



## Travis County Commissioners Court Agenda Request

**Meeting Date:** March 27, 2012

**Prepared By/Phone Number:** Vicki Skinner/854-9522

**Elected/Appointed Official/Dept. Head:** Rosemary Lehmborg, District Attorney

*Vicki Skinner for Rosemary Lehmborg*  
**Commissioners Court Sponsor:** Judge Biscoe

### AGENDA LANGUAGE:

Consider and take appropriate action on acceptance of a donation of \$10,000 from the Downtown Austin Alliance for the District Attorney's Office.

### BACKGROUND/SUMMARY OF REQUEST AND ATTACHMENTS:

The District Attorney's Office requests approval to accept a \$10,000 donation from the Downtown Austin Alliance (DAA). The DAA is presenting this donation to assist the District Attorney's Office in continuing the assignment of a full-time Assistant District Attorney position to the downtown area.

Since January, 2002 an Assistant District Attorney (ADA) has been dedicated to working on cases relating to violent crime, career criminals, narcotics and nuisance abatement matters in Austin's Downtown Business District. This ADA works closely with the Austin Police Department Downtown Area Command, the Downtown Crime Advisory Board and the downtown community to eliminate the illegal activity of known criminals, activities associated with the sale and distribution of narcotics, firearm violations, nuisance activities from downtown properties and other serious criminal offenses that endanger citizens and harm the quality of life downtown.

The donations from the Downtown Austin Alliance, as well as the funding provided through an interlocal agreement with the City of Austin, have assisted in enabling the District Attorney's Office to dedicate an Assistant District Attorney to this cooperative program. The donations and interlocal funds are used to hire temporary staff to assist in covering the other responsibilities of the position.

**AGENDA REQUEST DEADLINE:** All agenda requests and supporting materials must be submitted as a pdf to Cheryl Aker in the County Judge's office, [Cheryl.Aker@co.travis.tx.us](mailto:Cheryl.Aker@co.travis.tx.us) by **Tuesdays at 5:00 p.m.** for the next week's meeting.

We appreciate the donation of the Downtown Austin Alliance and look forward to the ongoing success of this community-based, multi-organizational approach to eliminating crime in the Downtown Business District.

**STAFF RECOMMENDATIONS:**

The staff recommends approval.

**ISSUES AND OPPORTUNITIES:**

N/A

**FISCAL IMPACT AND SOURCE OF FUNDING:**

The \$10,000 donation from the Downtown Austin Alliance will be used to hire temporary staff.

**REQUIRED AUTHORIZATIONS:**

N/A

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## Rosemary Lehmborg ★ Travis County District Attorney

P.O. Box 1748 Austin, Texas 78767 • Telephone: 512-854-9400 • Fax: 512-854-9695

### MEMORANDUM

**TO:** Travis County Judge and Commissioners

**FROM:** Vicki Skinner, District Attorney's Office *Vicki Skinner for Rosemary Lehmborg*

**DATE:** March 16, 2012

**SUBJECT:** Donation from Downtown Austin Alliance

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We appreciate the donation of the Downtown Austin Alliance and look forward to the ongoing success of this community-based, multi-organizational approach to eliminating crime in the Downtown Business District.

cc: David Jungerman, Auditor's Office  
Katie Petersen, Planning and Budget Office  
Jim Connolly, County Attorney's Office

**Downtown Neighborhood District Attorney Initiative  
Travis County District Attorney's Office**

**FY 2011 Summary of Goals and Activities**

(Oct. 1<sup>st</sup>, 2010-Sept. 30<sup>th</sup>, 2011)

*"Community prosecution focuses on targeted areas that involve a long-term, proactive partnership among the prosecutor's office, law enforcement, the community and public and private organizations, whereby the authority of the prosecutor's office is used to solve problems, improve public safety and enhance the quality of life."*

American Prosecutors Research Institute

**History/Goals of the Downtown Neighborhood DA Initiative:**

The Travis County District Attorney's (TCDA) Downtown Neighborhood District Attorney Initiative (Downtown NDA) began in January 2002 with a Community Prosecution Leadership grant through the U.S. Department of Justice's Bureau of Justice Assistance. The goals of the project include to:

- Enhance the quality of life;
- Reduce crime;
- Enhance criminal justice processes;
- Partner with community stakeholders; and
- Enhance offender reentry processes in the downtown community.

The role of the Downtown NDA includes activities such as:

- developing opportunities to create partnerships with criminal justice and community stakeholders that will lead to enhancing the safety and quality of life downtown;
- providing assistance in development of effective investigative and search and arrest processes that lead to court-ready cases being filed;
- Working with key stakeholders on development of strategies that impact safety and quality of life downtown; and
- serving as a link to trial courts to effectively communicate issues to prosecutors that impact the downtown community and leads to effective dispositions of cases.

Since 2003, the Downtown NDA program has been a public-private collaboration that includes funding from Travis County, City of Austin and the Downtown Austin Alliance. The donations from the Downtown Austin Alliance and the funding provided through an interlocal agreement with the City of Austin have allowed the District Attorney's Office to continue dedicating an Assistant District Attorney (ADA) to this cooperative program. The donations and interlocal funds are used to hire temporary staff to assist in covering the other responsibilities of the ADA position.

In February of 2010, Travis County Assistant District Attorney Jason English was assigned as the Downtown Neighborhood District Attorney. Other key TCDA staff that participate in various programs and initiatives connected to the Downtown NDA program include: John Neal (TCDA First Assistant District Attorney), Dayna Blazey (Director of TCDA Strategic Prosecution Division), Buddy Meyer (Director of TCDA Trial Bureau), Robert Smith (Director of TCDA Courts Division) and Darla Gay (TCDA Planning Manager for Community Justice Programs).

## **Downtown Crime Trends:**

The geographical area covered by the Downtown NDA is the Austin Police Department's Downtown Area Command. In January of 2011, the Austin Police Department readjusted/reorganized their police sector boundaries and the boundaries for the Downtown Area Command policing sector (George Sector) were changed. The new boundary lines are: **South**---Town Lake, **North**—12<sup>th</sup> Street (west of IH 35) and 11<sup>th</sup> Street (east of IH 35, **West**—Lamar Blvd, and **East**—Chicon).

Because of the APD boundary changes and reorganization, the Austin Police Department crime analysts adjusted the 2010 crime statistics for comparison purposes for their month to month comparisons for 2010 and 2011. The comparisons are for the current geographic area for 2010 data. As of October 2011, the Austin Police Department reported:

- **City-wide<sup>1</sup>:**
  - Violent crime is down 7% while property crime is down 9% city-wide (when compared to the same time period in 2010).
  - Narcotic offenses are down 12.1% and weapons violations are down 10.5% city wide.
- **George Sector<sup>2</sup>:**
  - During the same time period, George Sector experienced a 31% increase in violent crime with Robbery and Aggravated Assault offenses as the major drivers for the increase.
  - Property crime in George Sector increased 14% with residential burglaries and thefts as the drivers of this increase.
  - Narcotic offenses were down 19% and weapons violations were down 9% in George Sector.

## **Downtown NDA Highlighted Initiatives During FY 2011:**

During FY 2011, there were several key initiatives that were launched or continued within the Downtown NDA program:

**5<sup>th</sup> Street Initiative:**  
( Oct. 2010 - April 2011 )

**Goal:** To provide targeted prosecution strategies for selected felony offenses that occur in a Downtown 5<sup>th</sup> Street Neighborhood (5<sup>th</sup> Street from Brazos to IH 35 West Frontage Road)

**Activities:**

- Attended community meetings to keep neighborhood informed.
- Met with key individual stakeholders to review results and discuss initiative.
- Tracked cases through the court processes.

**Results/Impact:**

- Over 20 felony cases were tracked and followed by the Downtown NDA.
- This initiative led to the development of the Downtown Crime Initiative which broadened the geographic area served and enhanced goals (see below).

<sup>1</sup> Chief's Monthly Report City Wide September 2011: <https://www.ci.austin.tx.us/police/reports.htm>

<sup>2</sup> Data provided by Austin Police Department October 2011

## **Reentry Planning for Homeless, Mentally Ill Frequent Offender Initiative**

(January 2011-Current)

**Goal:** To develop a reentry plan for a mentally ill frequent offender in the downtown community as he exits the Texas Department of Corrections facility

**Activities:**

- Analyzed arrest/jail use and cost history of the frequent offender (Since 2000: TDCJ: \$112,637 and Travis County Jail: \$94,330).
- Convened/engaged more than 30 persons representing 12 organizations to help develop a reentry plan and discuss current reentry planning processes for mentally ill offenders including:  
Austin Travis County Integral Care (ATCIC), Defense Attorney, Downtown Austin Community Court, Front Steps, TDCJ-Jester Unit, TDCJ-Reentry and Rehabilitation, TDCJ-Travis State Jail Reentry Specialist, TDCJ-State Jail, TDCJ-TCOOMMI, Travis County Criminal Justice Planning, Travis County Court Administration, Travis County DA's Office, Travis County Jail.
- Developed strategies and leveraged resources for a reentry plan including ATCIC engagement/case management at moment of release, transitional housing options, and benefits application supports (he had never been a client of the public mental health system due to his frequent arrest/jail history and so had never received social security benefits).
- Developed re-engagement strategies utilizing Front Steps (homeless shelter), Downtown Community Court, Travis County Jail, Travis County Court Administration and ATCIC case manager to continue engaging the defendant after his release for services.

**Results/Impact:**

Although the defendant initially refused to participate in the reentry plan upon his release in March 2011, the partners continue engaging the defendant whenever he enters the jail or Community Court. The same ATCIC case manager attempts to meet with the defendant when he is in custody to establish a relationship with the defendant. The result has been that the defendant is now asking to see the ATCIC case manager when he is in custody and appears to be developing a more trusting relationship which may help us convince him to engage in services, particularly housing.

The initiative helped us recognize disconnects between partners and reinforced how frequent cycling in and out of jail results in some individuals not being engaged in community based mental health services effectively. We are working now in a variety of initiatives to attempt to impact reentry planning for frequent offenders.

## **Downtown Crime Initiative**

( May 2011 - Oct. 2011 )

**Goal:** To improve the quality of life, enjoyment and safety of residents, businesses and visitors to the downtown entertainment area by reduction of drug, violent and public disorder crimes by coordinated, enhanced enforcement, prosecution and communication between the Austin Police Department (APD), Travis County District Attorney's office (TCDA) and residents, businesses and visitors to the area.

**Activities:**

- Created program/screening criteria:
  - Targeted Felony Offenses: Over 60 felony offenses are included in a list of target cases including offenses related to Part I violent crimes and property crimes as well as Part II offenses including narcotic, prostitution, and weapons-related offenses. In addition the targeted offenses include resisting/evading arrest, retaliation as well as those dealing with tampering with evidence.
  - Geographic Area of Offense: **North**—10<sup>th</sup> Street, **South**—Cesar Chavez, **East**—Comal Street, and **West**--North Lamar to Comal Street
  - TCDA NDA will review offense reports referred to our office and make appropriate punishment recommendations on cases (and the NDA may adopt specific cases for personal prosecution).
  - