CREDIT COMMISSIONER

The Office of the Consumer Credit Commissioner was created in 1967 by legislative enactment of Texas' 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 Texas Regulatory Loan Act, which was repealed and replaced by the Consumer Credit Code.

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 further has responsibilities to educate the public about consumer debt and to enforce State laws against deceptive trade practices.

The 61st Texas 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 forty-five persons, with twenty of them being examiners stationed in Texas' major metropolitan areas.

The operating budget for the Office of the Consumer Credit Commissioner for the calendar year, 1970, is \$615,711. The Office operates entirely on license and other fees collected as a part of its operations.

## 6. THE TEXAS EDUCATION AGENCY

The Texas Education Agency, was established under the Acts of 1949, 51st Legislature, Acts 1951, 52nd Legislature, and Acts 1953, 53rd Legislature. Section I of this Act states "There is hereby established a Texas Education Agency composed of the State Board of Education, State Board of Vocational Education, The State Commissioner of Education, and the State Department of Education. It shall carry out such educational functions as may be assigned by it by the Legislature, but all education functions not specifically delegated to the Texas Education Agency, shall be performed by the County Board of Education or a District Board of Trustees." While it has been commonly accepted that the school shall teach citizenship, law appreciation, social sciences and other courses, the Legislature in the last legislative session, through House Bill number 467, required the Texas Education Agency to create a curriculum for grades five through twelve on the dangers of crime and drug abuse and created a commission to administer this program. It is with this last legislative action that we are now concerned with in this Plan. All assistance available should be given the Texas Education Agency in creating this curriculum to

be presented in grades five through twelve on a continuing basis in the public schools of Texas.

The Vocational Rehabilitation section of the Texas Education Agency, by action of the last Legislature, was removed from the Texas Education Agency and is now a State Agency of and unto itself. However, it is essentially important that both of these agencies work in the closest coordination with each other and other agencies throughout the State of Texas, to accomplish the purposes as envisioned by the Legislature in combating crime and drug abuse throughout the State.

7. TEXAS DEPARTMENT OF MENTAL HEALTH AND MENTAL RETARDATION

House Bill 3, Acts of the 59th Texas Legislature created and established the Texas Department of Mental Health and Mental Retardation, effective September 1, 1965. Prior to this time, the program of services for the mentally ill and the mentally retarded was divided between the Board for Texas State Hospitals and Special Schools and the Texas State Department of Health. House Bill 3 transferred the Division of Mental Health, Texas State Department of Health to the new Department, which superseded the Board for Texas State Hospitals and Special Schools, and named the Commissioner of Mental Health and Mental Retardation as the State's Mental Health Authority. The Department moved, then, from an institution - management orientation to a broader perspective of total services concerned with research, prevention, and detection of mental disorders and disabilities and all services necessary to treat, care for, control, supervise, and rehabilitate the mentally disordered and mentally retarded throughout the entire State of Texas.

Senate Bill 465, Acts of the 61st Texas Legislature, Regular Session, 1969, effective September 1, 1969, further defined the responsibilities and functions of the new Department by clarifying the Department's role in the delivery of mental health services, recognizing departmental facilities not previously recorded in House Bill 3, authorizing the new Department to provide mental



health and mental retardation services through the operation of halfway houses, community centers, sheltered workshops, and other mental health and mental retardation services programs, and clarifying the relationship with community centers for mental health and mental retardation services.

The Texas Department of Mental Health and Mental Retardation consists of a Texas Board of Mental Health and Mental Retardation, a Commissioner of Mental Health and Mental Retardation, a Deputy Commissioner for Mental Health Services, and a Deputy Commissioner for Mental Retardation Services. The nine (9) Board members are appointed by the Governor, subject to confirmation by the Senate. The Chairman of the Board is designated by the Governor. Each three (3) Board members serve six (6) year overlapping and staggered terms.

Functions of the Department are stated in the law, "to provide for the conservation and restoration of mental health among the people of this State, and toward this end to provide for the effective administration and coordination of mental health services at the state and local level, and to provide, coordinate, develop, and improve services for the mentally retarded persons of this State to the end that they will be afforded the opportunity to develop their respective mental capacities to the fullest practicable extent and to live as useful and productive lives as possible." The law further "declares

that the public policy of this State is to encourage local agencies and private organizations to assume responsibility for the effective administration of mental health and mental retardation services, with the assistance, cooperation and support of the Texas Department of Mental Health and Mental Retardation created by this Act."

To fix the responsibility for alcoholism and drug addiction programs, the law defines "mental health services" as "including persons mentally disordered and disabled from alcoholism and drug addiction." (Underlining added.)

The Texas Department of Mental Health and Mental Retardation is authorized by law to "establish research institutes devoted to research and training in support of the development and expansion of mental health and mental retardation services in this State."

The Texas Research Institute for Mental Sciences, located in Houston, is one of the leading institutions in the world in research in the fields of drug addiction, alcoholism, causes of mental retardation, and community organization. Research in these areas is constant at the Institute and research in the pharmacology of drugs represents a major contribution to the fields of mental health and mental retardation from this facility. One of the principal divisions of the Texas Research Institute involves prevention and causes of crime and delinquency.

The Texas Department of Mental Health and Mental Retardation maintains close ties with the Texas Department of Corrections and

the Texas Youth Council and, working through the research facilities of the Texas Research Institute, is concerned with research into recidivism -- delinquency behavioral problems and psychiatric disorders in children and adults. The Department is legally responsible for the maximum security unit for the criminally insane, which is part of the Rusk State Hospital in East Texas.

The Department has developed a highly sophisticated data processing mechanism for the collection of epidemiologic and statistical data relating to mental disorders and mental retardation. Assisted and supported by an office of Program Analysis and Statistical Research, the Department has been collecting, storing, refining, and reporting data on the mentally ill, the mentally retarded, patients hospitalized for mental disorders due to drug addiction and alcoholism for almost two years. The data processing facilities recently moved from an IBM 360/40 to an IBM 360/50, which will permit state-wide terminals for teleprocessing and, before the end of 1970, will be in a position to implement and assist in patient movements and reporting through records linkage procedures on a state-wide basis.

The following facilities and institutions are currently a part of the Department:

- (1) The Central Office of the Department;
- (2) The Austin State Hospital;
- (3) The San Antonio State Hospital;

- (4) The Terrell State Hospital;
- (5) The Wichita Falls State Hospital;
- (6) The Rusk State Hospital;
- (7) The Big Spring State Hospital;
- (8) The Confederate Women's Home;
- (9) The Kerrville State Hospital and its Legion Annex;
- (10) The Vernon Center and Annex;
- (11) The Austin State School and its Austin State School Annex;
- (12) The Travis State School;
- (13) The Mexia State School;
- (14) The Abilene State School;
- (15) The Lufkin State School;
- (16) The Richmond State School;
- (17) The Denton State School;
- (18) The Corpus Christi State School;
- (19) The Lubbock State School;
- (20) The Texas Research Institute of Mental Sciences;
- (21) The Dallas Neuropsychiatric Institute for Treatment Research and Teaching;
- (22) The Beaumont State Center for Human Development;
- (23) The Amarillo State Center for Human Development;
- (24) The Fort Worth State Mental Health Out-patient Clinic;
- (25) The Dallas State Mental Health Out-patient Clinic;
- (26) The Rio Grande State Center for Mental Health and Mental Retardation;

(27) The San Angelo Center;

(28) The Leander Rehabilitation Center.

Dr. John Kinross-Wright, Commissioner, Texas Department of Mental Health and Mental Retardation, is also a member of the Texas Criminal Justice Council.

DEPARTMENT OF MENTAL HEALTH AND MENTAL RETARDATION

For the Years Ending  
August 31, August 31,  
1970 1971

Central Office

1. Commissioner of Mental Health and Mental Retardation (plus house, utilities and maid, and \$9,000 supplement from other sources)	\$ 27,500	\$ 27,500
2. Assistant to Commissioner	25,000	25,000
3. Assistant to Commissioner	24,000	24,000
4. Deputy Commissioner, Mental Health Services	25,000	25,000
5. Director of Children and Adolescent Services	24,000	24,000
6. Deputy Commissioner, Mental Retardation Services (plus \$5,000 supplement from other sources)	25,000	25,000
7. Director, Automatic Data Processing (plus \$5,000 supplement from other sources)	22,500	22,500
8. Director for Manpower and Training	22,500	22,500
9. Director for Planning and Program Development	22,500	22,500
10. Unit Directors, 2 NTE \$23,000	46,000	46,000
11. Section Chiefs, 10 NTE \$17,500	170,000	170,000
12. Staff Assistant	11,500	11,500
13. Staff Services Assistant	9,100	9,100
14. Salaries of Classified Positions	1,088,573	1,125,584
15. Professional Fees and Services	30,000	30,000
16. Seasonal Help	2,400	2,400
17. Travel Expense	81,600	81,600

DEPARTMENT OF MENTAL HEALTH AND MENTAL RETARDATION  
(Continued)

	For the Years Ending August 31, 1970	August 31, 1971
18. Maintenance and operating expenses of one airplane (including salaries, travel expense, and all other expenses necessary for the operations of such airplane)	\$ 20,000	\$ 20,000
19. Other Operating Expenses, including maintenance and repairs, court costs, \$25 per diem for Board members, capital outlay and all other activities for which no other provisions are made (including Legal and Claims Division), but excluding airplane maintenance and operating expenses	690,000	690,000
20. For all necessary expenses for the initiation of a pilot program in the study and treatment of drug abuse	<u>125,000</u>	<u>125,000</u>
Subtotal	<u>\$ 2,492,173</u>	<u>\$ 2,529,184</u>
<u>Legal and Claims Division</u>		
21. Chief of Legal and Claims Service	\$ 18,000	\$ 18,000
22. Chief Claims Officer	15,000	15,000
23. Salaries of Classified Positions	388,415	422,639
24. Seasonal Help	4,000	4,000
25. Travel Expense	<u>27,500</u>	<u>27,500</u>
Total, Legal and Claims Division	<u>\$ 452,915</u>	<u>\$ 487,139</u>
26. <u>Regional Programs Division</u>	<u>\$ 749,362</u>	<u>\$ 691,362</u>
Total, Department of Mental Health and Mental Retardation	<u>\$ 3,694,450</u>	<u>\$ 3,707,685</u>
Less Grant Funds, estimated	<u>558,000</u>	<u>500,000</u>
Net General Revenue Appropriation	<u>\$ 3,136,450</u>	<u>\$ 3,207,685</u>

RECAPITULATION, ARTICLE II

PUBLIC HEALTH, HOSPITALS, SPECIAL SCHOOLS AND YOUTH INSTITUTIONS

	Fiscal Year 1970		
	General Revenue	Other Funds	Total
Department of Mental Health and Mental Retardation	\$ 3,136,450	\$ 558,000	\$ 3,694,450
Dallas Mental Health Out- patient Clinic	189,617	88,000	277,617
Fort Worth Mental Health Outpatient Clinic	186,220	42,000	228,220
Rio Grande State Center for Mental Health and Mental Retardation	495,496	32,000	527,496
Contract Treatment Services and State Grants-in-aid	4,500,000		4,500,000
Amarillo State Center for Human Development	349,678		349,678
Beaumont State Center for Human Development	379,444		379,444
Demonstration Programs-- Half-way Houses	134,400		134,400
Training Program	300,000		300,000
San Angelo Center	1,000,000		1,000,000
Reserve Fund	500,000		500,000
Construction Program	15,650,000		15,650,000
 Subtotal, Department of Mental Health and Mental Retar- dation	 \$ 26,821,305	 \$ 720,000	 \$ 27,541,305
Mental Hospitals and Centers:			
Austin State Hospital	\$ 8,124,026	\$ 225,784	\$ 8,349,810
San Antonio State Hospital	6,269,971	37,600	6,307,571
Terrell State Hospital	6,535,831	39,000	6,574,831
Wichita Falls State Hospital	5,152,002		5,152,002
Rusk State Hospital	4,785,576	141,788	4,927,364
Big Spring State Hospital	2,567,632	138,424	2,706,056
Kerrville State Hospital and Legion Annex	3,418,464	126,772	3,545,236
Vernon Center and Annex	1,887,190		1,887,190
 Subtotal, Mental Hospitals and Centers	 \$ 38,740,692	 \$ 709,368	 \$ 39,450,060
Schools for Mentally Retarded:			
Austin State School and Branch	\$ 5,438,860	\$ 300,000	\$ 5,738,860
Abilene State School	4,915,008	292,036	5,207,044
Denton State School	4,881,516	477,942	5,359,458
Mexia State School	5,255,743	211,178	5,466,921
Travis State School	3,999,820	4,000	4,003,820
Lufkin State School	2,245,181	42,966	2,288,147
Richmond State School	2,108,275	23,029	2,131,304
Lubbock State School	1,381,000		1,381,000
Corpus Christi State School	843,500		843,500
 Subtotal, Schools for Mentally Retarded	 \$ 31,068,903	 \$ 1,351,151	 \$ 32,420,054
Texas Research Institute of Mental Sciences	3,256,235	547,350	3,803,585
 Total, Department of Mental Health and Mental Retar- dation--All Units	 \$ 99,887,135	 \$ 3,327,869	 \$ 103,215,004



RECAPITULATION, ARTICLE II

PUBLIC HEALTH, HOSPITALS, SPECIAL SCHOOLS AND YOUTH INSTITUTIONS  
(Continued)

	Fiscal Year 1971		
	General Revenue	Other Funds	Total
Department of Mental Health and Mental Retardation	\$ 3,207,685	\$ 500,000	\$ 3,707,685
Dallas Mental Health Out- patient Clinic	190,825	92,000	282,825
Fort Worth Mental Health Outpatient Clinic	184,902	48,000	232,902
Rio Grande State Center for Mental Health and Mental Retardation	508,861	32,000	540,861
Contract Treatment Services and State Grants-in-aid	5,500,000		5,500,000
Amarillo State Center for Human Development	359,275		359,275
Beaumont State Center for Human Development	390,004		390,004
Demonstration Programs-- Half-way Houses	134,400		134,400
Training Program	300,000		300,000
San Angelo Center	1,500,000		1,500,000
Reserve Fund	500,000		500,000
Construction Program	7,355,000		7,355,000
Subtotal, Department of Mental Health and Mental Retardation	<u>\$ 20,130,952</u>	<u>\$ 672,000</u>	<u>\$ 20,802,952</u>
Mental Hospitals and Centers:			
Austin State Hospital	\$ 8,297,779	\$ 225,784	\$ 8,523,563
San Antonio State Hospital	6,408,705	37,600	6,446,305
Terrell State Hospital	6,674,235	39,000	6,713,235
Wichita Falls State Hospital	5,267,323		5,267,323
Rusk State Hospital	4,898,882	141,788	5,040,670
Big Spring State Hospital	2,627,213	138,424	2,765,637
Kerrville State Hospital and Legion Annex	3,503,050	130,815	3,633,865
Vernon Center and Annex	1,930,991		1,930,991
Subtotal, Mental Hospitals and Centers	<u>\$ 39,608,178</u>	<u>\$ 713,411</u>	<u>\$ 40,321,589</u>
Schools for Mentally Retarded:			
Austin State School and Branch	\$ 5,579,177	\$ 300,000	\$ 5,879,177
Abilene State School	5,037,660	292,036	5,329,696
Denton State School	5,007,430	449,671	5,457,101
Mexia State School	5,438,189	211,178	5,649,367
Travis State School	4,099,296	4,000	4,103,296
Lufkin State School	2,550,787	18,879	2,569,666
Richmond State School	2,226,953		2,226,953
Lubbock State School	1,687,500		1,687,500
Corpus Christi State School	1,060,000		1,060,000
Subtotal, Schools for Mentally Retarded	<u>\$ 32,686,992</u>	<u>\$ 1,275,764</u>	<u>\$ 33,962,756</u>
Texas Research Institute of Mental Sciences	<u>3,323,835</u>	<u>507,600</u>	<u>3,831,435</u>
Total, Department of Mental Health and Mental Retar- dation--All Units	<u>\$ 95,749,957</u>	<u>\$ 3,168,775</u>	<u>\$ 98,918,732</u>

8. COMMISSION ON LAW ENFORCEMENT OFFICER STANDARDS AND EDUCATION

The Commission was created by act of the 59th Legislature in 1965 to strengthen and improve law enforcement officer training in Texas, and to conduct and encourage research in this field. Policies and standards are set by a Commission composed of twelve members, and these duties are then carried out through the executive director and seven instructional services 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 becomes effective September 1, 1970. Penal sanctions may be invoked against persons taking employment or employing officers who do not meet the minimum standards.

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

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

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

Two consultants are assigned principal duties with junior and senior colleges in the State, providing consultant services to colleges and universities at no cost to the institution. These educational consultants have the primary duties of assisting in implementing degree programs in law enforcement, and in strengthening the existing 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.

With the passage of Senate Bill #10 (codified as Article 4413 (29aa) Vernon's Civil Statutes), police training is mandatory for all officers employed after September 1, 1970. The Texas Commission on Law Enforcement Officer Standards and Education has complete responsibility for this program, and has already instituted the program of certifying officers.

Fiscal Year 1970

General Revenue	Other Funds	Total
\$ 71,320.00	\$ 47,196.00	\$118,516.00

Fiscal Year 1971

General Revenue	Other Funds	Total
\$ 72,364.00	\$ 74,000.00	\$142,364.00

9. LAW ENFORCEMENT OFFICERS - INTERLOCAL ASSISTANCE

The Law Enforcement Officers - Interlocal Assistance Act (Senate Bill number 233, 61st Texas Legislature, effective April 17, 1969, and now cited as Article 999b., Vernon's Annotated Civil Statutes) authorized cities and counties in Texas to make their law enforcement officers (police, marshals, sheriffs, constables) available for assistance to any other city or county in the case of civil disorder or natural disaster.

Law enforcement officers from outside a unit of government become, under provisions of this Act, fully empowered peace officers of the local government which they are assisting and 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 normally employing them; but that government is to be reimbursed upon request by the government assisted.

10. THE TEXAS BOARD OF PRIVATE DETECTIVES;  
PRIVATE INVESTIGATORS, PRIVATE PATROLMEN,  
PRIVATE GUARDS, AND MANAGERS

The Texas Board of Private Detectives, Private Investigators, Private Patrolmen, Private Guards, and Managers was created in 1969 by the Sixty-first Texas Legislature. (Senate Bill number 164, 61st Legislature, effective September 1, 1969, and now cited as Article 4413 (29bb), Vernon's Annotated Civil Statutes.)

The Board is responsible for examining the qualifications of and licensing private detectives, investigator patrolmen, guards, and managers of such services operating in Texas. The Board may deny or revoke licenses for reasons specified in Texas' Private Detectives, Private Investigators, Private Patrolmen, Private Guards and Managers Act. (same citation as above)

Operation as a private detective; investigator patrolman, or guard without license is an offense punishable by fine and or imprisonment. Licensees operating in violation of provisions of the Private Detectives Act are also guilty of offenses punishable by fine and/or imprisonment.

Members of the Board are appointed as follows:

--The Director of the Texas 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, one city or county law enforcement officer
- 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.

Current membership of the Board is as follows:

- The Honorable Crawford Martin; Attorney General of Texas and member of the Texas Criminal Justice Council, ex officio.
- Colonel Wilson E. Speir, Director, Texas Department of Public Safety and member of the Texas Criminal Justice Council, ex officio.
- Mr. Mason Langford, Jr., Chairman of the Board, General Dynamics, Corporation; Houston.
- Chief George W. Bichsel, San Antonio Police Department.
- Mr. Bob Crowder, Captain; Texas Rangers, (retired), Security Couriers, Inc., Dallas.
- Mr. R. C. Taylor, Burns Detective Agency, Houston.
- Mr. M.A. Ruebright, Industrial Security Services, Inc., Houston.

11. TEXAS ORGANIZED CRIME PREVENTION COUNCIL

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

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



Staff aid for the Texas Organized Crime Prevention Council is provided by the Criminal Justice Office, Office of the Governor.

Expenses for the Texas Organized Crime Prevention Council are paid from planning funds available to Texas under the Omnibus Crime Control and Safe Streets Act of 1968 and the applicable State matching monies. The estimated expenditure for the Council during 1970 is \$7,500.

Current members of the Texas Organized Crime Prevention Council are:

1. Colonel Wilson E. Speir, Director, Texas Department of Public Safety - Co-chairman
2. Honorable Crawford Martin, Attorney General  
Co-chairman
3. Carol Vance, District Attorney, Harris County
4. Frank Dyson, Chief of Police, Dallas, Texas
5. Henry Wade, District Attorney, Dallas County
6. Herman Short, Chief of Police, Houston, Texas
7. Marvin Ted Butler, District Attorney, Bexar County

## 12. 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 Court of Civil Appeals and two district judges, to be chosen by the Supreme Court with the concurrence of Senate;
- Two members of the State Bar, selected by the board of directors of the State Bar under regulations prescribed by the Supreme Court, with the concurrence of the Senate;
- Three members appointed by the Governor, with the concurrence of the Senate.

The qualifications are:

- Judges - No two shall reside in or hold judgeship within, or for, the same Supreme Judicial District.
- Members of the State Bar - Must have practiced law for at least ten consecutive years preceding their selection.
- Governor's appointees - Must be at least 30 years old, not licensed to practice law, not hold any salaried public office or employment and must have physical residence within the state.

They are appointed for six years (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 prelim-

inary 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 therefore, it is to recommend to the Supreme Court the removal or retirement of the justice or judge in question.

JUDICIAL QUALIFICATIONS COMMISSION

	For the Years Ending	
	August 31, 1970	August 31, 1971
1. Executive Director	\$ 21,000	\$ 21,000
2. For necessary expenses in carrying out the provisions of Article 5, Section 1a, of the Constitution, for salaries, wages and travel of employees, and travel and other actual expenses of Commission members, and capital outlay, current and recurring operating and other expenses	30,200	30,200 & U.B.
Total, Judicial Qualifications Commission	<u>\$ 51,200</u>	<u>\$ 51,200</u>

13. CIVIL JUDICIAL COUNCIL

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

It is composed of eighteen members as follows:

- Chief Justice of the Supreme Court or some other Justice designated by him;
- Chairmen and immediate past-Chairmen of Senate and House Judiciary Committees;
- Two justices of the Court of Civil Appeals;
- Two presiding justices of the administrative judicial districts;
- Two lawyers;
- Two laymen.

The method of selection is as follows:

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

The qualifications are:

- One of the laymen must be a journalist;
- Two of the lawyers must be selected from a list of eight made by the State Bar.
- None are stated for the others.

The term of office is as follows:

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

In addition to the numerous statutory powers, heretofore designated by the legislature in 1969 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 of 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 therefore 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."

They publish an annual statistical report from the information obtained.

CIVIL JUDICIAL COUNCIL

Personal Services			
1.	Executive Secretary	\$ 7,812	\$ 3,976
2.	Stenographer I (0126)	4,320	4,464
3.	Part-time and seasonal help (NTE \$7,200 per annum)	<u>1,800</u>	<u>1,800</u>
	Total, Personal Services	\$ 13,932	\$ 14,340
4.	Travel, consumable supplies and materials, current and recurring operating expense, and capital outlay, to carry out the purposes of Chapter 19, Acts, Forty-first Legislature, First Called Session, 1929, the sum of	<u>7,634</u>	<u>7,134</u>
	Total, Civil Judicial Council	<u>\$ 21,566</u>	<u>\$ 21,474</u>

14. 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 (1) advancement of the administration of justice and the science of jurisprudence; (2) encouragement of cordial intercourse among its members; (3) improvement of relations between the bench, the bar, and the public; and (4) protection of the professional interests of members.

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

Other activities include development of a program of public information so that services of the legal profession can be made known to the public; promulgation of rules improving effectiveness of machinery for handling

discipline complaints against lawyers in their relations with clients; continuation of the bar's program for better citizenship; and a program to curb unauthorized practice of law by unlicensed persons or corporations.

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

- Preservation of representative government in the United States through a program of public education and understanding of the privileges and responsibilities of American citizenship.
- Promotion and establishment within the legal profession of organized facilities for the furnishing of legal services to all citizens at a cost within their means.
- Improvement of the administration of justice through the selection of qualified judges and adherence to effective standards of judicial administration and administrative procedures.
- Maintenance of high standards of legal education and professional conduct to the end that only those properly qualified shall undertake to perform legal service.
- Preservation of the respect and confidence of the public in the bar, in the profession, and in its members, by the maintenance of high ethical standards.
- Co-ordination 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.



15. MEDICAL EXAMINER

The establishment of the Medical Examiner on the Texas scene received its first boost in 1955 with the passage of a law allowing certain counties to abandon the Justice of the Peace acting as Coroner and to institute a County Medical Examiner. The Medical Examiners Act applied only to those counties which had a population of 250,000 or more according to the last preceding Federal census. This was subsequently amended and the population was reduced to 120,000 or more according to the last preceding Federal census. By Amendment effective June 10, 1969, the population restriction was removed altogether which means that at this time any of the 254 Counties in Texas may establish and provide for the maintenance of the office of Medical Examiner. This amendment further removed the mandatory provision for providing the Medical Examiner and his staff with adequate office space and the provision of laboratory facilities or the making of the arrangements for the use of the existing laboratory facilities in the county. This is required now only if so requested by the Medical Examiner and will allow a combination of counties through contract basis to establish the services of a Medical Examiner for their county. The present law states that the Medical Examiner must be a physician and to the greatest extent

possible, have training and experience in pathology, toxicology, histology and other medico-legal sciences.

One of the most important provisions of the Medical Examiners Act requires that the examiner hold inquests, with or without a jury in specific cases. The Medical Examiner's job under Texas law is performed only in relation to criminal litigation. The Act allows the Medical Examiner to use a jury in holding inquest, whereas, the Justice of the Peace acting as Coroner is specifically forbidden to use a jury. One section of the Act requires that any police officer, physician, or citizen who has knowledge of a death coming under the jurisdiction of the Medical Examiner must report this death to the police or to the Medical Examiner.

16. CORONER

In counties without a Medical Examiner, the Justice of the Peace has the duty of performing the traditional function of the old English Coroner. From the time of the Texas Republic until the Constitution of 1869, the Coroner was a constitutional office. The Constitution of 1869 specifically abolished the office of Coroner and divided his duties between the Justices of the Peace and the Constables of the county. The present Constitution makes no mention at all of the job of Coroner, and the office is, therefore, completely governed by statute.

Texas law gives the Justice of the Peace broad jurisdiction to hold an inquest. This authority is broad enough to give the Justice of the Peace authority to investigate almost any kind of death. There is apparently no time limit in which an inquest must be held. Texas law gives the Justice authority to disinter a body upon which an inquest should have been held and this authority has been upheld in the courts when the body had been buried for almost two years.

17. MODEL CITIES PROGRAM

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

Participation in the Model Cities Program gives these cities augmented planning capabilities in the areas of education, health, housing, income maintenance, social services, employment, economic development, transportation, physical environment, urban design, historic preservation, relocation, and especially important for the purposes of this Plan, crime and delinquency prevention and control.

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

Two Texas cities participating in the Model Cities Program, San Antonio and Texarkana, are, in addition, receiving consulting services in crime and delinquency

prevention and control from the National Council on Crime and Delinquency (NCCD) and the International Association of Chiefs of Police (IACP). The consulting services are being financed by the U.S. Department of Housing and Urban Development.

Mayors J.C. Martin, Jr., of Laredo and Art Flores of Eagle Pass, both of whom are responsible for the Model Cities Programs in their cities, are members of the Texas Criminal Justice Council. Until his recent resignation, Mr. Al Henry, Administrative Assistant to Mayor Louis Welch of Houston, who is responsible for Houston's Model Cities Program, was also a member of the Criminal Justice Council.

(For additional information about the Model Cities Program in Texas, see Part VI of this Plan.)

#### E. EDUCATION, TRAINING AND INFORMATION

Education and training in the various skills needed for the criminal justice system and for the prevention and control of crime and delinquency in Texas are offered at many levels. Major universities grant degrees in law. One university under special mandate from the Texas Legislature offers both master's and bachelor's degrees in Criminology and Corrections and in Police Science and Administration; a Ph. D. program in Criminal Justice is in the planning stage. Two other universities are authorized by the Coordinating Board Texas College and University System to grant the B.S. degree in Law Enforcement. Of the Public Junior Colleges of the state, fifteen offer courses in law enforcement approved by the Texas Education Agency; some of these colleges have complete programs leading to the A.A. degree in Police Science.

At the training level in law enforcement, two major universities sponsor extensive police training programs on a non-degree basis. The Texas Commission on Law Enforcement Officer Standards and Education has certified eighteen regional police training schools. Two Sheriff's Academies are in operation, and a third will open soon. Short courses offering specialized training to police are sponsored in all areas of the state by Federal Bureau of Investigation, the Department of Public Safety, the

Regional Councils of Government, and several universities, colleges, and legal foundations. Metropolitan police departments are expanding police training programs, as are police departments in smaller communities.

In the correctional field, the Texas Department of Corrections conducts regular pre-service and in-service training for its employees. The Texas Youth Council has an extensive in-service training program reaching both counselors and house-parents. Special programs are training adult probation officers in Harris and Travis counties. University-sponsored internships which permit the student to integrate theory and practice are in operation in the Texas Department of Corrections, in the Texas Youth Council institutions, in the juvenile courts, and in court and welfare agencies, and in metropolitan police departments. Professional organizations within the criminal justice system including bar associations, and associations of judges, of prosecuting attorneys, of probation and parole officers, of clerks of court, and other similar groups sponsor training conferences which focus on problems in the criminal justice system and on improved methods and techniques.

A Center for Continuing Education in Criminal Justice is being planned, and funds toward the erection of a building to house the Center have been appropriated by the Texas Legislature.

Figures show that as of December 1, 1969, 153 students (exclusive of law students) were working for a Master's degree in Law Enforcement or Corrections in Texas; 751 were pursuing a Bachelor's degree, and 50 were seeking Certificates in senior universities. In one university alone (Sam Houston State University) 183 law enforcement officers, 286 correctional officers, and 47 pre-service students received LEAA loans and grants under the Omnibus Crime Control and Safe Streets Act.

Police officers number 14 in-service and pre-service students working for a Master's degree, and 380 enrolled in course work leading to a B. A. or B. S. degree.

Figures on enrollment in junior colleges have not yet been compiled as most junior college programs were just getting under way.

Workshops and training courses were sponsored by the University of Texas School of Law, Texas A & M University, Southern Methodist University, Sam Houston State University among others, and by professional organizations. During 1969, some of the more important general workshops and conferences devoted to the problems of criminal justice were: Educational Workshop of the Texas District and County Attorneys Association, attendance about 150; the Texas Criminal Law and Procedure Conference at the University of Texas Law School, attendance about 300; the San Antonio Bar Association Criminal Law Conference; attendance about 200, chiefly defense



attorneys; the Annual Inter-agency Workshop of the Institute of Contemporary Corrections and the Behavioral Sciences at Sam Houston State University, attendance about 300 law enforcement and correctional officers. In November 1968 the Houston Bar Association conducted an Institute on Recent Developments in Juvenile Law with about 60 persons in attendance, one of the more important recent conferences in the area of juvenile delinquency.

The Association of Traffic Court Judges held two major conferences in 1969 to improve operation and procedures in traffic courts. Assistance in these conferences was furnished by the University of Texas School of Law, the Texas Safety Association, the Department of Public Safety, and Texas Municipal League.

Special mention must be made of the individual police and correctional officers who are attending college level classes on an individual basis, some on leave from their jobs, others attending at night or taking shift assignments which permit class attendance on certain days of the week. To serve these students, colleges and universities are offering courses at night and in extension, term papers and master's thesis are getting written on Saturdays and Sundays, and major employers such as the Texas Department of Corrections, the Dallas, Houston, and other Police Departments, the Probation Departments in several counties, and the Texas Youth Council are scheduling work

shifts to permit and encourage school attendance. The number of such students is rapidly increasing as loans and grants become available and university and college programs expand.

A Center for Continuing Education in Criminal Justice to be located at Huntsville is being planned, and funds toward the erection of a building to house the Center have been appropriated by the Texas Legislature. By offering short-term education and training courses in any aspect of the criminal justice system or related behavioral sciences upon demand, the Center would supplement all other educational and training programs in the state to the end that no practitioner in criminal justice would find needed education or training unavailable to him. The Center would also provide a central place to coordinate all non-academic training and education needed to upgrade criminal justice in Texas and in the southern region.

An outstanding library in law enforcement, criminology and corrections, and related behavioral sciences has been developed at Sam Houston State University and is being rapidly expanded by the purchase of existing collections. For example, the library of Sanford Bates, "Dean of Corrections in America," containing rare source materials has been added to the holdings of the University. The new Center for Continuing Education in Criminal

Justice will develop a lending library of books, journals, teaching aids and other educational materials. In the development of this library, the Center will have the assistance of the Criminal Justice Council which is already beginning its acquisitions. Metropolitan police and probation departments are beginning library development with the advice and assistance of the Institute and the Criminal Justice Council.

The IBM 360 Model 30 computer of Sam Houston State University is tied in to a similar model in the Texas Department of Corrections. The research capability in criminal justice represented by this arrangement is unique in the nation.

## 1. EDUCATION AND TRAINING IN LAW ENFORCEMENT IN TEXAS

As of January 1, 1970, three institutions of higher learning in the State of Texas are authorized by the Coordinating Board Texas State College and University System to grant the B.S. degree in Law Enforcement. These institutions are: Southwest Texas State University, San Marcos, Texas; Hardin Simmons University, Abilene, Texas; and Sam Houston State University, Huntsville, Texas. Sam Houston State University also offers the M.A. degree in Police Science and Administration and a Certificate in Law Enforcement and Police Science for the non-degree student desiring college level course work in law enforcement and the related behavioral sciences. Sam Houston State University has a Ph. D. in Criminal Justice in the planning stage and has applied to the Coordinating Board for authority to grant the degree and enroll doctoral students in the fall semester of 1970. Other senior colleges offer course work in the behavioral sciences and which help prepare the student for a career in law enforcement and both Texas A & M University and Southern Methodist University have extensive non-degree police training programs. Sam Houston State University and Texas A & M University offer extension-type courses in areas removed from the main campus, thus making higher education in law enforcement available to practitioners in the field.

The fifteen colleges of the Texas Public Junior Colleges system who offer course work in law enforcement are:

Alvin Junior College  
Alvin, Texas

Amarillo College  
Amarillo, Texas

Central Texas College  
Killeen, Texas

Dallas County Junior College  
Dallas, Texas

Del Mar College  
Corpus Christi, Texas

Galveston College  
Galveston, Texas

Grayson County College  
Denison, Texas

Howard County Junior College  
Big Spring, Texas

McLennan Community College  
Waco, Texas

Odessa College  
Odessa, Texas

San Antonio College  
San Antonio, Texas

San Jacinto College  
Pasadena, Texas

Tarrant County Junior College  
Fort Worth, Texas

Texarkana College  
Texarkana, Texas

Tyler Junior College  
Tyler, Texas

To provide training in law enforcement, the Texas Commission on Law Enforcement Officers Standards and Education has certified eighteen regional training schools for police, and the Sheriff's Academies in Harris and Dallas counties. A third Sheriffs' Academy in San Antonio is about ready to open. The Department of Public Safety is expanding both physical training facilities and programs. During 1969, the DPS sponsored a series of six seminars on Execution of Legal Process, in addition to regular training courses for its employees. In 1970 as in previous years, basic Law Enforcement courses, specialized schools, and other training conferences will be held in different areas of the state under the sponsorship of the DPS. The Harris County Sheriffs' Academy, The Federal Bureau of Investigation, the Southwestern Legal Foundation, the Texas A & M Extension Division, the West Central Texas Council of Government, the Golden Crescent Council of Government, the North Central Texas Council of Government, the East Texas Police Academy, Lee College, Central Texas College, Lamar College of Technology, West Texas State University, West Central Texas Council of Government among others, have scheduled training courses for police personnel during early 1970 and

throughout the year. Schools conducted by the Department of Public Safety from September 1968 to September 1969, numbered 63, with 2,798 students, as follows:

Schools conducted by the Department of Public Safety for Municipal and County Officers at the Law Enforcement Academy:

9 schools	591 graduates
-----------	---------------

Schools conducted by the Department of Public Safety for Municipal and County Officers at their headquarters:

By Personnel and Training: 5 schools (1 assisted by Field Personnel)	168 graduates
--	---------------

By Field Personnel: 10 schools (traffic)	203 graduates
---	---------------

By Headquarters Personnel: 4 schools (traffic and criminal)	208 graduates
--	---------------

Total, Item II 19 schools	579 graduates
------------------------------	---------------

Schools conducted for Department of Public Safety personnel by Personnel and Training:

<u>Recruit Schools - Part I</u> 6 schools	364 graduates
--	---------------

<u>Recruit Schools - Part II</u> 13 schools	438 graduates
--	---------------

<u>In-Service (Academy)</u> 22	1,125 graduates
-----------------------------------	-----------------

<u>In-Service (Field)</u> 1	70 graduates
--------------------------------	--------------

<u>Special Schools</u> 2	222 graduates
-----------------------------	---------------

<u>Total, Item III</u> 44 schools	2,219 graduates
--------------------------------------	-----------------

Department personnel receiving training from others at in-state or out-of-state courses numbered 23. The DPS training incorporates the three broad areas of recruit training of DPS uniformed personnel; in-service training of DPS commissioner officers; and specialized schools conducted for officers of other police agencies, both extension and on-campus at Austin. Recruit schools are seventeen weeks in duration; in-service schools are one or more weeks long and each officer must return every other year for these schools. Specialized schools may deal with Homicide, Criminal Investigation, Narcotics, Accident Investigation, Traffic, Supervision, Identification, Firearms, New Sheriffs, Breathalyzers, or "How to Instruct."

Texas A & M University enrolled 1,237 police officers and 23 employees of related organizations during the academic year of 1968 to 1969. Some 59 classes were conducted with an average enrollment of 30 students per class; of these 46 classes were conducted off-campus and 13 courses on-campus. Courses varying in length from four to six weeks provided the basic law enforcement training necessary for certification under standards adopted by the Texas Commission on Law Enforcement Officers Standards and Training and advanced courses of a more specialized nature. The Texas A & M program is being expanded during the academic year 1969-70 with particular emphasis on providing basic training courses to police officers from the smaller communities in Texas.



The Southwestern Legal Foundation connected with Southern Methodist University has an average of five training sessions a year. Police Administrators with rank of Lieutenant or above attend a twelve-week conference, and two sessions of four weeks each are offered to line supervisors. About 30 persons attend each of these sessions in police administration. Two-day conferences on some aspect of law enforcement are held each year, with attendance of about 200 at each conference. Conference topics vary; one planned for early 1970 will be devoted to the topic of Police and Social Problems. The Southern Methodist University School of Law is planning a Narcotics Conference in April, 1970.

A great deal of cooperative effort is going into law enforcement education and training in Texas encouraged and supported by the Criminal Justice Council and the institutions and agencies involved. Directors of the senior college programs work with junior colleges in curriculum planning to the end that the student may transfer the maximum number of credits toward his B.A. or B.S. degree. Both junior and senior colleges sponsor special training programs and offer campus facilities for training purposes. Police officers attend the annual Inter-agency Workshop of the Institute of Contemporary Corrections and the Behavioral Sciences at Sam Houston State University under competitive scholarships provided by the Texas Peace Officers Association,

and metropolitan police departments are cooperating in university - sponsored internship programs.

## 2. EDUCATION AND TRAINING IN CORRECTIONS IN TEXAS

The institution of higher learning chiefly responsible for college-level education of correctional personnel in Texas is the Institute of Contemporary Corrections and the Behavioral Sciences at Sam Houston State University. The Institute was established in 1965 by mandate of the Legislature of Texas (House Resolution No. 469) and was located in Huntsville because of the close proximity of the University to the administrative offices, the diagnostic center, and units for both male and female offenders of the Texas Department of Corrections. The Coordinating Board Texas College and University System has authorized a B.A., B.S. and M.A. degree in Criminology and Corrections, and students desiring to do degree work can earn a Certificate in Criminology and Corrections. The Institute works closely with the Texas Department of Corrections and both degree and certificate students of the Institute preparing for careers in adult corrections customarily serve a three-month correctional internship with the Department. Students interested in juvenile corrections serve internships in institutions of the Texas Youth Council, in juvenile courts throughout the state, and in agencies offering protective services to children. The juvenile corrections internships are made possible by grants from the Department of Health, Education and Welfare and from

the Criminal Justice Council of Texas.

In addition to degrees in Criminology and Corrections, the Institute is authorized to grant degrees in Law Enforcement and Police Science as has already been noted and, in the B.S., B.A. and M.A., in Social Rehabilitation and Social Services, a field closely related to corrections. An M. Ed. degree with a major in Correctional Education is in the advanced planning state. This degree would be offered by the School of Education of the University with the program content and development under the joint supervision of the Department of Education and the Institute. The student earning this degree would be trained to work as a teacher in correctional institutions, both adult and juvenile, and with the delinquent and endangered child in the public school systems of the State.

Sam Houston State University has applied to the Coordinating Board of Texas College and University system for authorization to grant a doctoral (PH.D.) degree in Criminal Justice. If authorized, the degree would be the first of its kind in the southwest and one of three in the nation.

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 in-

terest to practitioners and educators in criminal justice. The Institute also acts as consultant to law enforcement and correctional agencies in Texas and will direct the Center for Continuing Education in Criminal Justice in cooperation with the Texas Department of Corrections, the Texas Youth Council, the Criminal Justice Council and the professional organizations in criminal justice in Texas

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

Under grants from the Department of Health, Education and Welfare and the Criminal Justice Council of Texas, the Institute of Contemporary Corrections will supervise thirty interns in juvenile courts, juvenile police bureaus, and child protective agencies in Texas during summer, 1970. Interns will also be placed in institutions of the Texas Youth Council. This will represent a new program in Texas as funds have not heretofore been available for on-the-job training of students interested in careers in juvenile corrections.

In the professional training field, the Texas Department of Corrections provides regular pre-service and in-service training for all of its employees. The Texas Youth Council has an extensive in-service training program reaching both 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 Probation and Parole Association sponsors regular regional and state-wide training conferences. A jail conference will be held in late 1970 to consider problems of jail administration.

In 1969, the District and County Attorneys sponsored an Educational Institute which was supported in part by grant from the Criminal Justice Council, and additional 1970 workshops are planned. The judges of the metropolitan courts will hold a three-day training conference (the Criminal Justice Council of 1970) in late April. This will be the first of its kind in Texas, and will focus on problems of court administration and sentencing practices as they relate to rehabilitation of the offender. The Judges' Conference is co-sponsored by the Texas Department of Corrections and the Institute of Contemporary Corrections and the Behavioral Sciences and will be supported in part by grant from the Criminal Justice Council--another example of cooperative effort in criminal justice education and

training in Texas. The Annual Inter-agency Workshop at Sam Houston State University in June will bring to Texas outstanding authorities in all phases of law enforcement and corrections. About 300 practitioners and students are expected to attend. Other professional organizations are planning workshops, and conferences, with regional and state-wide meetings to consider problems and disseminate information on new programs and techniques designed to up-date criminal justice administration and contribute to the prevention and control of crime.

### 3. JUDICIAL PROCESSES

The Judicial Processes Section of the criminal justice system has always made themselves available to the other branches of the entire system.

We have at present, such programs as: the use of prosecuting attorneys as instructors in police academies; the assistance and guidance of prosecuting attorneys and/or their investigators in the aid and assistance of investigation of offenses, so that proper determination may be made as to what charges may be brought against the offender resulting in successful prosecution.

The Judicial Processes Section also speaks at many seminars held state-wide, regionally and locally for peace officers, parole and probation officers.

### 4. TEXAS DISTRICT AND COUNTY ATTORNEY'S ASSOCIATION

The Texas District and County Attorneys Educational Foundation was funded \$6,500.00 for the Texas Prosecutors' Workshop held October 27, through 31, 1969, at the Texas Department of Public Safety Headquarters, Austin, Texas.

A total of 108 persons, representing between 1/3 and 1/2 of the counties in Texas, attended this workshop. They were composed of the following:



District and County Attorneys	25
Assistant District and County Attorneys	73
Investigators - District Attorneys' Office	1
Supervisory - Police Personnel	6
Police Instructor - Lee College	1
Graduate Student - Rice University	1

While the length of experience ranges from a minimum of one week to twenty-two years, the average length of experience for prosecutors in their present capacity was less than one year. A high percentage had less than six months experience as a prosecutor and an attorney. Each of those attending received a printed copy of the subjects covered during this five day workshop and many of the articles included citations, references and examples of questions or lines of interrogation. The comprehensiveness of the program is reflected by the subjects covered in the five days which are too numerous to list herein, but covered the entire spectrum from arrest to appeal and included subjects peculiar in prosecution such as pornography, special problems presented to district and county attorneys' offices, bond forfeiture and child support and reciprocal cases. Scientific problems such as question documents; hair, blood, paint and identification through chemical tests and electronic devices; fire arms identification; etc., merited over one half day of the entire five days. The speakers and panelists consisted not only of outstanding and well known

state judges and prosecuting attorneys but also William Cahn, District Attorney, Nassau County, New York; William Raggio, District Attorney, Reno, Nevada; Charles Moylan, District Attorney, Baltimore, Maryland; Floyd McDonald, Chief Chemist, Houston Police Department; Dr. Joseph Jacimczyk, Chief Medical Examiner, Houston; Col. Wilson Speir, Director, Department of Public Safety, Austin; Wesley Whaley, Special Agent in Charge, F.B.I., Houston; Crawford Martin, Attorney General, State of Texas; and, many others. The discussions, which were scheduled during each days' sessions, were thought provoking and generally touched upon the basic problems which confront the prosecutor. It was the overwhelming opinion of those in attendance, through personal interview and questionnaires, that this was the most successful workshop institute they had attended. They not only desired that it be continued annually on a state-wide basis but also that similar workshops be afforded on a regional basis so that their brother prosecutors who could not attend a state-wide workshop would have the same opportunity as they.

##### 5. RELATED PROGRAMS AND PROJECTS

Some are as follows:

- Texas Adult Probation Project, jointly sponsored by the Travis County Probation Department, University of Texas Schools of Law and Social Work.

- Texas Research Institute of Mental Sciences  
Pilot Projects in Narcotics and Alcoholism,
- University of Texas Law School Criminal Justice  
Project, and other similar projects in the various  
law schools in Texas,
- State Bar of Texas Family Law Sections Project  
of Juvenile Law Revision,
- State Bar of Texas - Penal Code Revision Project,
- The American Bar Association's Pilot Project  
Implement in Texas and recommended minimum  
standards of Criminal Justice,
- Projects of the Institute of Contemporary  
Corrections and the Behavioral Sciences at  
Sam Houston State College,
- National College of District Attorneys.

## F. STATISTICAL DATA

### 1. SCHEDULE OF LAW ENFORCEMENT SYSTEM DATA

The information contained in the following schedule is an initial attempt to aggregate current, reasonably accurate, statistics that are not available from any single source. An attempt was made to complete all items of information requested on the "Schedule of Law Enforcement System Data" form supplied by LEAA. However, due to unavailability of information, a few items either were not included or were included in a form other than that requested.

Much of the data included in this schedule was obtained from the Regional Planning Commissions of Texas as a result of inventories they have completed or have underway. Additional material was gathered from state agencies and state-wide organizations. Still other data is based on the knowledge of Criminal Justice Council Staff members. To the extent possible, data is for the calendar year 1969 and/or December 31, 1969. It is recognized that some of the data may be superceded by better censuses, surveys, or samples within the near future.

While data from inventories, censuses, budgets, reports and publications were used where possible, some of the material contained in the schedule is a "best estimate, projection, or interpolation", by qualified Criminal Justice Council Staff members based on available data and prior knowledge.

SCHEDULE OF LAW ENFORCEMENT SYSTEM DATA

SECTION I - LAW ENFORCEMENT MANPOWER RESOURCES

NUMBER OF INDIVIDUALS

A. POLICE:

1. <u>State Agencies</u>		
a. Sworn Personnel		1,893
b. Auxiliary Personnel		2,570
2. <u>Local Agencies</u>		
a. Sworn Personnel		14,185
b. Auxiliary Personnel		3,681

B. JUDICIARY:

1. <u>Municipal Courts</u>	20%	569
2. <u>Justices of the Peace</u>	50%	903
3. <u>County Courts</u>	50%	305
4. <u>District Courts</u>	50%	212
5. <u>Juvenile Courts</u>		
a. Juvenile Courts	100%	4
b. Others in Juvenile Jurisdiction	20%	254
6. <u>Court of Criminal Appeals</u>	100%	5
7. <u>Court of Civil Appeals</u>	10%	42
8. <u>Supreme Court</u>	10%	9

C. PROSECUTION AND DEFENSE:

1. <u>Prosecutors</u>		
a. Municipal Jurisdiction (very little prosecution)		688
b. County Jurisdiction		226
c. District Jurisdiction		250
d. State Prosecuting Attorney before the Court of Criminal Appeals		1
e. Non-lawyer Personnel in all Prosecutor Offices		unknown
2. <u>Defenders</u>		
a. Municipal Jurisdiction		*
b. County Jurisdiction		*
c. District Jurisdiction		4 + *
d. Other:		*
e. Non-lawyer Personnel in all Defender Offices		unknown

\* Court appointed Attorneys from Bar Associations - unknown number

SECTION I (Cont.)

NUMBER OF INDIVIDUALS

D. CORRECTIONS - PROBATION AND PAROLE:

1. <u>State Agencies</u>	
a. Adult Clients - Probation	0
b. Adult Clients - Parole	149
c. Juvenile Clients - Probation	0
d. Juvenile Clients - Parole	56
2. <u>Local Agencies</u>	
a. Adult Clients - Probation	150
b. Adult Clients - Parole	0
c. Juvenile Clients - Probation	89
d. Juvenile Clients - Parole	0
3. <u>Total number of Probation Officers</u>	590
<u>Parole Officers included in item 1 and</u>	
<u>2 responses</u>	136

E. CORRECTIONS - INSTITUTIONS AND RESIDENTIAL TREATMENT:

1. <u>Long Term Confinement - Prisons (State)</u>	
a. Custody Officers	1,600
b. Guidance and Counseling Personnel	30
c. Academic and Vocational Teachers	204
d. All Other	400
2. <u>Juvenile Institutions</u>	
a. Custody and Group Living Officers	557
b. Guidance and Counseling Personnel	68
c. Academic and Vocational Teachers	185
d. All Other	333
3. <u>Other Institutions or Residential Treatment Facilities (Adult)</u>	
a. Halfway Houses and Community Based Group Homes or Residential Treatment Centers	A number of private institutions exist. Number of individuals employed is unknown.
b. Work and Forestry Camps	
4. <u>Short-Term Confinement - Jails</u>	
a. State Institutions	0
b. Local Institutions	unknown
c. All Juvenile Institutions - Detention Homes	138

SECTION II - WORKLOAD MEASURES

	<u>NUMBER OF INDIVIDUALS</u>
A. <u>OFFENSES KNOWN TO THE POLICE:</u>	
Estimated total offenses (statistical projection by the Department of Public Safety)	432,251
Part 1 Offenses Reported to the Department of Public Safety by local agencies	271,635
Total Juvenile Offenses reported to Department of Public Safety (314 jurisdictions reporting representing 8,426,346 population)	48,484
B. <u>ARREST MADE BY THE POLICE:</u>	
Offenses cleared by arrest, as reported by local agencies to the Department of Public Safety	71,672
C. <u>CRIMINAL PROCEEDINGS:</u>	
1. <u>Filed in Court</u>	
a. Felony Charge	37,486
b. Misdemeanor Charge	360,000
c. Juvenile Charge	7,500
2. <u>Terminated</u>	
a. Felony Charge	35,506
b. Misdemeanor Charge	unknown
c. Juvenile Charge	7,500
D. <u>POPULATION OF CORRECTIONAL INSTITUTIONS:</u>	
1. <u>Average Daily Population</u>	
a. Adult Facilities	12,489
b. Juvenile Facilities	2,800
2. <u>Persons Admitted to Institutions Annually</u>	
a. Adult Facilities	7,061
b. Juvenile Facilities	unknown
3. <u>Persons Released from Institutions Annually</u>	
a. Adult Facilities	6,654
b. Juvenile Facilities	unknown



SECTION II - WORKLOAD MEASURES (Cont.)

E. <u>PROBATION AND PAROLE:</u>		<u>Annual Period</u>		
		<u>1st Day</u>	<u>Last Day</u>	<u>Average</u>
1. <u>Number of Persons on</u>				
a. <u>Probation*</u>	35,035	33,898	34,503	
b. <u>Parole</u>	7,024	7,317	7,135	

SECTION III - FACILITIES AND EQUIPMENT

		<u>NUMBER</u>
A. <u>NUMBER OF LAW ENFORCEMENT AGENCIES:</u>		
1. <u>Police Agencies - State Level</u>		2
2. <u>Police Agencies - County Level</u>		905
3. <u>Police Agencies - Municipal Level</u>		637
4. <u>Correctional Agencies - State Level</u>		
a. <u>Operating Facilities or Institutions</u>		2
b. <u>Supervising Probation or Parole</u>		2
c. <u>Performing both a. and b. above</u>		1
5. <u>Correctional Agencies - County Level</u>		
a. <u>Operating Facilities or Institutions</u>	250	
b. <u>Supervising Probation</u>	74	
c. <u>Performing both a. and b. above</u>	10	
6. <u>Correctional Agencies - Municipal Level</u>		
a. <u>Operating Facilities or Institutions</u>	275	
b. <u>Supervising Probation or Parole</u>	0	
c. <u>Performing both a. and b. above</u>	0	
B. <u>VEHICLES OPERATED BY THE POLICE:</u>		
1. <u>Passenger Automobiles</u>		6,549
2. <u>Aircraft</u>		
a. <u>Helicopters</u>		10
b. <u>Fixed Wing Aircraft</u>		5
3. <u>Other Vehicles</u>		798
C. <u>RADIOS OPERATED BY THE POLICE:</u>		
1. <u>Base Stations</u>		646
2. <u>Vehicular Radios</u>		6,919
3. <u>Personel (handheld) Radios</u>		unknown

\*Includes felony probation and an undetermined number of misdemeanor and probation cases.

SECTION III - FACILITIES AND EQUIPMENT (Cont.)

D. <u>DETENTION (JAIL) FACILITIES:</u>	<u>NUMBER</u>
1. For Adults Only	122
2. For Juveniles Only	10
3. Mixed Adult - Juvenile Facilities	418

E. REHABILITATION OR CORRECTION FACILITIES:

1. <u>For Adults Only</u>	<u>NUMBER</u>	<u>CAPACITY</u>
a. Prisons, Reformatories or Workhouses	14	14,750
b. Work or Forestry Camps	0	0
c. Halfway Houses or Re- sidential Group Homes	0	0
2. <u>For Juveniles Only</u>		
a. Training Schools	8	2,900
b. Work or Forestry Camps	0	0
c. Halfway Houses or Group Homes	0	0
3. <u>Mixed Adult Juvenile Facilities</u>	0	0

SECTION IV - EXPENDITURES

A. TOTAL EXPENDITURES BY FUNCTION AND BY LEVEL OF GOVERNMENT:

FUNCTION	LEVEL OF GOVERNMENT		TOTAL
	STATE	OTHER	
1. Police (criminal)	39,500,000	118,500,000	158,000,000
2. Courts (criminal)	2,150,000	2,800,000	4,950,000
3. Prosecution	1,550,000	4,250,000	5,800,000
4. Defense (public)	unknown	unknown	unknown
5. Corrections - Institutions	22,750,000	Included in 1. above	
6. Corrections - Pro- bation and Parole	1,650,000	unknown	unknown

B. Total Expenditures for Court Operations  
(Criminal and Civil Jurisdiction). \$7,450,000

2. SMSA RESOURCES DATA:

The SMSA, their population, and major city and county, are shown on the following page. Immediately following the table are data reports for cities and counties in the SMSA's. These data reports indicate areas of common problems, needs and resources. The great majority of Chiefs of Police and Sheriffs replying to the Council's questionnaire, listed manpower as their most important. Salary training, equipment, and facilities were other areas of great need according to the information supplied.

TEXAS STANDARD METROPOLITAN STATISTICAL AREAS

SMSA	1969 ESTIMATED POPULATION	MAJOR CITY	MAJOR COUNTY
Abilene	125,870	Abilene	Taylor
Amarillo	175,844	Amarillo	Randall
Austin	274,446	Austin	Travis
Beaumont, Port Arthur, Orange	325,765	Beaumont	Jefferson
Brownsville, Harlingen, San Benito	151,900	Brownsville	Cameron
Corpus Christi	286,104	Corpus Christi	Nueces
Dallas	1,585,076	Dallas	Dallas
El Paso	365,412	El Paso	El Paso
Fort Worth	688,149	Fort Worth	Tarrant
Galveston, Texas City	172,560	Galveston	Galveston
Houston	1,878,327	Houston	Harris
Laredo	80,248	Laredo	Webb
Lubbock	192,796	Lubbock	Lubbock
McAllen, Pharr, Edinburg	208,700	McAllen	Hidalgo
Midland,	66,744	Midland	Midland
Odessa	94,100	Odessa	Ector
San Angelo	77,505	San Angelo	Tom Green
San Antonio	874,482	San Antonio	Bexar
Sherman, Denison	81,840	Sherman	Grayson
Texarkana	106,350	Texarkana	Bowie
Tyler	102,081	Tyler	Smith
Waco	156,200	Waco	McLennan
Wichita Falls	134,500	Wichita Falls	Wichita

ABILENE SMSA

CITY OF ABILENE

Population (1969 estimate): 103,162

Municipal Tax Data (1968):

Assessed Valuation (add C00): 246,569  
Assessment (% of value): 55  
Total Tax Rate: 1.50  
Adjusted Tax Rate: .83

Index Crimes Reported (1968): 1,360  
(1969): 1,415

Index Crime Rate/100,000 (1968): 1,318  
(1969): 1,372

Commissioned Police Officers, (1/1/70):

Authorized Strength: 113  
Actual Strength: 110  
Authorized/100,000: 110

Civilian Police Department  
Employees, (1/1/1970):

Authorized Strength: 25  
Actual Strength: 25

Annual Police Department Budget: 1,034.422

Personnel Assigned to Special Units:

Planning or Research	<u>1</u>	Intelligence	<u>2</u>
Community Relations	<u>0</u>	Narcotics	<u>2</u>
Recruitment	<u>1</u>	Crime Laboratory	<u>0</u>

ABILENE SMSA

TAYLOR COUNTY

Population (1969 Estimated): 106,770

Commissioned Officers:

Authorized Strength: Not Available

Actual Strength: Not Available

Civil Deputies:	<u>N/A</u>
Jail Personnel:	<u>N/A</u>
Field Deputies:	<u>N/A</u>
Other	<u>N/A</u>

Authorized /100,000 Population:

Civilian Employees:

Authorized Strength: Not Available

Actual Strength: Not Available

Current Annual Operating Budget: Not Available

Special Units in Sheriff's Office:

Planning or Research	<u>N/A</u>	Community Relations	<u>N/A</u>
Recruitment	<u>N/A</u>	Intelligence	<u>N/A</u>
Narcotics	<u>N/A</u>	Crime Laboratory	<u>N/A</u>

AMARILLO SMSA

CITY OF AMARILLO

Population (1969 estimate): 167,770

Municipal Tax Data (1968):

Assessed Valuation (add 000):	<u>556,814</u>
Assessment (% of value):	<u>55</u>
Total Tax Rate:	<u>1.30</u>
Adjusted Tax Rate:	<u>.72</u>

Index Crimes Reported (1968):	<u>3,144</u>
(1969):	<u>3,327</u>

Index Crime Rate/100,000 (1963):	<u>1,874</u>
(1969):	<u>1,983</u>

Commissioned Police Officers, (1/1/70):

Authorized Strength:	<u>184</u>
Actual Strength:	<u>179</u>
Authorized/100,000:	<u>110</u>

Civilian Police Department  
Employees, (1/1/1970):

Authorized Strength:	<u>42</u>
Actual Strength:	<u>42</u>

Annual Police Department Budget: 1,858,766

Personnel Assigned to Special Units:

Planning or Research	<u>0</u>	Intelligence	<u>3</u>
Community Relations	<u>0</u>	Narcotics	<u>2</u>
Recruitment	<u>3</u>	Crime Laboratory	<u>0</u>

AMARILLO SMSA

RANDALL COUNTY

Population (1969 Estimated): 59,882

Commissioned Officers:

Authorized Strength: 10

Actual Strength: 10

Civil Deputies:	<u>1</u>
Jail Personnel:	<u>1</u>
Field Deputies:	<u>7</u>
Other	<u>1</u>

Authorized /100,000 Population: 17

Civilian Employees:

Authorized Strength: 3

Actual Strength: 3

Current Annual Operating Budget: 136,297

Special Units in Sheriff's Office:

Planning or Research	<u>0</u>	Community Relations	<u>1</u>
Recruitment	<u>0</u>	Intelligence	<u>0</u>
Narcotics	<u>1</u>	Crime Laboratory	<u>0</u>



AUSTIN SMSA  
CITY OF AUSTIN

Population (1969 estimate):		<u>257,507</u>	
Municipal Tax Data (1968):			
Assessed Valuation (add 000):		<u>808,812</u>	
Assessment (% of value):		<u>67.5</u>	
Total Tax Rate:		<u>1.29</u>	
Adjusted Tax Rate:		<u>.871</u>	
Index Crimes Reported (1968):			
		<u>6,023</u>	
(1969):		<u>6,523</u>	
Index Crime Rate/100,000 (1968):			
		<u>2,339</u>	
(1969):		<u>2,533</u>	
Commissioned Police Officers, (1/1/70):			
Authorized Strength:		<u>327</u>	
Actual Strength:		<u>320</u>	
Authorized/100,000:		<u>127</u>	
Civilian Police Department Employees, (1/1/1970):			
Authorized Strength:		<u>117</u>	
Actual Strength:		<u>5</u>	
Annual Police Department Budget:		<u>Not Available</u>	
Personnel Assigned to Special Units:			
Planning or Research	<u>2</u>	Intelligence	<u>2</u>
Community Relations	<u>1</u>	Narcotics	<u>13</u>
Recruitment	<u>1</u>	Crime Laboratory	<u>0</u>

AUSTIN SMSA

TRAVIS COUNTY

Population (1969 Estimated): 274,446

Commissioned Officers:

Authorized Strength: 87

Actual Strength: 76

Civil Deputies:	<u>5</u>
Jail Personnel:	<u>17</u>
Field Deputies:	<u>35</u>
Other	<u>19</u>

Authorized /100,000 Population: 32

Civilian Employees:

Authorized Strength: 0

Actual Strength: 0

Current Annual Operating Budget: 668,175

Special Units in Sheriff's Office:

Planning or Research	<u>0</u>	Community Relations	<u>0</u>
Recruitment	<u>0</u>	Intelligence	<u>0</u>
Narcotics	<u>0</u>	Crime Laboratory	<u>0</u>

BEAUMONT, PORT ARTHUR, ORANGE SMSA

CITY OF BEAUMONT

Population (1969 estimate): 135,000

Municipal Tax Data (1968):

Assessed Valuation (add 000): 392,028  
Assessment (% of value): 60  
Total Tax Rate: .63  
Adjusted Tax Rate: .98

Index Crimes Reported (1968): 2,536  
(1969): 3,194

Index Crime Rate/100,000 (1968): 1,879  
(1969): 2,366

Commissioned Police Officers, (1/1/70):

Authorized Strength: 164  
Actual Strength: 164  
Authorized/100,000: 121

Civilian Police Department  
Employees, (1/1/1970):

Authorized Strength: 22  
Actual Strength: 22

Annual Police Department Budget: 1,709,204

Personnel Assigned to Special Units:

Planning or Research	<u>0</u>	Intelligence	<u>2</u>
Community Relations	<u>0</u>	Narcotics	<u>2</u>
Recruitment	<u>0</u>	Crime Laboratory	<u>0</u>



BEAUMONT, PORT ARTHUR, ORANGE SMSA

JEFFERSON COUNTY

Population (1969 Estimated): 252,015

Commissioned Officers:

Authorized Strength: Not Available

Actual Strength: 68

Civil Deputies:	<u>2</u>
Jail Personnel:	<u>17</u>
Field Deputies:	<u>21</u>
Other	<u>28</u>

Authorized /100,000 Population: Not Available

Civilian Employees:

Authorized Strength: Not Available

Actual Strength: 0

Current Annual Operating Budget: 609,810

Special Units in Sheriff's Office:

Planning or Research	<u>2</u>	Community Relations	<u>0</u>
Recruitment	<u>0</u>	Intelligence	<u>0</u>
Narcotics	<u>4</u>	Crime Laboratory	<u>0</u>

BROWNSVILLE, HARLINGEN, SAN BENITO SMSA

CITY OF BROWNSVILLE

Population (1969 estimate):	<u>54,000</u>		
Municipal Tax Data (1968):			
Assessed Valuation (add 000):	<u>74,250</u>		
Assessment (% of value):	<u>50</u>		
Total Tax Rate:	<u>1.65</u>		
Adjusted Tax Rate:	<u>.83</u>		
Index Crimes Reported (1968):	<u>1,221</u>		
(1969):	<u>Not Available</u>		
Index Crime Rate/100,000 (1968):	<u>2,261</u>		
(1969):	<u>Not Available</u>		
Commissioned Police Officers, (1/1/70):			
Authorized Strength:	<u>82</u>		
Actual Strength:	<u>74</u>		
Authorized/100,000:	<u>152</u>		
Civilian Police Department Employees, (1/1/1970):			
Authorized Strength:	<u>19</u>		
Actual Strength:	<u>19</u>		
Annual Police Department Budget:	<u>724,648</u>		
Personnel Assigned to Special Units:			
Planning or Research	<u>0</u>	Intelligence	<u>3</u>
Community Relations	<u>0</u>	Narcotics	<u>0</u>
Recruitment	<u>0</u>	Crime Laboratory	<u>0</u>

BROWNSVILLE, HARLINGEN, SAN BENITO SMSA

CAMERON COUNTY

Population (1969 Estimated):		<u>151,900</u>
Commissioned Officers:		
Authorized Strength:		<u>Not Available</u>
Actual Strength:		<u>42</u>
Civil Deputies:	<u>1</u>	
Jail Personnel:	<u>17</u>	
Field Deputies:	<u>15</u>	
Other:	<u>9</u>	
Authorized /100,000 Population:		<u>Not Available</u>
Civilian Employees:		
Authorized Strength:		<u>Not Available</u>
Actual Strength:		<u>Not Available</u>
Current Annual Operating Budget:		<u>237,985</u>
Special Units in Sheriff's Office:		
Planning or Research	<u>0</u>	Community Relations <u>0</u>
Recruitment	<u>0</u>	Intelligence <u>0</u>
Narcotics	<u>0</u>	Crime Laboratory <u>0</u>

CORPUS CHRISTI SMSA  
CITY OF CORPUS CHRISTI

Population (1969 estimate):		<u>213,750</u>	
Municipal Tax Data (1968):			
Assessed Valuation (add 000):		<u>555,309</u>	
Assessment (% of value):		<u>54</u>	
Total Tax Rate:		<u>1.60</u>	
Adjusted Tax Rate:		<u>.86</u>	
Index Crimes Reported (1968):		<u>6,539</u>	
(1969):		<u>8,015</u>	
Index Crime Rate/100,000 (1968):		<u>3,059</u>	
(1969):		<u>3,750</u>	
Commissioned Police Officers, (1/1/70):			
Authorized Strength:		<u>263</u>	
Actual Strength:		<u>229</u>	
Authorized/100,000:		<u>123</u>	
Civilian Police Department Employees, (1/1/1970):			
Authorized Strength:		<u>59</u>	
Actual Strength:		<u>58</u>	
Annual Police Department Budget:		<u>2,803,732</u>	
Personnel Assigned to Special Units:			
Planning or Research	<u>1</u>	Intelligence	<u>2</u>
Community Relations	<u>0</u>	Narcotics	<u>7</u>
Recruitment	<u>0</u>	Crime Laboratory	<u>0</u>



CORPUS CHRISTI SMSA

NUECES COUNTY

Population (1969 Estimated): 238,500

Commissioned Officers:

Authorized Strength: 66

Actual Strength: Not Available

Civil Deputies:	<u>6</u>
Jail Personnel:	<u>16</u>
Field Deputies:	<u>32</u>
Other	<u>12</u>

Authorized /100,000 Population: 28

Civilian Employees:

Authorized Strength: Not Available

Actual Strength: Not Available

Current Annual Operating Budget: 527,042

Special Units in Sheriff's Office:

Planning or Research	<u>0</u>	Community Relations	<u>0</u>
Recruitment	<u>0</u>	Intelligence	<u>0</u>
Narcotics	<u>0</u>	Crime Laboratory	<u>0</u>

DALLAS SMSA  
CITY OF DALLAS

Population (1969 estimate): 899,600

Municipal Tax Data (1968):

Assessed Valuation (add 000):	<u>3,414,000</u>
Assessment (% of value):	<u>45</u>
Total Tax Rate:	<u>1.79</u>
Adjusted Tax Rate:	<u>.81</u>

Index Crimes Reported (1968):	<u>24,170</u>
(1969):	<u>42,446</u>

Index Crime Rate/100,000 (1968):	<u>2,687</u>
(1969):	<u>4,718</u>

Commissioned Police Officers, (1/1/70):

Authorized Strength:	<u>1,630</u>
Actual Strength:	<u>1,541</u>
Authorized/100,000:	<u>181</u>

Civilian Police Department  
Employees, (1/1/1970):

Authorized Strength:	<u>405</u>
Actual Strength:	<u>345</u>

Annual Police Department Budget: 19,978,240

Personnel Assigned to Special Units:

Planning or Research	<u>13</u>	Intelligence	<u>26</u>
Community Relations	<u>22</u>	Narcotics	<u>13</u>
Recruitment	<u>17</u>	Crime Laboratory	<u>0</u>

DALLAS SMSA  
CITY OF GARLAND

Population (1969 estimate):		<u>72,190</u>	
Municipal Tax Data (1968):			
Assessed Valuation (add 000):		<u>167,656</u>	
Assessment (% of value):		<u>40</u>	
Total Tax Rate:		<u>1.30</u>	
Adjusted Tax Rate:		<u>.520</u>	
Index Crimes Reported (1968):		<u>1,166</u>	
(1969):		<u>Not Available</u>	
Index Crime Rate/100,000 (1968):		<u>1,615</u>	
(1969):		<u>Not Available</u>	
Commissioned Police Officers, (1/1/70):			
Authorized Strength:		<u>78</u>	
Actual Strength:		<u>75</u>	
Authorized/100,000:		<u>108</u>	
Civilian Police Department Employees, (1/1/1970):			
Authorized Strength:		<u>16</u>	
Actual Strength:		<u>15</u>	
Annual Police Department Budget:		<u>797,586</u>	
Personnel Assigned to Special Units:			
Planning or Research	<u>2</u>	Intelligence	<u>3</u>
Community Relations	<u>4</u>	Narcotics	<u>3</u>
Recruitment	<u>0</u>	Crime Laboratory	<u>0</u>

DALLAS SMSA  
CITY OF IRVING

Population (1969 estimate): 87,162

Municipal Tax Data (1968):

Assessed Valuation (add 000):	<u>172,759</u>
Assessment (% of value):	<u>40</u>
Total Tax Rate:	<u>1.50</u>
Adjusted Tax Rate:	<u>.600</u>

Index Crimes Reported (1968):	<u>1,841</u>
(1969):	<u>Not Available</u>

Index Crime Rate/100,000 (1968):	<u>2,112</u>
(1969):	<u>Not Available</u>

Commissioned Police Officers, (1/1/70):

Authorized Strength:	<u>83</u>
Actual Strength:	<u>82</u>
Authorized/100,000:	<u>95</u>

Civilian Police Department  
Employees, (1/1/1970):

Authorized Strength:	<u>15</u>
Actual Strength:	<u>14</u>

Annual Police Department Budget: 872,690

Personnel Assigned to Special Units:

Planning or Research	<u>0</u>	Intelligence	<u>1</u>
Community Relations	<u>0</u>	Narcotics	<u>0</u>
Recruitment	<u>0</u>	Crime Laboratory	<u>0</u>

DALLAS SMSA

DALLAS COUNTY

Population (1969 Estimated): 1,363,200

Commissioned Officers:

Authorized Strength: Not Available

Actual Strength: \_\_\_\_\_

Civil Deputies:	<u>N/A</u>
Jail Personnel:	<u>N/A</u>
Field Deputies:	<u>N/A</u>
Other	<u>N/A</u>

Authorized /100,000 Population:

Civilian Employees:

Authorized Strength: Not Available

Actual Strength: Not Available

Current Annual Operating Budget: \_\_\_\_\_

Special Units in Sheriff's Office:

Planning or Research	<u>N/A</u>	Community Relations	<u>N/A</u>
Recruitment	<u>N/A</u>	Intelligence	<u>N/A</u>
Narcotics	<u>N/A</u>	Crime Laboratory	<u>N/A</u>

EL PASO SMSA

CITY OF EL PASO

Population (1969 estimate): 348,127

Municipal Tax Data (1968):

Assessed Valuation (add 000):	<u>682,896</u>
Assessment (% of value):	<u>55</u>
Total Tax Rate:	<u>1.77</u>
Adjusted Tax Rate:	<u>.974</u>

Index Crimes Reported (1968):	<u>7,708</u>
(1969):	<u>8,429</u>

Index Crime Rate/100,000 (1968):	<u>2,211</u>
(1969):	<u>2,421</u>

Commissioned Police Officers, (1/1/70):

Authorized Strength:	<u>Not Available</u>
Actual Strength:	<u>366</u>
Authorized/100,000:	<u>Not Available</u>

Civilian Police Department  
Employees, (1/1/1970):

Authorized Strength:	<u>Not Available</u>
Actual Strength:	<u>73</u>

Annual Police Department Budget: 3,676.160

Personnel Assigned to Special Units:

Planning or Research	<u>N/A</u>	Intelligence	<u>N/A</u>
Community Relations	<u>N/A</u>	Narcotics	<u>N/A</u>
Recruitment	<u>N/A</u>	Crime Laboratory	<u>N/A</u>

EL PASO SMSA

EL PASO COUNTY

Population (1969 Estimated): 365,412

Commissioned Officers:

Authorized Strength: 87

Actual Strength: 84

Civil Deputies:	<u>21</u>
Jail Personnel:	<u>25</u>
Field Deputies:	<u>36</u>
Other	<u>2</u>

Authorized /100,000 Population: 24

Civilian Employees:

Authorized Strength: 0

Actual Strength: 0

Current Annual Operating Budget: 571,104

Special Units in Sheriff's Office:

Planning or Research	<u>0</u>	Community Relations	<u>0</u>
Recruitment	<u>0</u>	Intelligence	<u>0</u>
Narcotics	<u>0</u>	Crime Laboratory	<u>0</u>

FORT WORTH SMSA  
CITY OF FORT WORTH

Population (1969 estimate):	417,248		
Municipal Tax Data (1968):			
Assessed Valuation (add 000):	1,162,096		
Assessment (% of value):	52.26		
Total Tax Rate:	1.61		
Adjusted Tax Rate:	.84		
Index Crimes Reported (1968):			
(1969):	11,646		
(1969):	13,949		
Index Crime Rate/100,000 (1968):			
(1969):	2,791		
(1969):	3,343		
Commissioned Police Officers, (1/1/70):			
Authorized Strength:	664		
Actual Strength:	629		
Authorized/100,000:	159		
Civilian Police Department Employees, (1/1/1970):			
Authorized Strength:	107		
Actual Strength:	95		
Annual Police Department Budget:	7,250,000		
Personnel Assigned to Special Units:			
Planning or Research	4	Intelligence	7
Community Relations	14	Narcotics	5
Recruitment	0	Crime Laboratory	8



FORT WORTH SMSA

TARRANT COUNTY

Population (1969 Estimated): 644,089

Commissioned Officers:

Authorized Strength: 147

Actual Strength: 146

Civil Deputies:	<u>16</u>
Jail Personnel:	<u>47</u>
Field Deputies:	<u>44</u>
Other	<u>39</u>

Authorized /100,000 Population: 23

Civilian Employees:

Authorized Strength: Not Available

Actual Strength: Not Available

Current Annual Operating Budget: Not Available

Special Units in Sheriff's Office:

Planning or Research	<u>0</u>	Community Relations	<u>0</u>
Recruitment	<u>0</u>	Intelligence	<u>0</u>
Narcotics	<u>0</u>	Crime Laboratory	<u>0</u>

GALVESTON, TEXAS CITY SMSA

CITY OF GALVESTON

Population (1969 estimate): 73,000

Municipal Tax Data (1968):

Assessed Valuation (add 000): 192,000  
Assessment (% of value): 60  
Total Tax Rate: 1.35  
Adjusted Tax Rate: .810

Index Crimes Reported (1968): 2,905  
(1969): Not Available

Index Crime Rate/100,000 (1968): 3,979  
(1969): Not Available

Commissioned Police Officers, (1/1/70):

Authorized Strength: 105  
Actual Strength: 100  
Authorized/100,000: 144

Civilian Police Department  
Employees, (1/1/1970):

Authorized Strength: 8  
Actual Strength: 8

Annual Police Department Budget: 973,902

Personnel Assigned to Special Units:

Planning or Research	<u>0</u>	Intelligence	<u>0</u>
Community Relations	<u>0</u>	Narcotics	<u>4</u>
Recruitment	<u>0</u>	Crime Laboratory	<u>0</u>

GALVESTON, TEXAS CITY SMSA

GALVESTON COUNTY

Population (1969 Estimated): 172,560

Commissioned Officers:

Authorized Strength: 73

Actual Strength: 73

Civil Deputies:	<u>2</u>
Jail Personnel:	<u>23</u>
Field Deputies:	<u>25</u>
Other	<u>23</u>

Authorized /100,000 Population: 42

Civilian Employees:

Authorized Strength: 1

Actual Strength: 1

Current Annual Operating Budget: 500,000

Special Units in Sheriff's Office:

Planning or Research	<u>0</u>	Community Relations	<u>0</u>
Recruitment	<u>0</u>	Intelligence	<u>0</u>
Narcotics	<u>2</u>	Crime Laboratory	<u>0</u>

HOUSTON SMSA

CITY OF HOUSTON

Population (1969 estimate): 1,244,000

Municipal Tax Data (1968):

Assessed Valuation (add 000): 3,352,771  
Assessment (% of value): 40  
Total Tax Rate: 2.00  
Adjusted Tax Rate: .800

Index Crimes Reported (1968): 47,955  
(1969): 57,887

Index Crime Rate/100,000 (1968): 3,855  
(1969): 4,653

Commissioned Police Officers, (1/1/70):

Authorized Strength: 2,300  
Actual Strength: 1,607  
Authorized/100,000: 184

Civilian Police Department  
Employees, (1/1/1970):

Authorized Strength: 710  
Actual Strength: 453

Annual Police Department Budget: 19,650,453

Personnel Assigned to Special Units:

Planning or Research	<u>7</u>	Intelligence	<u>15</u>
Community Relations	<u>5</u>	Narcotics	<u>2</u>
Recruitment	<u>2</u>	Crime Laboratory	<u>23</u>

HOUSTON SMSA  
BRAZORIA COUNTY

Population (1969 Estimated): 107,500

Commissioned Officers:

Authorized Strength: 63

Actual Strength: 60

Civil Deputies:	<u>2</u>
Jail Personnel:	<u>6</u>
Field Deputies:	<u>28</u>
Other	<u>24</u>

Authorized /100,000 Population: 59

Civilian Employees:

Authorized Strength: 0

Actual Strength: 0

Current Annual Operating Budget: 524,240

Special Units in Sheriff's Office:

Planning or Research <u>0</u>	Community Relations <u>1</u>
Recruitment <u>1</u>	Intelligence <u>0</u>
Narcotics <u>0</u>	Crime Laboratory <u>0</u>

HOUSTON SMSA  
HARRIS COUNTY

Population (1969 Estimated): 1,635,000

Commissioned Officers:

Authorized Strength: 388

Actual Strength: 432

Civil Deputies:	<u>61</u>
Jail Personnel:	<u>141</u>
Field Deputies:	<u>159</u>
Other	<u>16</u>

Authorized /100,000 Population: 24

Civilian Employees:

Authorized Strength: 46

Actual Strength: 0

Current Annual Operating Budget: 4,856,092

Special Units in Sheriff's Office:

Planning or Research	<u>0</u>	Community Relations	<u>0</u>
Recruitment	<u>3</u>	Intelligence	<u>2</u>
Narcotics	<u>2</u>	Crime Laboratory	<u>2</u>



LAREDO SMSA

WEBB COUNTY

Population (1969 Estimated): 80,248

Commissioned Officers:

Authorized Strength: 50

Actual Strength: 50

Civil Deputies:	<u>10</u>
Jail Personnel:	<u>35</u>
Field Deputies:	<u>5</u>
Other	<u>0</u>

Authorized /100,000 Population: 62

Civilian Employees:

Authorized Strength: 2

Actual Strength: 2

Current Annual Operating Budget: 105,386

Special Units in Sheriff's Office:

Planning or Research	<u>0</u>	Community Relations	<u>0</u>
Recruitment	<u>0</u>	Intelligence	<u>0</u>
Narcotics	<u>0</u>	Crime Laboratory	<u>0</u>



LUBBOCK SMSA  
CITY OF LUBBOCK

Population (1969 estimate):	<u>164,500</u>		
Municipal Tax Data (1968):			
Assessed Valuation (add 000):	<u>586,112</u>		
Assessment (% of value):	<u>60</u>		
Total Tax Rate:	<u>1.08</u>		
Adjusted Tax Rate:	<u>.65</u>		
Index Crimes Reported (1968):	<u>5,005</u>		
(1969):	<u>5,030</u>		
Index Crime Rate/100,000 (1968):	<u>3,043</u>		
(1969):	<u>3,058</u>		
Commissioned Police Officers, (1/1/70):			
Authorized Strength:	<u>206</u>		
Actual Strength:	<u>203</u>		
Authorized/100,000:	<u>125</u>		
Civilian Police Department Employees, (1/1/1970):			
Authorized Strength:	<u>28</u>		
Actual Strength:	<u>26</u>		
Annual Police Department Budget:	<u>2,166,777</u>		
Personnel Assigned to Special Units:			
Planning or Research	<u>0</u>	Intelligence	<u>0</u>
Community Relations	<u>0</u>	Narcotics	<u>0</u>
Recruitment	<u>2</u>	Crime Laboratory	<u>0</u>

LUBBOCK SMSA  
LUBBOCK COUNTY

Population (1969 Estimated): 192,796

Commissioned Officers:

Authorized Strength: 41

Actual Strength: 41

Civil Deputies:	<u>5</u>
Jail Personnel:	<u>6</u>
Field Deputies:	<u>19</u>
Other	<u>11</u>

Authorized /100,000 Population: 21

Civilian Employees:

Authorized Strength: 4

Actual Strength: 4

Current Annual Operating Budget: 325,000

Special Units in Sheriff's Office:

Planning or Research	<u>1</u>	Community Relations	<u>0</u>
Recruitment	<u>0</u>	Intelligence	<u>2</u>
Narcotics	<u>0</u>	Crime Laboratory	<u>1</u>

McALLEN, PHARR, EDINBURG SMSA

CITY OF McALLEN

Population (1969 estimate):	<u>35,090</u>		
Municipal Tax Data (1968):			
Assessed Valuation (add 000):	<u>94,507</u>		
Assessment (% of value):	<u>60</u>		
Total Tax Rate:	<u>.90</u>		
Adjusted Tax Rate:	<u>.540</u>		
Index Crimes Reported (1968):	<u>Not Available</u>		
(1969):	<u>Not Available</u>		
Index Crime Rate/100,000 (1968):	<u>Not Available</u>		
(1969):	<u>Not Available</u>		
Commissioned Police Officers, (1/1/70):			
Authorized Strength:	<u>Not Available</u>		
Actual Strength:	<u>24</u>		
Authorized/100,000:	<u>Not Available</u>		
Civilian Police Department Employees, (1/1/1970):			
Authorized Strength:	<u>Not Available</u>		
Actual Strength:	<u>5</u>		
Annual Police Department Budget:	<u>249,105</u>		
Personnel Assigned to Special Units:			
Planning or Research	<u>0</u>	Intelligence	<u>0</u>
Community Relations	<u>0</u>	Narcotics	<u>0</u>
Recruitment	<u>0</u>	Crime Laboratory	<u>0</u>

McALLEN, PHARR, EDINBURG SMSA

HIDALGO COUNTY

Population (1969 Estimated): 208,700

Commissioned Officers:

Authorized Strength: Not Available

Actual Strength: 16

Civil Deputies: N/A  
Jail Personnel: N/A  
Field Deputies: N/A  
Other: N/A

Authorized /100,000 Population: Not Available

Civilian Employees:

Authorized Strength: Not Available

Actual Strength: 3

Current Annual Operating Budget: 332,529

Special Units in Sheriff's Office:

Planning or Research	<u>N/A</u>	Community Relations	<u>N/A</u>
Recruitment	<u>N/A</u>	Intelligence	<u>N/A</u>
Narcotics	<u>N/A</u>	Crime Laboratory	<u>N/A</u>

MIDLAND SMSA  
CITY OF MIDLAND

Population (1969 estimate):		<u>65,000</u>	
Municipal Tax Data (1968):			
Assessed Valuation (add C00):		<u>220,172</u>	
Assessment (% of value):		<u>60</u>	
Total Tax Rate:		<u>1.33</u>	
Adjusted Tax Rate:		<u>.80</u>	
Index Crimes Reported (1968):			
(1969):		<u>1,112</u> <u>Not Available</u>	
Index Crime Rate/100,000 (1968):			
(1969):		<u>1,711</u> <u>Not Available</u>	
Commissioned Police Officers, (1/1/70):			
Authorized Strength:		<u>108</u>	
Actual Strength:		<u>103</u>	
Authorized/100,000:		<u>166</u>	
Civilian Police Department Employees, (1/1/1970):			
Authorized Strength:		<u>24</u>	
Actual Strength:		<u>24</u>	
Annual Police Department Budget:		<u>1,114,741</u>	
Personnel Assigned to Special Units:			
Planning or Research	<u>0</u>	Intelligence	<u>0</u>
Community Relations	<u>0</u>	Narcotics	<u>0</u>
Recruitment	<u>0</u>	Crime Laboratory	<u>0</u>

MIDLAND SMSA

MIDLAND COUNTY

Population (1969 Estimated): 66,744

Commissioned Officers:

Authorized Strength: 24

Actual Strength: 21

Civil Deputies:	<u>2</u>
Jail Personnel:	<u>3</u>
Field Deputies:	<u>0</u>
Other	<u>16</u>

Authorized /100,000 Population: 36

Civilian Employees:

Authorized Strength: Not Available

Actual Strength: Not Available

Current Annual Operating Budget: 179,000

Special Units in Sheriff's Office:

Planning or Research	<u>0</u>	Community Relations	<u>0</u>
Recruitment	<u>0</u>	Intelligence	<u>0</u>
Narcotics	<u>0</u>	Crime Laboratory	<u>0</u>

ODESSA SMSA  
CITY OF ODESSA

Population (1969 estimate):		<u>84,700</u>
Municipal Tax Data (1968):		
Assessed Valuation (add 000):		<u>156,184</u>
Assessment (% of value):		<u>45</u>
Total Tax Rate:		<u>1.90</u>
Adjusted Tax Rate:		<u>.86</u>
Index Crimes Reported (1968):		<u>935</u>
(1969):		<u>Not Available</u>
Index Crime Rate/100,000 (1968):		<u>1,104</u>
(1969):		<u>Not Available</u>
Commissioned Police Officers, (1/1/70):		
Authorized Strength:		<u>89</u>
Actual Strength:		<u>89</u>
Authorized/100,000:		<u>105</u>
Civilian Police Department Employees, (1/1/1970):		
Authorized Strength:		<u>22</u>
Actual Strength:		<u>22</u>
Annual Police Department Budget:		<u>1,015,988</u>
Personnel Assigned to Special Units:		
Planning or Research	<u>0</u>	Intelligence <u>0</u>
Community Relations	<u>0</u>	Narcotics <u>0</u>
Recruitment	<u>0</u>	Crime Laboratory <u>0</u>

ODESSA SMSA

ECTOR COUNTY

Population (1969 Estimated): 94,100

Commissioned Officers:

Authorized Strength: Not Available

Actual Strength: 27

Civil Deputies:	<u>4</u>
Jail Personnel:	<u>1</u>
Field Deputies:	<u>22</u>
Other	<u>0</u>

Authorized /100,000 Population: Not Available

Civilian Employees:

Authorized Strength: Not Available

Actual Strength: 1

Current Annual Operating Budget: Not Available

Special Units in Sheriff's Office:

Planning or Research	<u>0</u>	Community Relations	<u>0</u>
Recruitment	<u>0</u>	Intelligence	<u>0</u>
Narcotics	<u>0</u>	Crime Laboratory	<u>0</u>



SAN ANGELO SMSA  
CITY OF SAN ANGELO

Population (1969 estimate):		69,000
<hr/>		
Municipal Tax Data (1968):		
Assessed Valuation (add 000):		178,034
Assessment (% of value):		65
Total Tax Rate:		1.34
Adjusted Tax Rate:		.871
<hr/>		
Index Crimes Reported (1968):		1,228
(1969):		Not Available
<hr/>		
Index Crime Rate/100,000 (1968):		1,780
(1969):		Not Available
<hr/>		
Commissioned Police Officers, (1/1/70):		
Authorized Strength:		95
Actual Strength:		95
Authorized/100,000:		138
<hr/>		
Civilian Police Department Employees, (1/1/1970):		
Authorized Strength:		15
Actual Strength:		15
<hr/>		
Annual Police Department Budget:		826,332
<hr/>		
Personnel Assigned to Special Units:		
Planning or Research	<u>1</u>	Intelligence
Community Relations	<u>0</u>	Narcotics
Recruitment	<u>0</u>	Crime Laboratory
		<u>1</u>
		<u>2</u>
		<u>0</u>

SAN ANGELO SMSA

TOM GREEN COUNTY

Population (1969 Estimated): 77,505

Commissioned Officers:

Authorized Strength: Not Available

Actual Strength: 12

Civil Deputies:	<u>N/A</u>
Jail Personnel:	<u>N/A</u>
Field Deputies:	<u>N/A</u>
Other	<u>N/A</u>

Authorized /100,000 Population: Not Available

Civilian Employees:

Authorized Strength: Not Available

Actual Strength: 0

Current Annual Operating Budget: 84,960

Special Units in Sheriff's Office:

Planning or Research	<u>N/A</u>	Community Relations	<u>N/A</u>
Recruitment	<u>N/A</u>	Intelligence	<u>N/A</u>
Narcotics	<u>N/A</u>	Crime Laboratory	<u>N/A</u>



SAN ANTONIO SMSA

BEXAR COUNTY

Population (1969 Estimated): 842,082

Commissioned Officers:

Authorized Strength: 268

Actual Strength: 268

Civil Deputies:	<u>31</u>
Jail Personnel:	<u>135</u>
Field Deputies:	<u>102</u>
Other	<u>0</u>

Authorized /100,000 Population: 32

Civilian Employees:

Authorized Strength: 0

Actual Strength: 0

Current Annual Operating Budget: 2,001,644

Special Units in Sheriff's Office:

Planning or Research	<u>0</u>	Community Relations	<u>0</u>
Recruitment	<u>0</u>	Intelligence	<u>0</u>
Narcotics	<u>0</u>	Crime Laboratory	<u>0</u>

SHERMAN, DENISON SMSA

CITY OF SHERMAN

Population (1969 estimate):	<u>27,915</u>		
Municipal Tax Data (1968):			
Assessed Valuation (add 000):	<u>74,936</u>		
Assessment (% of value):	<u>45</u>		
Total Tax Rate:	<u>1.74</u>		
Adjusted Tax Rate:	<u>.783</u>		
Index Crimes Reported (1968):	<u>Not Available</u>		
(1969):	<u>Not Available</u>		
Index Crime Rate/100,000 (1968):	<u>Not Available</u>		
(1969):	<u>Not Available</u>		
Commissioned Police Officers, (1/1/70):			
Authorized Strength:	<u>Not Available</u>		
Actual Strength:	<u>38</u>		
Authorized/100,000:	<u>Not Available</u>		
Civilian Police Department Employees, (1/1/1970):			
Authorized Strength:	<u>Not Available</u>		
Actual Strength:	<u>9</u>		
Annual Police Department Budget:	<u>301,945</u>		
Personnel Assigned to Special Units:			
Planning or Research	<u>N/A</u>	Intelligence	<u>N/A</u>
Community Relations	<u>N/A</u>	Narcotics	<u>N/A</u>
Recruitment	<u>N/A</u>	Crime Laboratory	<u>N/A</u>

SHERMAN, DENISON SMSA

GRAYSON COUNTY

Population (1969 Estimated):		<u>81,040</u>
Commissioned Officers:		
Authorized Strength:		<u>Not Available</u>
Actual Strength:		<u>16</u>
Civil Deputies:	<u>N/A</u>	
Jail Personnel:	<u>N/A</u>	
Field Deputies:	<u>N/A</u>	
Other	<u>N/A</u>	
Authorized /100,000 Population:		<u>Not Available</u>
Civilian Employees:		
Authorized Strength:		<u>Not Available</u>
Actual Strength:		<u>1</u>
Current Annual Operating Budget:		<u>117,143</u>
Special Units in Sheriff's Office:		
Planning or Research	<u>N/A</u>	Community Relations <u>N/A</u>
Recruitment	<u>N/A</u>	Intelligence <u>N/A</u>
Narcotics	<u>N/A</u>	Crime Laboratory <u>N/A</u>

TEXARKANA SMSA  
CITY OF TEXARKANA

Population (1969 estimate):	<u>35,828</u>		
Municipal Tax Data (1968):			
Assessed Valuation (add 000):	<u>68,140</u>		
Assessment (% of value):	<u>60</u>		
Total Tax Rate:	<u>1.30</u>		
Adjusted Tax Rate:	<u>.780</u>		
Index Crimes Reported (1968):	<u>Not Available</u>		
(1969):	<u>Not Available</u>		
Index Crime Rate/100,000 (1958):	<u>Not Available</u>		
(1959):	<u>Not Available</u>		
Commissioned Police Officers, (1/1/70):			
Authorized Strength:	<u>Not Available</u>		
Actual Strength:	<u>40</u>		
Authorized/100,000:	<u>Not Available</u>		
Civilian Police Department Employees, (1/1/1970):			
Authorized Strength:	<u>Not Available</u>		
Actual Strength:	<u>6</u>		
Annual Police Department Budget:	<u>Not Available</u>		
Personnel Assigned to Special Units:			
Planning or Research	<u>N/A</u>	Intelligence	<u>N/A</u>
Community Relations	<u>N/A</u>	Narcotics	<u>N/A</u>
Recruitment	<u>N/A</u>	Crime Laboratory	<u>N/A</u>

TEXARKANA SMSA

BOWIE COUNTY

Population (1969 Estimated): 70,750

Commissioned Officers:

    Authorized Strength: Not Available

    Actual Strength: Not Available

        Civil Deputies: N/A

        Jail Personnel: N/A

        Field Deputies: N/A

        Other: N/A

Authorized /100,000 Population:

Civilian Employees:

    Authorized Strength: Not Available

    Actual Strength: Not Available

Current Annual Operating Budget: Not Available

Special Units in Sheriff's Office:

    Planning or Research N/A      Community Relations N/A

    Recruitment N/A              Intelligence N/A

    Narcotics N/A                  Crime Laboratory N/A



TYLER SMSA  
CITY OF TYLER

Population (1969 estimate):		<u>61,213</u>	
Municipal Tax Data (1968):			
Assessed Valuation (add 000):		<u>158,500</u>	
Assessment (% of value):		<u>45</u>	
Total Tax Rate:		<u>1.65</u>	
Adjusted Tax Rate:		<u>.825</u>	
Index Crimes Reported (1968):		<u>1,075</u>	
(1969):		<u>Not Available</u>	
Index Crime Rate/100,000 (1968):		<u>1,756</u>	
(1969):		<u>Not Available</u>	
Commissioned Police Officers, (1/1/70):			
Authorized Strength:		<u>72</u>	
Actual Strength:		<u>67</u>	
Authorized/100,000:		<u>118</u>	
Civilian Police Department Employees, (1/1/1970):			
Authorized Strength:		<u>3</u>	
Actual Strength:		<u>2</u>	
Annual Police Department Budget:		<u>654,546</u>	
Personnel Assigned to Special Units:			
Planning or Research	<u>1</u>	Intelligence	<u>1</u>
Community Relations	<u>2</u>	Narcotics	<u>2</u>
Recruitment	<u>1</u>	Crime Laboratory	<u>0</u>

TYLER SMSA  
SMITH COUNTY

Population (1969 Estimated): 102,089

Commissioned Officers:

Authorized Strength: 30

Actual Strength: 30

Civil Deputies:	<u>2</u>
Jail Personnel:	<u>4</u>
Field Deputies:	<u>16</u>
Other	<u>8</u>

Authorized /100,000 Population: 29

Civilian Employees:

Authorized Strength: 0

Actual Strength: 0

Current Annual Operating Budget: 209,564

Special Units in Sheriff's Office:

Planning or Research	<u>0</u>	Community Relations	<u>0</u>
Recruitment	<u>0</u>	Intelligence	<u>0</u>
Narcotics	<u>0</u>	Crime Laboratory	<u>0</u>

WACO SMSA  
CITY OF WACO

Population (1969 estimate):		<u>112,935</u>	
Municipal Tax Data (1968):			
Assessed Valuation (add 000):		<u>257,524</u>	
Assessment (% of value):		<u>52</u>	
Total Tax Rate:		<u>1.65</u>	
Adjusted Tax Rate:		<u>.858</u>	
Index Crimes Reported (1968):		<u>3,065</u>	
(1969):		<u>3,446</u>	
Index Crime Rate/100,000 (1968):		<u>2,714</u>	
(1969):		<u>3,051</u>	
Commissioned Police Officers, (1/1/70):			
Authorized Strength:		<u>134</u>	
Actual Strength:		<u>130</u>	
Authorized/100,000:		<u>119</u>	
Civilian Police Department Employees, (1/1/1970):			
Authorized Strength:		<u>33</u>	
Actual Strength:		<u>30</u>	
Annual Police Department Budget:		<u>Not Available</u>	
Personnel Assigned to Special Units:			
Planning or Research	<u>0</u>	Intelligence	<u>0</u>
Community Relations	<u>0</u>	Narcotics	<u>3</u>
Recruitment	<u>2</u>	Crime Laboratory	<u>0</u>

WACO SMSA  
McLENNAN COUNTY

Population (1969 Estimated): 156,200

Commissioned Officers:

Authorized Strength: 23

Actual Strength: 23

Civil Deputies:	<u>2</u>
Jail Personnel:	<u>4</u>
Field Deputies:	<u>10</u>
Other	<u>7</u>

Authorized /100,000 Population: 15

Civilian Employees:

Authorized Strength: 0

Actual Strength: 0

Current Annual Operating Budget: 188,116

Special Units in Sheriff's Office:

Planning or Research	<u>0</u>	Community Relations	<u>2</u>
Recruitment	<u>0</u>	Intelligence	<u>0</u>
Narcotics	<u>0</u>	Crime Laboratory	<u>0</u>

WICHITA FALLS SMSA

CITY OF WICHITA FALLS

Population (1969 estimate): 114,000

Municipal Tax Data (1968):

Assessed Valuation (add 000): 241,987  
Assessment (% of value): 50  
Total Tax Rate: 1.78  
Adjusted Tax Rate: .89

Index Crimes Reported (1968): 1,273  
(1969): 1,429

Index Crime Rate/100,000 (1968): 1.117  
(1969): 1.254

Commissioned Police Officers, (1/1/70):

Authorized Strength: 116  
Actual Strength: 109  
Authorized/100,000: 102

Civilian Police Department  
Employees, (1/1/1970):

Authorized Strength: 25  
Actual Strength: 25

Annual Police Department Budget: 1,155,567

Personnel Assigned to Special Units:

Planning or Research	<u>0</u>	Intelligence	<u>0</u>
Community Relations	<u>0</u>	Narcotics	<u>2</u>
Recruitment	<u>0</u>	Crime Laboratory	<u>0</u>

WICHITA FALLS SMSA

WICHITA COUNTY

Population (1969 Estimated): 128,290

Commissioned Officers:

Authorized Strength: 28

Actual Strength: 28

Civil Deputies:	<u>1</u>
Jail Personnel:	<u>8</u>
Field Deputies:	<u>12</u>
Other	<u>7</u>

Authorized /100,000 Population: 22

Civilian Employees:


Authorized Strength: 1

Actual Strength: 1

Current Annual Operating Budget: 215,600

Special Units in Sheriff's Office:

Planning or Research	<u>0</u>	Community Relations	<u>0</u>
Recruitment	<u>0</u>	Intelligence	<u>0</u>
Narcotics	<u>0</u>	Crime Laboratory	<u>0</u>

~~TEXAS STATE LIBRARY~~  
  
~~3 6237 00123430 7~~

