

**THE BILL BLACKWOOD
LAW ENFORCEMENT MANAGEMENT INSTITUTE OF TEXAS**

**Connecting The Houston Police Department,
Probation and Parole Agencies: Stopping Repeat Violence in Houston, Texas**

**A Research Project
Submitted in Partial Fulfillment of the
Requirements for the Professional Designation
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Abstract

This paper entitled Connecting the Houston Police Department, Probation and Parole Agencies: Stopping Repeat Violence in Houston, Texas is intended to demonstrate the need to develop a stronger program of monitoring released inmates as they return to the mainstream of society.

The information will illustrate the number of inmates released and the current systems used for monitoring their activities of released inmates.

The paper concludes that it is important for these law enforcement agencies to merge to assist with the monitoring of released inmate.

Statement of Research Purpose

The purpose of this paper is to propose an organizational structure for a intensive supervision program for released prisoners within the Harris County utilizing certified police officers of the Houston Police Department.

This research will aid in implementing a new division with the Houston Police Department for monitoring offenders released to probation and parole. The officers assigned to the unit will be responsible for maintaining close supervision of released offenders and working directly with Probation and Parole as well as for providing updated information to aid other local law enforcement agencies.

This research aims to assist in developing a strict program with standards including weekly face-to-face contacts with offenders, mandatory curfews, mandatory employment, weekly checks of local arrest records, automatic notification of arrest to facilitate immediate return to the prison system, and routine, unannounced alcohol and drug testing.

This research will assist the Houston police agency in developing standard operating procedures for police officers opening communication between the agencies involved and developing technical programs for providing supervision of paroled and probationary offenders. If this program becomes a reality, it could provide a tracking system for keeping up with offenders and give municipal agencies access to computerized records kept by their local counterparts.

Review of the Literature

The information used in this research was gathered from agencies throughout the United States and other general information from the criminal justice field related to parole and probation.

A computer search of ERIC, Sociological Abstracts, Psychological Abstracts, and the National Institute of Justice data bases provided information on intensive supervision in probation and parole systems. Other information included annual fiscal reports from the Texas Department of Criminal Justice and the Harris County Supervision and Corrections Department. The National Institute of Justice (NIJ) provided information on the Bureau of Justice Assistance Intensive Probation and Program Brief. The Harris County Community Supervision and Corrections Department also provided literature on their supervision program.

Authors like James Stewart, Director of the National Institute of Justice and Billie Erwin and Lawrence Bennett, have written on this topic are in agreement that there is a great need for stricter programs for monitoring released offenders. Hopefully, this research will bring local policing agencies together to develop a stronger program for monitoring offenders.

Statement of Proposed Methodology

Several methods were used in conducting this research including traditional library research by searching and utilization of material provided by several state legislators who provided their opinions on combining local policing agencies. A discussion of control was considered because of liability issues. The issue of empowering uncertified probation officers with the ability to arrest was addressed, focusing on the need for additional training. Research was also conducted on possible incentive pay/pay parity for the officers involved in the program.

End of the road for bloody crime spree . . .
Ex-con, teen nabbed under New Mexico bridge
- The Houston Post
Wednesday, September 1, 1994

Officer finds cause to believe Meza violated parole . . .
- The Houston Chronicle
Wednesday, September 7, 1994

Murderer on probation arrested, may get probation? . . .
- The Houston Chronicle
Sunday, September 10, 1994

Back to the slammer
Parole Violation sending Meza to prison . . .
- The Houston Chronicle
Saturday, October 22, 1994

Where Did They Go?

The following is a list of some of the better-known felons who were placed in Texas' controversial "annual report" program that allows parolees to simply mail in a post card noting their whereabouts.

Thomas Caraway:

Caraway, a Houston resident, was sentenced to death in 1969 for strangling a 35-year-old man with a rope during a robbery on Dec. 29, 1968. In 1972 the U. S. Supreme Court commuted Caraway's sentence to life in prison. He remained in prison until Feb. 17, 1984. When he was paroled, Caraway was placed on annual-report status in May 1989. He is unemployed and living in Bakersfield, California.

William Lester Stuff:

Stuff was convicted of the September 1973 beating death of his 2-month-old daughter, Dijianet, in Fort Worth. Stuff served 10 years of a 70 year prison sentence. He was paroled in 1984, and placed on annual report status in 1988. Stuff, 43, was arrested in Riverside, California, in 1992 and charged in the killings of 14 prostitutes and drug addicts and is suspected in five other murders. After his arrest, it was discovered that he had failed to file his annual reports with Texas for at least three years. His trial is set for January 1995.

Roger Hester:

Sentenced to two life sentences in 1973 after he and another man were convicted of shooting and killing Bexar County sheriff's deputies Vincent Walker and Joshua Rodriguez. Hester served 14 years in prison, and was paroled in September 1987. He was placed on annual-report status in November 1988. He is a self-employed sandblaster in Victoria, Texas.

