



HARRIS COUNTY, TEXAS

BUDGET MANAGEMENT DEPARTMENT

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Criminal Justice Reform in Harris County

A review by the Harris County Budget Management Department



Criminal justice system reform in the nation's third largest county has long been supported by both Harris County elected officials and local taxpayers who have paid to make the massive system more responsive to a diverse population expected to explode to 5.6 million by 2025.

From patrol cars to courtrooms, holding cells to jail medical records, cutting edge technology has been used on everything from the handling of dockets to building a state-of-the-art inmate processing center.

By no means is the work done. It continues daily. There's plenty more to do. By the same token, a lot has already been accomplished and taxpayers have already made a hefty investment in reform.

An understanding of problems already addressed, or those in the process of being confronted, is vital to solving the issues still facing Harris County.

While departments have initiatives of all kinds, the following lists some of the many progressive policies and projects that have been backed by county leaders through substantial investments in people, technology and facilities.

- Harris County Commissioners Court hired the Justice Management Institute (JMI) in 2008 to strengthen the county's criminal justice decision-making tools and use of resources.
- One JMI recommendation prompted creation of the Criminal Justice Coordinating Council (CJCC) in July 2009. Led by the late Precinct One Commissioner El Franco Lee and Precinct Three Commissioner Steve Radack, justice stakeholders – a wide spectrum of elected officials, judges, prosecutors, court support staff, law enforcement leaders, detention experts, probation officials, public and private sector attorneys and community activists – came together as one team to tackle the county's biggest criminal justice challenges.
- Commissioners Court voted in September 2009 to task Commissioner Lee and the CJCC with developing a Public Defender's Office – a first for the county. By November 2010, after securing a \$14.3 million grant, the first Chief Public Defender was hired in January 2011 and the office began taking cases. State grant money eventually disappeared and the effort is now funded locally at 100 percent. Cost: The office has a yearly budget that has grown to \$9.4 million. It operates alongside the traditional court-appointment system for criminal cases, which costs taxpayers roughly \$34 million a year. In the past eight years, taxpayers have paid \$400 million for representation of the indigent in local courts.
- In 2017, Commissioners Court approved a \$1 million pilot project to place public defenders in magistrate courts to represent defendants during their initial court appearance – another first for the county. Cost: If added into the Public Defender's Office yearly budget, projected annualized cost is about \$1.4 million.
- The planned completion of a Joint Processing Center in mid-2018 will mean more efficient handling of more than 130,000 people a year. The facility will feature a real world "open waiting room" concept where efficiency, enhanced health

screening and monitoring is prized over holding cells. The center will eliminate the need to double-process City of Houston arrestees first into an outdated municipal jail and then later into the county jail. Short-term housing beds will allow for separation of those expecting faster release and those bound for longer-term detention. Facility design and high-tech systems will improve staff and detainee safety, cut the time needed to release people, be more responsive to inmate needs and allow arresting officers to resume patrol duties more quickly. Cost: \$100 million.

- In the past five years, Commissioners Court has repeatedly given the green light to the Harris County's Central Technology Services to update the technology available to the criminal justice community so cases can be efficiently disposed in a more equitable fashion. The antiquated 30-year-old JIMS (Justice Information Management System) that handles records for the county courts system is being brought into this century. The Sheriff's Office and the new Joint Processing Center will get a new Jail Management System so that classification and management of inmates will be done in less labor-intensive and paper-oriented fashion. Grant money has funded a new automated voucher system into place for court-appointed attorneys who represent the indigent. A new case management system for the county's 16 justice of the peace courts and eight constable precincts was installed to replace another lumbering system. The county also invested in new technology so officers could better share information among sister agencies. To address questions raised by highly-publicized officer-involved shootings across the nation, Commissioners Court is also investing in body cameras for county law enforcement officers. More money is also being spent to update case management software for pretrial officials. Cost: \$24.7 million spent of \$40 million budgeted.

- The awarding of the MacArthur Foundation's Safety and Justice Challenge grant of \$2 million in 2016, with a county match of \$3.4 million, was a major accomplishment. The grant, awarded to the county along with only 20 other jurisdictions nationwide in a field of more than 200 applicants, pushes a data-driven reimagining of the criminal justice system. Applied for under the guidance of Commissioner Lee, the grant helps policymakers reach for the best data while combating recidivism through innovative programs and strategies crafted with the involvement of the entire justice community. These strategies aim to leave the detention option for only the most dangerous defendants to secure public safety while encouraging innovation and community engagement. Cost: \$3.4 million.
- With extensive input from stakeholders, a new Pretrial Services Director was hired in 2016 to modernize pretrial operations and to implement a new risk-based assessment tool that helps judges make more informed decisions on pretrial releases.
- As early as 2015 and long before a federal lawsuit on bail reform was filed, Harris County criminal justice stakeholders started the complex task of reforming the pretrial bond system. They approached the Arnold Foundation to implement its state-of-the-art pretrial risk assessment tool – a data-driven gender, race and wealth neutral high-tech system in demand by jurisdictions nationwide. Judges and other officials started working with community leaders to implement the new risk assessment tool and reengineer the entire pretrial system. The goal of the work is to protect public safety and streamline the entire pretrial process so low-risk, nonviolent defendants spend little or no time in detention as their cases move through the courts. The new risk assessment system and process reforms are expected to be online in July. Additional staff have already been approved by

Commissioners Court to support the new system and the reforms at an increased annual cost of \$1.3 million. Additional investment is expected.

- As a new Adult Probation Director hired in 2013 began substantial reforms, the county provided financial and logistical support to the construction of a centralized state-of-the-art Assessment Center. The 18,500 square-foot center is staffed with 45 non-clinical assessors and 12 clinical assessors that do roughly 3,000 assessments a month. Their work gives judges solid data on challenges faced by probationers, which can mean the difference between success and a return to jail. The center also helps judges target those who need immediate intervention. Cost: \$1 million for county's role in construction of the center. Ongoing cost to support Adult Probation: \$1.25 million on an annual basis.
- To encourage treatment instead of incarceration, Harris County is working with Adult Probation to update and expand residential treatment centers for local probationers during 2017 and 2018. Cost: \$35 million forecast.
- In 2017, Harris County hired its first Racial Disparity & Fairness Administrator as part of MacArthur Foundation grant. This post will focus on racial and ethnic disparity in the justice system and improve communication between the county and community, especially communities of color.
- Also in 2017, and thanks again to the MacArthur Foundation grant, Harris County hired its first ever In-Custody Population Coordinator. This post will monitor the inmate population and make sure the county is using community-based programs and other avenues to keep low-level offenders out of long-term detention. The person in this position will also make sure policymakers are using the best tools and data to fight recidivism.
- In 2014 and subsequent years, the District Attorney's Office, under two administrations and with the support of justice stakeholders, launched diversion

programs with high success rates for those facing a marijuana possession charge. The goal of these programs is to keep low-level nonviolent offenders out of the jail and give them the chance to avoid an arrest record. There are also post-charge/pretrial intervention programs for low-level nonviolent offenders charged with retail theft, drunken driving and minor drug possession.

- The creation of specialized dockets and impact courts in Harris County has happened on a massive scale to help people with special needs and to reduce the number of people in jail. In felony courts, it started in 2003 with the creation of the STAR (Success through Addiction Recovery) docket – an intensive program aimed at helping illegal drug-users. The program now involves four felony judges working separate dockets. Then came the nationally recognized Veterans Court docket in 2009 to help combat vets with untreated mental illness and substance abuse problems. By 2011, a felony mental health docket was created to meet the needs of defendants with severe mental illness. It was expanded to include two such dockets and a third for restoration of competency. Several special “impact” dockets have also been created in the felony courts to cut case backlogs or target problem areas. For example, an Expedited Felony Trial Impact docket was created in 2008 to reduce cases involving inmates detained in the county jail for more than a year. In 2013, a Capital Impact docket was added to reduce the number of non-death capital murder cases pending for more than one year, with priority given to those pending two years or more. (A reduction of 44 percent of cases in that category has been achieved since this docket was created.) These efforts have also been combined with the establishment of a “reintegration court” started in 2016. This court — a MacArthur Foundation grant project — is aimed at better handling of nonviolent low-level felony offenders and repeat nonviolent offenders through a comprehensive rehabilitation-oriented approach that involves the court,

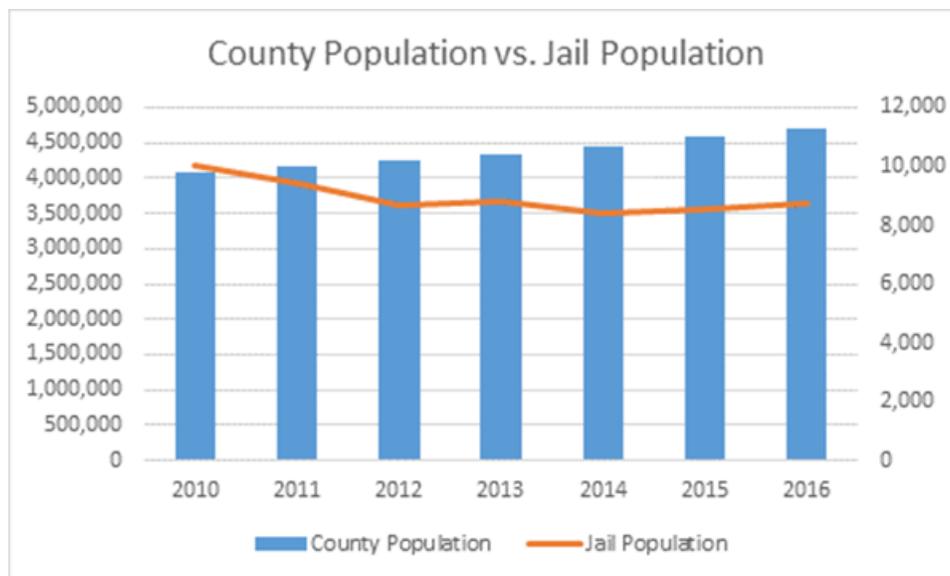
community and “peer support” from former offenders who have turned their lives around. In misdemeanor courts, the SOBER DWI Court was created in 2011 to help defendants break the cycle of addiction with a team treatment approach to achieve sobriety. A misdemeanor Veterans Court was also created in 2015. Juvenile District Courts also saw highly-touted innovations with the establishment of special courts. The Juvenile Mental Health Court docket was created in 2009 to address recidivism among juvenile offenders with serious mental health problems and, in 2010, the SOAR Drug Court was created for those with substance abuse issues. By 2011, the Gang Recidivism Intervention Program (GRIP) Court was created to redirect repeat offenders in street gangs to a better life and in 2015 the Growing Independence Restoring Lives (GIRLS) Court was created to help girls sold into the sex trade by human traffickers. Cost: The Harris County investment in specialty courts and dockets is about \$5.7 million a year. State funding provides another \$2.2 million.

- In 2018, plans call for Harris County to start construction on a new 320-bed juvenile probation facility that will include 32 beds for detainees who require mental health treatment. The facility is now in the design phase. It is being built to ease overcrowding at the current Juvenile Justice Center — a common occurrence in recent years — and with an eye toward expansion that might one day be needed if legislation is passed that reclassifies 17-year-olds as juveniles. The facility will be located on the current 10-acre Burnet-Bayland Rehabilitation site. It will provide beds for juveniles detained while awaiting the resolution of their cases and those sentenced to detention. The new juvenile detention center is slated to open in late 2019 or early 2020. Cost: Roughly \$70 million.

This document is primarily focused on Harris County's investments in "big picture" reforms, justice systems, facilities and the courts.

It does not include the many investments in all programs "on the street" used by law enforcement officers that come into contact with people each day or the myriad of programs inside the county jail system that emphasize special handling and care for those with mental illness or other special needs.

Reform is ongoing, and it should be. It should never stop because of the vital questions of liberty and public safety involved. But it is worth noting that in recent years the population of Harris County has continued to explode and the population inside the Harris County jail has not.



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