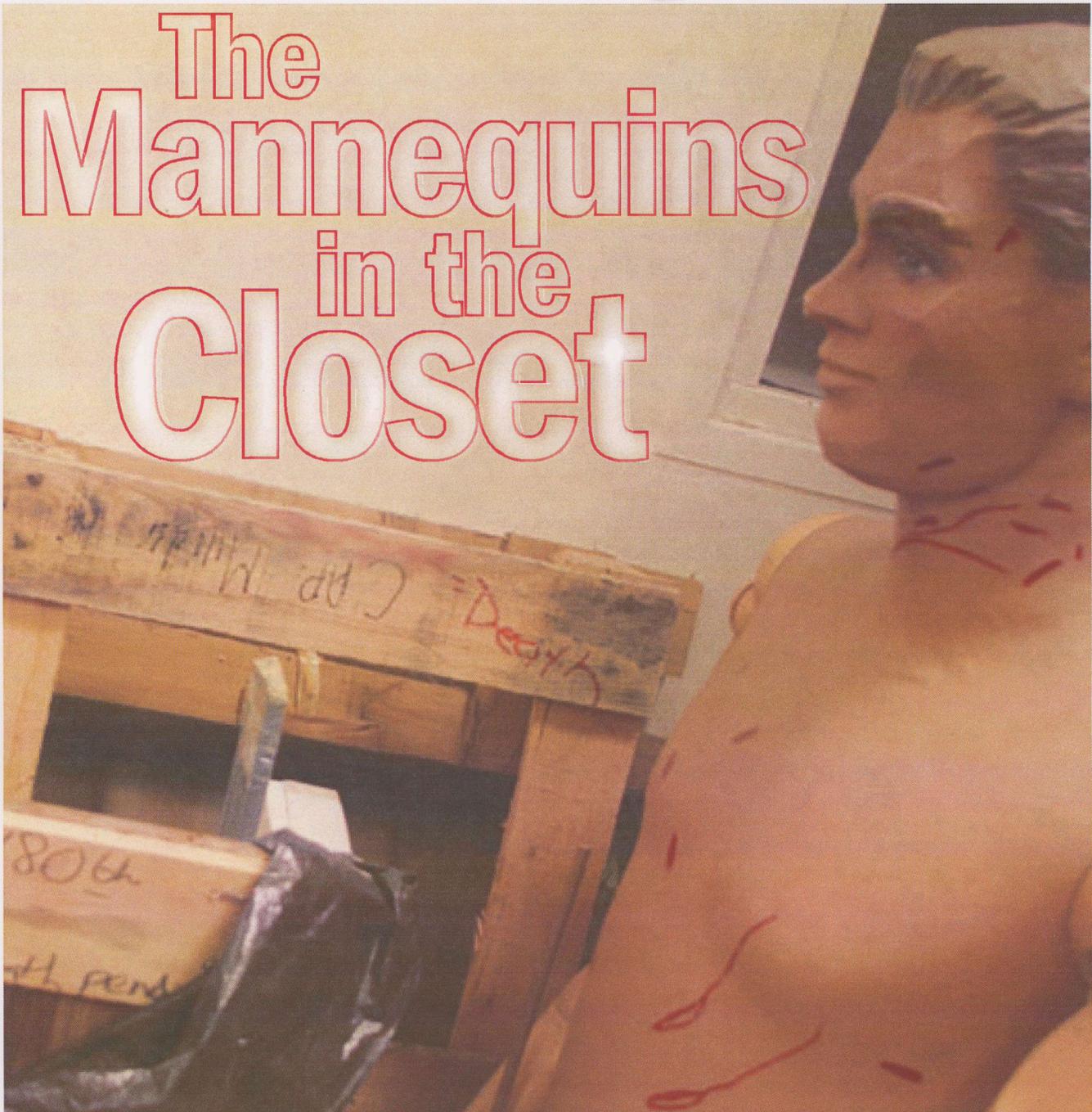


# County

- BLUE RIBBON SAFETY
- EVIDENCE STORAGE
- PROBATION EXPERIMENT
- INBOX MANAGEMENT
- HEAVY DUTIES

## The Mannequins in the Closet





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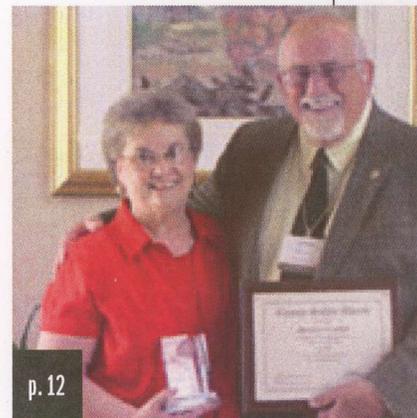
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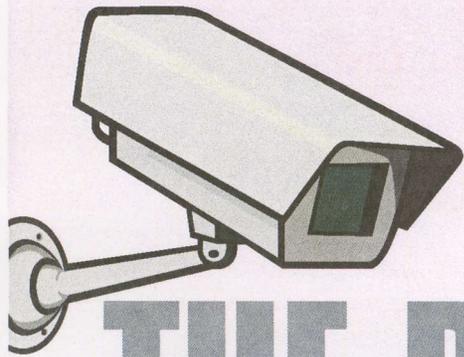
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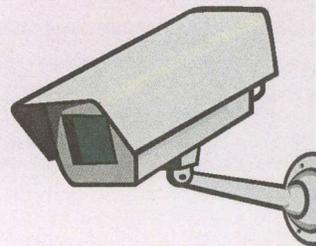
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## On the Cover

Evidence used in a murder trial is stored by the Harris County District Clerk's Office until it is no longer needed. See page 20.



# THE PROBATION EXPERIMENT



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## Travis County department utilizes evidence-based best practices to reduce recidivism, revocations / By Maria Sprow

**F**OR YEARS, ADULT PROBATION DEPARTMENTS have struggled to determine the best ways to reduce offender recidivism and revocations. Over the years, probation professionals have explored an array of new ideas — treatment alternatives, electronic bracelets, boot camps — but few programs are proven to reliably achieve the goal of effectively changing human behavior, from “bad” to “good.”

For one department to take and combine all the probation-related research and best practices into its system may require a total upheaval and some radical change. That’s a challenge too great for most leaders to take on, especially when the problem is so intricate that it affects judges, prosecutors, probation officers, offenders, and jails.

So when Travis County Adult Probation Director Geraldine Nagy and other stakeholders decided to create a comprehensive probation system based on “evidence-based” best practices, they were attempting something that had never been accomplished before.

What’s more, evidence-based best practices are generally those that have been researched and validated by departments across the country and have successfully been linked to solving a problem. In adult probation, that means utilizing tools such as a diagnostic risk-assessment form, progressive sanctions and motivational interviewing techniques. Many departments have absorbed one or all of those things at some level of their probation system, but have failed to tie them all together into a comprehensive knot.

Those involved in the Travis County transformation didn’t want to use other departments’ research. They felt it was important to validate the methods using their own probation population.

So they approached the transformation as though it were an experiment, collecting data and writing reports and observations along the way to show the process involved in taking the department from a decentralized system of duplicative processes and checklists to a centralized source of specialized probation officers with the resources necessary to help address their clients’ law-breaking behaviors.

The department commissioned outside consultants and worked with state and national criminal justice agencies to evaluate its offender treatment programs, invested in continuing education programs for its probation officers, redesigned its paperwork processes and developed an internal accountability strategy to track fidelity to the new system, among other improvements.

The experiment achieved positive results: because of its four-year effort, the county’s overall one-year recidivism rates dropped from 29 to 24 percent.

More recidivism-related outcomes:

- Pre-experiment, 26 percent of low-risk offenders were re-arrested within one year; post-experiment, only 6 percent were re-arrested after one year. That is a 77 percent drop in low-risk offender recidivism.
- Pre-experiment, 26 percent of those offenders were re-arrested within one year; post-experiment, only 13 percent were re-arrested within one year of their original offense. That is a 50 percent drop in medium-risk offender recidivism.
- Pre-experiment, 34 percent of those offenders were re-arrested within one year; post-experiment, only 31 percent were re-arrested within one year. That is a 9 percent drop in high-risk offender recidivism.

Tony Fabelo, a criminal justice expert who worked closely with the department throughout the transition, said those numbers are significant at all levels.

“The biggest decline has been for the low and medium risk (offenders), which makes sense. The high-risk people are high risk. They are very difficult to work with,” he said, adding that having fewer low- and medium-risk offenders on caseloads results in having more available resources geared toward offenders most likely to endanger public safety.

Recidivism wasn’t the only area in which the department saw beneficial results. The changes also resulted in the department reducing its overall felony revocations by almost 20 percent. Technical violations were reduced by 48 percent. According to the numbers:

- Pre-experiment, in 2005, the county had 1,052 felony revocations; post-experiment, in 2008, the county had 846 felony revocations.
- In 2005, the probation department filed 608 technical revocations; in 2008, that number dropped to just 318.
- Only 3.4 percent of its felony offenders had their probation revoked in 2008 because of a technical violation, compared to 5.9 percent in 2005.

Based on all those figures, the Legislative Budget Board concluded that Travis County potentially saved the state \$4,881,881 over the course of three years, just by avoiding those 290 technical revocations. According to state data, about 67 percent of those technical revocations would have led to the person being sent to prison for an average of 16 months. Another 29 percent of revocations would have led to an average of 10 months in a state jail.

The other 4 percent would have spent time in the Travis County

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## **“Having fewer low- and medium-risk offenders on caseloads results in having more available resources geared toward those offenders are most likely to endanger public safety.”**

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Jail. Nagy estimates that the county saved approximately \$386,736 in 2008 in jail housing costs. The county calculated that savings by comparing the amount of time probationers spent in jail pre-experiment and post-experiment. That time decreased from a total of 111,339 days in jail in 2007 to 95,225 days in 2008, a 14.5 percent drop.

The experiment was carefully documented throughout its duration, which resulted in a series of reports that can be found on the Travis County Adult Probation Web site at [www.co.travis.tx.us](http://www.co.travis.tx.us) by clicking on the (Travis Community Impact Supervision) TCIS Initiative link.

Now that the numbers are in, Nagy and her staff are working hard to continue with their long-term strategy to ensure the results are sustained. Meanwhile, Fabelo — working for the national Council of State Governments Justice Center — is planning to partner with other national criminal justice groups to take the data and framework created via the Travis County “learning site” to create a step-by-step blueprint for other county probation departments to follow. The blueprint will discuss how to gain funding and support for such an undertaking, as well as important questions that must be addressed within each community.

However, even with the blueprint and the legwork done in Travis County, Fabelo said that any department that wants to follow suit should plan on a multiple-year effort of their own, just to ensure that the new tools are validated by each county’s unique population.

“We are in a society now that wants instant results, like instant messaging, but the reality is not like that,” he said. “If these changes are going to be meaningful, there is a need for long-term strategy. But it can happen if you have a steady plan with steady leadership.”

Fabelo, who is the former executive director of the Texas Criminal Justice Policy Council, will also be working with the Community Justice Assistance Division of the Texas Department of Criminal Justice to identify other departments here in which revocations and recidivism have increased in recent years. Most of his efforts will be focused on assisting urban probation departments, he said, though the Sam Houston State University Correctional Management Institute is also planning to develop general training programs that will be helpful for midsized and smaller probation departments.

### **Developing the Framework**

Nagy has described the process as a “broad transformation” and “realignment” that started with an outside assessment of the department’s strengths and weaknesses.

The assessment, conducted by Fabelo, showed that several of the challenges faced by the department were due to its priorities, which are common throughout probation: monitoring paperwork related to conditions of probations, collecting fees from offenders, and then providing programs to improve the behavior of offenders.

“The ‘paperwork compliance’ mentality became the culture of the department as a result of prior leadership styles in the organiza-

tion, prior ineffective computerization, operational realities related to caseloads, poor use of information for organization assessments and planning, and the traditional emphasis on surveillance and compliance that has dominated probation policies across the country,” states the assessment. “Inconsistencies in the assessment process and considerable duplication of work during the intake process were found to be critical weaknesses. ... In general, training was found to be oriented at compliance issues and not at the development of effective supervision strategies.”

After the initial assessment, stakeholders worked together to create a strategic plan. The goals were to centralize the diagnosis and assessment processes, find and validate the appropriate diagnostic tools, create a template for categorizing different levels of offenders and target those offenders with supervision strategies related to their needs.

Stakeholders developed committees related to offender diagnosis, staff development, supervision, quality control, sanctions and personnel evaluations, and those committees came back with recommendations regarding everything from the department’s paperwork processes to how officers are evaluated and interact with offenders to how leadership can ensure that its policies and procedures are being properly followed.

One hope was to free up more time for probation officers to work directly with medium and high-risk clients, and to reduce frustration for offenders who were being asked the same questions by different offices.

“For many years now, probably the last 20 years, probation departments have increasingly moved to supervising paper, as opposed to supervising people,” Fabelo said. “The evidence has shown that you do a better job and get better outcomes if you work with the people instead of obsessing about the paperwork.”

To that end, the department created a central diagnosis unit, in which specially trained officers use multiple assessment tools to determine an offender’s risk level. After the risk level has been determined, an offender is assigned to a probation officer who specializes in that person’s risk level, special needs area, or geographical neighborhood. The probation officers then use the diagnostic report analysis to determine which supervision strategy to use for the offender.

Claire Leonhart, who has been a probation officer with Travis County for the last eight years, said the changes were overwhelming at first. Over time, though, the effort made a difference not only to the county’s recidivism and revocation rates, but also to probation officers, offenders, judges, and others within the system.

“I’ll be honest, when it started, we were just like, ‘Oh my gosh.’ But they did take it in steps, they prepared us for what was coming,” she said. “The changes give us more discretion as probation officers. I feel like it’s a career and a profession, not just a job. It’s not just telling people what to do and making sure they do it. It’s not a checklist.”

## New Tools for Success

As a probation officer who works with substance abuse offenders, Leonhart has a difficult job to do: she supervises addicts with difficult personal, financial and emotional needs, who run a high-risk of having their probation revoked.

But thanks to the department's re-engineering, Leonhart now has new tools to work with, which she said have helped her focus more on the needs of her clients and the risk they pose to the community.

Before the changes were made, the first informational glimpse Leonhart received of an offender entering her caseload was via what the department called a "post-sentencing investigation" report, a biographical retelling of the offense based on what the offender and law enforcement said happened.

Using a biographical story format is a common practice in probation departments throughout Texas, she said, but generally it left some holes for probation officers.

"It didn't really focus on why the offender committed the actual offense," Leonhart said, adding that the sketches were often subject to the original writers' biases, and didn't have consistent information from offender to offender.

Now, Leonhart receives something slightly different. It's what the department calls a diagnostic report: a simple page that evaluates each offender in 11 different areas, easily highlighting problems the offender may have that contributed to why they committed their offense or why they may have difficulties meeting the terms of their probation. Each item on the page refers to an area that research has shown relates to whether an offender has a low, medium or high risk of re-offending.

With a quick glance at the report, Leonhart can see how many times an offender has moved in the last year, which helps her understand how stable a client's home life is and what types of family issues they may have and whether they are making healthy decisions. She can also quickly see how dependent a person is on drugs and alcohol, how old they were when their first offense was committed, the number of times their probation or parole has been revoked, and what percentage of time the person has spent employed in the past 12 months, among other information.

"If they have two or more address changes, it would definitely be something I would ask them. What's going on, why are you moving? It could be somebody that is doing the right thing — she broke up with her boyfriend and then moved in with her mom until she got her own place — but it could be somebody who is making poor decisions — he got out of jail, moved in with his girlfriend, she got arrested or they got into a fight, so then he moved in with another friend," Leonhart said. "I supervise based on patterns in behavior."

All the data combined results in placing the offender in a color-coded risk-needs supervision matrix.

At one end of the matrix are the low-risk pro-social "yellow" offenders, which means they are given fewer reporting requirements

during their probation and allowed more leniency when it comes to minor violations.

It's important to allow low-risk offenders leniency, Nagy said, because they are people who are generally trying to be responsible and productive on their own. Unnecessary supervision requirements can destabilize and place additional stresses on their situations, and placing them in treatment programs with higher-risk offenders may result in negative influencing.

"If you put low-risk people in a group with people that are of higher risk, it's probably not the high-risk person that changes. It's probably the low-risk person that changes and acquires some of the high-risk attitude and approach toward life," Nagy said. "Low-risk people have the ability and have the resources to change on their own, so they don't need to be over-supervised. When you over-do it with them, you are disrupting all the pro-social things they may be doing in their lives, such as taking care of their children, going to a job, etcetera. You are adding to their burden, making it more difficult for them to take care of whatever problems brought them there."

Medium-risk "blue" offenders are those that are impulsive, easily lead by bad influences, have destructive thinking patterns, or suffer from low esteem and emotional problems. They require more reporting requirements, field visits and behavior improvement programs.

"Red" clients are high-risk offenders that are deemed to have destructive or criminal thinking, and they require the most restrictive supervision strategy. Those offenders are subjected to field visits. The county tries to assign high-risk offenders to probation officers who are familiar with the area in which the offender lives, so that the officer is aware of both the resources and dangers present in the client's neighborhood.

Offenders with a history of mental health problems usually fall into the blue category but are given to probation officers working within a specialized unit, so Leonhart does not work with those clients. Instead, she works with medium and high-risk clients in the hopes of eventually reducing their level of risk and identifying life factors that will help them exhibit more pro-social behaviors.

As part of the re-engineering, probation officers all received training in motivational interviewing, which Leonhart said changed the way she interacts with clients. Instead of telling offenders what to do, she now focuses on having offenders recognize their problems.

"Our supervision conditions now really focus on what their problem areas are, what their needs are. We work more with them in order to help them succeed," she said, adding that she feels the quality of office visits is better than before. "It lets me talk to my offenders and say, 'Okay, this is your violation, this is what we are going to do about it, this is the agreement that we are going to come up with, and if you continue this behavior, these are your options.' The time is more productive, and if I'm stuck on how to motivate an offender, we work in a team effort to figure out what the best option is for the offender." ★

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**"If these changes are going to be meaningful, there is a need for long-term strategy. But it can happen if you have a steady plan with steady leadership."**

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