Introduction

On Thursday, October 21, 1993, The Dallas Morning News carried the report of Linda Jean Johnson who robbed her polio-afflicted employer. Although incidents like this may be everyday occurrences, Johnson committed the crime only two hours after she should have been detained by her parole officer.¹

According to the article, Johnson, who was on probation for a cocaine possession conviction, should have been arrested by her probation officer acting on an arrest warrant issued on October 11, 1993. The warrant alleged that Johnson violated the terms of her probation although specifics were not reported. Even after meeting with her probation officer 3 days prior to the robbery Johnson was still not arrested.²

A follow-up article reported that the parole officer was following policy when he did not arrest Johnson. Dallas County Community Supervision and Corrections Department has a written policy that advises probationers of outstanding warrants and tells them "to be seated pending the arrival of sheriff officers."³ According to the department's director, probation officers are not armed and cannot detain their clients.⁴ The article further explained that probationers are to be notified of warrants before any other policing authority.

The purpose of this paper is to recommend the creation of an "intense" Intensive Supervision Team within the Houston Police Department to assist in the monitoring and supervision of parolees and probationers within the Houston jurisdiction. This team will be made up of certified police officers of the Houston Police Department and will work in conjunction with Department of Probation and Parole. Hopefully, the acceptance and implementation of this team will prevent incidents similar to the one described from occurring in the Houston area.

The primary benefit of this program would be more immediate feedback on parole violations. This would be accomplished by weekly contacts with participants and daily updates on any violations of the probation and parole agreement. A "flagging" will notify officers of violators who fail to abide by the program rules and will begin the process for the violator's immediate return to the State Prison System.

History

What Is Probation?

In probation, the court suspends the sentence for selected offenders and releases them conditional upon good behavior. Probationers are subjected to prescribed rules and supervision by officers of the court.

Probation is most often granted to first offenders and for less-serious crimes. Although eligibility for probation is usually defined by the law, it can be left up to the courts. The administration of probation must guard against two types of error: (1) offenders who should be incarcerated and may be released into the community, and, (2) offenders who can be rehabilitated in the community and present no danger may be kept locked up when they should be free.

When probation is approved by the court, the offender is placed under the supervision of a probation officer or a person appointed by the court. The probation officer's fundamental task is to help the probationer become a more responsible and better-adjusted person. In the past, the essence of probation was good casework, not supervision. This paper proposes a change to increased supervision while lessening the importance of casework.

What is Parole?

Parole is also a release from a prison prior to the expiration of the sentence. As a form of correctional treatment, parole is designed to enhance the protection of the community through supervision and rehabilitation of selected offenders following their release from prison.

Eligibility for parole is governed by statutes that provide either definite or indefinite sentences and define which offenses are applicable for parole. Parole supervision is based on the concept that the individual parolee has the capacity to accept help and change his behavior. Therefore, parole supervision relies heavily on the skills of the parole officer.

An accurate means of predicting criminal behavior would be invaluable in deciding when offenders should be released on probation. The efforts of criminologists to develop statistical methods for predicting criminal behavior have not been successful in providing officials with practical guidance.⁵

What Is Intense Supervision?

According to the Bureau of Justice Assistance, intense supervision probation and parole programs represent a response to pressures created by a demand for incarceration which exceeds prison capacity. Since the early 1980's, state and local jurisdictions have developed community supervision programs which emphasize a high level of surveillance and specialized interventions.

Intense Supervision is an immediate form of punishment which permits carefully selected state-prison sentenced offenders to serve the remainder of their sentences in the community rather than in prison. Intense supervision is a "prison without walls".⁶

The continued growth of prison populations and the cost of capacity expansion indicate that intensive supervision programs will continue to offer one cost-effective option, satisfying demands for punishment, public safety and treatment objectives.

Success for any social progress cannot be assured, particularly one that attempts to deal positively and constructively with persons who have not succeeded elsewhere and which also intends to guard society against future criminality; nevertheless, this program has been carefully designed to present a realistic and tough-minded approach to one of the most difficult problems facing society today.⁷

Programs For Released Adult Offenders

Several states are currently using Intensive Supervision Programs as an alternative to incarceration. In the Houston area, there is not a team existing with job duties and an assignment like the one proposed in this paper. The proposed unit will connect local agencies through training, computer link-up, and personnel. The probation/parole agencies will provide a case worker for in-house monitoring and filtering of any information that may need to be entered into the computer. The police will provide the necessary personnel to make up the monitoring teams. The Georgia ISP program and programs like those in Massachusetts, New Jersey and Texas can be used as a reference and guide for the development of a stronger based ISP program within the Houston Harris County area.

Georgia Intensive Probation Supervision

Implemented in 1982, the Georgia Intensive Probation Supervision Program (IPS) has stirred interest because it seems to satisfy two goals that have appeared contradictory:

(1) restraining the growth of prison populations and associated costs by controlling selected offenders in the community and (2) satisfying the demand that criminals be punished for their crimes.

While probation programs have varying degrees of supervision, Georgia's ISP is widely regarded as one of the more stringent in the nation. Georgia had set the following standards:⁸

- Five face-to-face contacts per week
- 132 Hours of mandatory community service
- Mandatory curfew
- Mandatory employment
- Weekly check of local arrest records
- Automatic notification of arrest elsewhere via the State Crime Information Network listing
- Routine and unannounced alcohol and drug testing

Program Evaluation

The ISP program was piloted in 13 of Georgia's 45 judicial sentencing circuits. By the end of 1985, it had expanded to 33 circuits and had supervised 2,322 probationers.⁹ Of the 2,322 people in the program between 1982 and 1985, 370 (16%) absconded or had their probation revoked.¹⁰ The remaining 1,952 were successfully diverted from prison.¹¹

Evaluation suggests that the IPS program has played a significant role in reducing the flow of offenders to prison. The percentage of offenders sentenced to prison decreased and the number of probationers increased. Also, IPS probationers committed fewer serious crimes during their probation than comparable groups of regular probationers or probationers released from prison.¹²

As part of the Georgia evaluation seven questions were raised:

1. Did the program divert offenders from prison to an alternative operation?

According to the National Institute of Justice (NIJ) Report of the Georgia IPS program, the program was successful in diverting a substantial number of offenders from prison. Georgia sentencing statistics from 1982 through 1985 show a 10% reduction in the number of felons sentenced to prison.¹³ At the same time, the number of offenders placed on probation increased 10%. Jurisdiction with intensive supervision teams showed an increase of 15 to 27% in the number of offenders on probation, which was higher than the statewide average of 10 percent.¹⁴ The 10% reduction in the number of felons who were imprisoned represents progress in easing prison overcrowding.

2. Would the felons who were placed in the IPS program have gone to prison if the program had not existed?

According to the Georgia evaluation, Georgia does not have determinate sentencing guidelines, the judicial circuits historically have exhibited a great deal of sentencing variation. Because sentencing in rural circuits tend to be more severe than those in urban circuits, selecting offenders for the IPS program is based on crime type or risk measure. Georgia IPS administrators targeted serious but non-violent offenders who, without the program, would have otherwise gone to prison.

Also, the Georgia evaluation results indicate that 59.4% of the IPS cases were more similar to those imprisoned than those placed in probation.¹⁵ The results also suggest that 24.6% of those actually incarcerated were very similar to those probated. The evidence suggests that the offenders sentenced to IPS resembled those incarcerated more than those who received probation.

3. Was the risk to the community reduced?

The experience suggests that IPS sufficiently controls offenders so that risk to the community is markedly limited. The recidivism (return to criminal habits and activities)

rates are considerably better for IPS offenders than for groups under regular probation and those released from prison.¹⁶ IPS offenders commit fewer and less-serious crimes.

Of the 2,322 offenders sentenced to the IPS program:

- 68% are still on probation under IPS or regular probation caseloads;
- 15% have successfully completed their sentences;
- 1% were transferred to other jurisdictions and,
- 16% have been terminated from the program and returned to prison for technical violations of new crimes.¹⁷

Only 0.8% of the IPS probationers have been convicted of any violent personal crimes (including simple battery, terroristic threat, etc.). Most new crimes have been drug and alcohol-related offenses. To date, no IPS probationer has committed a subsequent crime that resulted in serious bodily injury to a victim. Of the 2,322 cases admitted to the program, the following serious crime convictions have resulted: 1 armed robbery, 6 simple assaults, 4 simple battery offenses, 1 terrorist threat, 18 burglaries, 19 thefts, and 3 motor vehicle thefts.¹⁸

Although more IPS probationers violated the condition of probation than regular probationers (7% compared to 4.5%), this might be anticipated because IPS probationers were so closely supervised. What might not be expected is the very low number who absconded. Only one of the sample of 200 IPS probationers absconded compared to four of the 200 regular probationers.¹⁹

4. How much did the program cost?

The State of Georgia's preliminary estimates suggest a savings of \$6,775 for each case diverted from prison. If all 2,322 offenders placed in IPS through the end of 1985 were diverted from prison, it could lead to a savings of more than \$13 million.

It should be noted that these estimates are based on incarceration costs (\$30.43 per day) and supervision costs only. The estimates do not include any capital outlay, which could legitimately be included because the prisons in Georgia are full. If the 1,000

offenders under the IPS program at any given time had been incarcerated, they would have filled two moderate-sized prisons which, if constructed, would have cost millions of dollars.

5. What kinds of cases have been assigned to the IPS program?

Looking at the 2,322 offenders sentenced to the program through 1985, the following profile emerges: 68% were white, 89% were male, 46% were 25 years old or younger, and another 24% were between 26 and 30 years old. Forty-three percent were convicted of property offenses, 41% of drug and alcohol-related offenses, and 9% were convicted of violent personal crimes.²⁰

6. What kinds of cases were most successful in the IPS program?

Drug offenders responded better to the IPS program than they did to regular probation; A reported 90% success rate was reported during the 18-month follow up study.²¹ Frequent contact during the evening and on weekends and the urinalysis monitoring may be particularly effective in supervising drug offenders.

The finding that offenders convicted of drug alcohol-related offenses had the highest success rates raises interesting questions, because the program initially considered discouraging substance abuse offenders from being accepted in the program. But judges were obviously looking for constructive alternatives for substance abuse cases. Therefore, staff training and urinalysis capabilities were increased.

Females succeeded at a slightly higher rate than males, as they did under regular supervision.²² There was no significant difference in outcome by race.²³

The evaluators used discriminant analysis techniques to predict which offenders might be effectively supervised under an intensive program. These techniques enable the evaluators to predict 64 to 68% of the variation in outcome.²⁴ The analysis identified a risk score as the most important variable in predicting if a probationer is likely to fail in the IPS program.²⁵ Being a property offender was the next most important predictor. The sex of the offender, the need score (a score based on a scale depicting the estimated social

service needs of the probationer), race, and drug possession each made additional small contributions to the predictions.²⁶

7. How well has the program been accepted?

Judges are now among the strongest supporters of the program in part because the program has a high degree of accountability. A judge can contact an IPS officer about a case knowing that an officer has had direct and recent contact with the offender. The officers know what the offender are doing and how they are adjusting.

Statistics For Connecting Agencies

Intense supervision probation and parole programs represent a response to pressures created by a demand for incarceration which exceeds prison capacity. Since the early 1980's, state and local jurisdictions have developed community supervision programs which emphasize reduced caseloads, a high level of surveillance and specialized interventions. The continuing growth of prison populations and the cost of capacity expansion indicate that intensive supervision programs will continue to offer an effective option, satisfying demands for punishment, public safety and treatment objectives.²⁷

As the number of offenders behind bars continues to grow---passing the half million mark in 1993---crime as measured by the National Crime Survey has declined for the fourth straight year.²⁸ At the same time, there is understandable concern about crowding in our jails and prisons. Reports on the "crisis" in prisons are front page news. But what is less well known is that only one quarter of offenders under correctional supervision are actually incarcerated; the remainder are in the community on probation or parole.²⁹

In 1994, with the stroke of a pen, Governor Ann Richards created a statutory "right" to probation for certain felony offenders in Texas.³⁰ Richards and the state Legislature struggled with the early release of parolees for several years. As part of their solution to this problem, they made significant changes to the Texas Penal Code and Code

of Criminal Procedure. In doing so, they reduced several felony offenses, including Burglary (building), forgery, theft (including auto), drug possession and drug dealing to what is now called a state jail felony, or SJF.³¹ This "right severely obstructs the administration of justice. Because violators now have a right to SJF for certain crimes, punishment no longer fits the crime and criminal. It is absurd to place a cocaine dealer on probation after he has been sent to prison two or more times in the past for drug dealing or other crimes. No matter how unqualified a criminal is and no matter how strongly a jury wants to put him in prison, a judge must place him on probation. According to the SJF concept, it is this violator's right to automatic probation. Furthermore, lowering the ceiling on punishment to the absolute minimum will encourage more criminals to set their cases for trial because they no longer risk the possibility of going to prison.

The SJF concept is a radical departure from previous criminal law. Under the new law, certain offenders are automatically released into the community on probation upon their conviction (with the possibility that the judge may give them jail time as a condition of their probation).

Overwhelming probation caseloads make it difficult to provide adequate supervision for many offenders who are then, in effect, left unsecured in the communities. Citizens are placed in jeopardy when offenders, particularly felons, are released without sufficient safeguards.³²

Furthermore, SJF law will actually increase the danger to public safety. The most damning evidence in this regard comes from a document entitled "A Briefing on State Jail Felon Dynamics" by Criminal Justice Policy Counsel (CJPC), the state organization responsible for the research behind SJF law. CJPC predicts that over the next year 12,390 felons will be placed on probation who would have been sent to prison under the old law. Of these, it is predicted that 4,632 will have one prior felony conviction and 5,022 will have two or more prior felony convictions. Most of these career felons failed to complete their first probation years ago when they began their criminal careers. Most experts agree

that career criminals commit 20 to 30 crimes before they are caught. By replacing these 12,390 felons, we can anticipate a substantial rise in crime.³³

The outlook for Harris County is worse. CJPC predicts that over the next year, 6,800 felons will be placed on probation who would have gone to prison in the past. Of these 2,457 will have two or more prior felony convictions. This also means an estimated additional 730 burglars, 438 forgers, 1,341 thieves, 3000 drug users and 1,291 drug dealers will be placed on probation in Harris County over the next year.³⁴

The impact of SJF law is inconsistent with the Texas Legislature's goal of assuring that violent offenders will serve longer prison sentences. CJPC assumes state jail felons are somehow magically incapable of violent crime. In reality, most of the "violent offenders" who are now in prison have an extensive history of committing the crimes which are now state jail felonies. The governor and legislature might have considered that the only difference between a capital murder and an auto theft is whether or not the owner comes upon the scene of the crime.

CJPC statistics show that 9.9% of all offenders sentenced to prison were murderers and first-degree felons and 43.4% of those sentenced to prison were for offenses which are not state jail felonies. It is unnecessary and absurd to place 43.4% of those individuals who would have sentenced to prison on probation to make room for the other 9.9%.³⁵

For example, CJPC predicts that 513 murderers and 2,599 first-degree felons, a total of 3,112 "violent offenders," will be placed in prisons statewide. Why place 12,390 felons on probation to make room for 3,112 "violent" felons? In Harris County, CJPC predicts 177 murderers and 990 first-degree felons, a total of 1,167 "violent offenders," will be sent to prison.³⁶

Finally, the SJF will add a crushing weight to our already overburdened probation department. As of July 1994, 61,418 criminals were on adult probation in Harris County, 36,236 of whom were on felony probation. Also in July, 2,142 new probationers were added, 940 of whom were felons.³⁷ Probation officers handled an average caseload of

165.33 probationers. Most experts agree that probation officers should have case loads of less than 50 probationers.³⁸

The following charts show the numbers of probationers arrested by the Houston Police Department during 1993 and 1994. Table 1 shows the total number of violators arrested during 1993 and 1994 for parole and/or probation violation along with the percentage of change during the one year period.

Tables 2, 3 and 4 show the total numbers of warrants issued for service, those directly targeted for arrest and those arrested during various incidents, i.e., traffic stops, in the offense of other crimes, etc. The numbers also reflect those found in custody within the penal systems after warrants were issued, those found to be deceased and those warrants that were withdrawn for various reasons.

Table 1

Parole Violator Arrest by HPD 1993-1994			
	1993	1994	% Change 93-94
January	370	259	-30.0%
February	280	252	-10.0%
March	302	287	-5.0%
April	292	271	-7.2%
May	293	271	-7.5%
June	239	290	21.3%
July	242	230	-5.0%
August	276	271	-1.8%
September	285	231	-18.9%
October	270	210	-22.2%
November	232	197	-15.1%
December	255	180	-29.4%
Totals	3,336	2,949	-218.40%

Source: Houston Police Department Crime Analysis/Planning & Research Division, Houston, Texas, 1994

Table 2

Parole/Probation Violators Arrested by HPD - 1993													
Months	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec	Total
Warrants	317	220	129	207	275	142	170	173	169	207	158	145	2312
Targeted	168	103	78	145	155	113	95	107	115	84	79	87	1329
Non-Target	214	176	243	146	138	126	147	169	170	186	153	168	2036
Totals	382	279	321	291	293	239	242	276	285	270	232	255	3365
In Custody	58	27	11	30	24	25	5	15	18	57	19	22	311
Deceased	18	2	0	1	2	0	0	1	1	1	0	0	26
Withdrawn	16	12	19	29	69	14	8	15	20	44	16	24	286

Table 3

Parole/Probation Violators Arrested by HPD - 1994													
Months	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec	Totals
Warrants	190	146	155	161	147	201	172	251	327	262	265	128	2405
Targeted	98	82	86	105	91	127	69	94	90	83	70	72	1067
Non-Target	161	170	201	166	180	163	161	177	141	127	127	108	1882
Total	259	252	287	271	271	280	230	271	231	210	199	180	2941
In Custody	27	26	30	25	38	62	22	18	69	70	54	36	477
Deceased	0	0	2	0	0	1	0	2	0	0	1	2	8
Withdrawn	21	31	26	31	33	26	10	16	5	60	37	6	302

Table 4

Parole/Probation Violators Arrested by HPD - 1993 & 1994													
Months	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec	Totals
Warrants	507	366	284	368	422	343	342	173	169	207	158	145	3484
Targeted	266	185	164	250	246	240	164	107	115	84	79	87	1987
Non-Target	375	346	444	312	318	289	308	169	170	186	153	168	3238
Total	641	531	608	562	564	529	472	276	285	270	232	255	5225
In Custody	85	53	41	55	62	87	27	27	15	18	57	19	541
Deceased	18	2	2	1	2	1	0	1	1	1	0	0	29
Withdrawn	37	43	45	60	102	40	18	15	20	44	16	24	464

Source: Charts 2-4: Houston Police Department Crime Analysis/Planning and Research Division, Houston, Texas, 1994.

Goal

The evidence shows beyond a shadow of doubt that Governor Richards and the state legislature have shifted the parole/early release problem from Austin to the local communities.³⁹ Therefore the implementation of a joint intense supervision program jointly administered by the Houston Police and Probation and Parole Department should be considered. The ultimate goal of this proposal (like that of the Georgia program) is to provide to the courts and penal system a cost-effective sentencing and placement option which satisfies punishment, public safety and treatment objectives. However, this program will go one step further by ensuring that any participant who violates any part of the agreement will be returned immediately to the State of Texas penal system.

This proposal is based on the assumption that the agencies involved must have a common goal: generally protecting communities from repeat offenders placed/returned to their communities.

Although each of the agencies involved may have different contributions to make to the partnership, and the Houston Police Department may be responsible for initiating and supplying the personnel, training and promotion of the program is based on the assumption that the common mission cannot be accomplished without each agency's collaboration.

For successful implementation of an Intense ISP program, it is critical that the need for the program, as well as the support of all the affected participants, be established. This includes both external and internal support. A plan must be in place for integrating the new program into the operations of the implementing agency and for gaining acceptance by community leaders, other criminal justice agencies and political leaders. The following critical elements are needed to implement the program:

- (1) Identification of a target population which is appropriate and adequate for an ISP program. The target population has been identified through the research conducted by the Criminal Justice Policy Counsel.⁴⁰
- (2) Adequate staffing levels. Staffing will be provided by the Houston Police Department. All 4500 members will be trained to identify and monitor offenders, as will members of the Probation and Parole officers.
- (3) Recruitment and training of specialized ISP officers. A task force of officers consisting of a captain, lieutenant, 4 sergeants, 20 police officers, 4 probation, 4 parole officers, and 3 liaison. All officers will be trained to monitor and provide routine checks of offenders. Those persons in violation will be immediately "flagged" for task force intervention and ultimate arrest.
- (4) Public relations. The development of a strong positive campaign for city and county leaders and citizens that will include their input into the program. Possibly an advisory board to include representatives of city and county government and community leaders could be developed.
- (5) Officer Safety. Officers will work in teams of five officers: one supervisor per shift unit, one probation officer and one parole officer.
- (6) Revocation Policy. Strict guidelines will be created stating response for infractions.
- (7) Networking with community resource providers to organize services for the needs of program participants, such as living skills, employment, drug and alcohol treatment or mental health counseling programs.
- (8) Integration of the program into the existing organizational structure through the development of strategies for acceptance by all agencies directly involved.
- (9) Monitoring and evaluation. Those who provide funding to the program will monitor and evaluate routinely as well as make funding decisions.

The Program Operation

Georgia's Intensive Probation Supervision program is a diversion program: participants enter the state's intensive probation program instead of serving time in prison. In New Jersey, the program includes an element of "shock" incarceration where inmates of a state prison apply for release into the ISP. If they pass a careful screening process, they are accepted into the program after serving a minimum of 60 days in prison. The median prison time served before release into intensive supervision is about three-and-a-half months.⁴¹

Utilizing both programs as a guide for this proposal, it is recommended that participants within this ISP be required to have a community sponsor, a person willing to take responsibility toward helping the participants to obtain employment, housing and those personal "need" items for readmission into the mainstream of society. This community sponsor will make the initial recommendation for the release of the participant into the ISP program, after meeting with the participant, probation and parole and the ISP task force representative. The community sponsor will be asked to share in the responsibility for teaching, guiding and helping the participants get re-established in the community.

Participants will sign a contract reimbursing a percentage of their monthly salary, based on the number of years they were to serve in prison, not to exceed five years or any more than 5% of the base salary. A percentage of the monies will go into the operation budget of the ISP program, while a portion will be used for restitution amounts to crime victims. Fines assessed by the courts will be paid monthly from the funds taken each month. Those entering the program will attend a 40 hour training program on building self-esteem, self-motivation and setting and keeping goals.

The program will be available to those inmates upon completion of six months in prison. The program will offer a choice of prison or a tightly monitored and structured setting.

The parole and probation agencies will continue to provide the networking with community resource providers, the revocation policy, and public relations. The Houston Police department will be responsible for providing police officers for monitoring participants daily. By training all Houston Police Officers all probation and parole offenders can be monitored on a 24-hour basis. There will be no set time for visits. Police Officers assigned to the day and evening shift will check work locations; night shift officers will check the mandatory midnight curfew for participants as a part of their beat patrol assignments. All officers will check possible suspects for violations and verify if they are on the ISP and if they are in violation of the program. If the suspect is in violation and is a wanted suspect, the arrest will be on the spot. Houston officers who find participants in violation of any mandatory rules, will send an alert slip to the ISP task force. The ISP officer will send the alert to probation and parole for an update meeting with the violator. Probation and parole will advise the participant of the update meeting. The meeting will be held to verify explanations for violations resulting from the police officers sending the alert. If the reasons are not valid, then the ISP officer will be available at the meeting to handle any arrest that should occur. This will prevent the participant from being told to having to wait the arrival of an officer as was the case in Dallas with Linda Johnson.

Not showing up for an update meeting will cause a warrant to be issued immediately for the probationer's arrest and return to the Texas Penal system. The case file will be forwarded to the ISP task force for their handling of paperwork for the warrants and return of the offender to the penal system. All probation and parole criminal violators of the ISP program will be entered into the National Crime Information Center (NCIC) and

Texas Crime Information Center (TCIC) computer systems to which all law enforcement agencies will have access.

The reason many violators are able to continue to commit crimes without the possibility of arrest is because they are able to move freely within the cities. There is no monitoring of the offender. Ted Poe, a Harris County District Court Judge says, "I'm not going to say that there's not going to be people who have managed to get their life together and become productive members of society." But this does not mean there is no need for monitoring. Building a stable trust relationship may take more than a year or two.⁴²

Implementation of the intense ISP task force in Houston will create 4700 plus monitors. Every Houston Police officer will be trained through in-service training to perform work checks and home checks. They will be able to identify violators. Task force officers will be trained in working with and filling out forms used by parole and probation, as well as knowing and understanding the rules, guidelines and standard operation procedure for the probation and parole offices. Offenders participating in this program will be given strict guidelines and will be made aware at the onset of the program of the strictness of the program, and will be required to sign an agreement regarding the rules. Those who apply to this program must attend a training session and they must meet with a review board to explain their reasons for wanting into the program and answer any questions that the board may have.

This program will offer participants a second chance at life although the rules will be strict and punishment strong. However, any probationers in this program who work within the rules will have the opportunity to continue their education, live with their families, learn and work in their area of interest. The program will provide participants an honest opportunity to reform.

In addition, participants will be encouraged to involve themselves in assisting in developing rules by sharing experiences and knowledge for improving the ISP program, as

well as encouraging each other toward remaining in the mainstream of society. Those who excel in the program will be asked to assist in fund raising, speak at community programs and become leaders for other ISP participants.

The community will be asked to work closely with the ISP program. Programs such as Ministers Against Crime will be asked for assistance in finding businesses to employ participants. Community outreach programs will be requested to get the word out to the community and to assist in creating training programs that offer technical training on the high school level since many of the participants will have only a high school level education. The business community will be asked to offer jobs to the participants in the ISP program. As an incentive, business owners may be offered special tax deductions for hiring participants of the ISP program.

This program can and will work. The funding for maintaining the program can be raised through grants such as those sponsored by the Houston Endowment and Bill Clinton's Crime sponsorship to law enforcement agencies as well as drug seizure monies, application to business owners for financial support and taking a small percentage of participant's salaries. The proposed budget shows the program's financial need will be small in comparison to the end results.

Hopefully, the Houston Police Department will provide office space and equipment for those officers assigned to the task force unit. Probation and parole along with the police department can share the expense of training, community outreach and public relations programs. Support personnel may be reassigned from other areas in both agencies and trained specifically for the ISP operations.

Proposed Budget

Intensive Supervision Program Task Force

	Estimated Request Fiscal Year 1995
Personnel Services:	
Base Salary - Civilian	
Secretary	\$ 25, 000
Overtime	9, 000
- Classified Personnel	150, 000
Certified Peace Officers	
Probation & Parole Officers	
Overtime & Pay Parity	
Personnel Services Subtotal	\$ 184, 000
Supplies and equipment	
Audio-Visual Supplies	\$ 5, 000
Computer Supplies	5, 000
Publication & Printing Supplies	1, 500
Postage	500
Miscellaneous Office Supplies	500
Vehicle Repair & Maintenance Supplies	-0-
Small Tools and Minor Equipment	1, 000
Vehicles	-0-
Supplies Subtotal	\$ 13, 500
Other Services:	
Office Equipment & (2) Computers	\$ 5, 000
Printing & Reproductive Services	1, 000
Travel - Training Related	3, 000
Audio, Video & TV Equipment	4, 000
Other Service Subtotal	\$ 13, 000
Grand Total	\$ 210, 000

Conclusion

All across the country, state and local criminal justice officials are searching for ways to fill the gap in correctional alternatives between simple probation and incarceration. Intermediate sanctions---such as boot camps, house arrest, community services, expanded use of fines and restitution,---can provide the needed continuum of sentencing options, so that offenders are held accountable for their crimes, while, at the same time, the public safety is ensured.

We also know that there are many for whom incarceration is not appropriate. But simple probation may not be sufficient, particularly when probation/parole officers are carrying caseloads far beyond what is manageable. We need to fill the gap between simple probation and prison. This ISP program is a means of holding offenders accountable for their actions while increasing the monitoring and control of the higher risk offenders supervised in the community, and, thereby, contributing to public safety.

What happened in Dallas can not be prevented if someone provides strict rules for and surveillance of those released back into our communities. While some crime statistics are down, many are up, and many of these crimes are being committed by repeat offenders. In many cases the state, cities and communities have no idea where these offenders are or what they are doing.

No program can stop every criminal offense, but through weekly contact meetings a task force officer can possibly recognize potential problems and prevent them from happening.

Furthermore, any program must be strict, not one that allows offenders to simply mail in a card or one in which offenders rarely see or in some cases hardly know who their parole/probation officers are. Rather we should be aiming at strict supervision and monitoring.

"A young Houston patrol officer, critically wounded by carjackers as he ended his Labor Day holiday with friends in south Houston on Monday probably will live but faces a long arduous recovery.

Officer Roderick D. Segura was in critical condition but stable condition Tuesday in Ben Taub Hospital's intensive care unit. He was shot in the chest, abdomen and right thigh Monday night by two men who wanted his 1991 Mercedes.

Segura managed to wound one of the suspects, identified as Derrick D. West, 20. He was listed in poor condition at Ben Taub Tuesday.

West and Kevin O. Hines, 23, both were arrested at 10:40 p.m. Monday when they tried to hide in Cullen Middle School. They set off the school's security alarms.

Both suspects were paroled from prison in June - Hines for the second time. Segura was attacked about 10:30 p.m. when he and a friend stopped at a barbecue stand in the 9500 block of South Main to eat and talk with other friends, police said.

Witnesses told investigators Segura had bought sandwiches and was talking with some people in the parking lot when a man approached, pulled a gun and fired at the officer.

Segura ran to the driver's side of his car to get his gun, then ran toward the rear of his car, where he began firing at the gunman, witnesses said. In the exchange, Segura was hit by a shot and fell to the ground. But he fired several shots at one of the two men while the other was getting into the driver's seat of Segura's car.

Witness said the gunman walked up to the officer as he lay on the pavement and shot at him several times before getting in the passenger side of Segura's car.

As the officer's Mercedes sped away, one his friends, a Metro Transit employee, got his shotgun out of his car and fired on the fleeing vehicle, shattering its rear window, investigators said.

As Segura was being rushed to the hospital, nearby patrol officers located his abandoned car at the intersection of La Sallette and Yosemite, next to Cullen Middle School and less than five miles from where it had been stolen.

About the same time the car was found, officials said, alarms inside the school went off. Within a short time, Houston Independent School District officers arrested one suspect on the school grounds and an HPD K-9 officer arrested the second in the school's gym.

Segura assigned to the evening shift at Southeast Patrol, joined the department in April 1992, at the age of 21. He was a star basketball player for MacArthur High School.

While Segura was preparing for a career as a police officer, records show West and Hines were following a different path.

West was convicted in Houston in 1992 of possession of cocaine and sentenced to seven years in prison. He arrived in Huntsville in October 1992 and was released on parole June 7.

Hines was convicted in Houston in 1989 of burglary of a motor vehicle with intent to commit theft, and sentenced to two years. Records show he got into the prison system June 27, 1989, and was released on parole July 24, 1989.

In 1991, Hines again convicted this time for aggravated robbery and theft, for which he received a 20-year prison sentence. He entered the prison system in February 1992 and was released on parole June 14.

Officials at Ben Taub said Segura's chances for survival were good but that his recovery would take some time. Surgeons at the hospital spent four hour and 30 units of blood trying to repair internal damage caused by his wounds.

A steady stream of Segura's fellow officers showed their support by giving blood Tuesday."

The Houston Chronicle
Tuesday, 4 September 1994

It goes to show you anyone is vulnerable . . . A intensive supervision program could have possibly prevented this incident.

End Notes

- 1 Veronica Alainz, "Woman Sought in Attack on Polio-Afflicted Employer, The Dallas Morning News, 21 October 1993, sec 1A, 1.
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- 29 Stewart, James K, Georgia's Experience with Intensive Probation Supervision. Research Brief, U. S. Department Justice, Washington, D. C., 1988, 1.
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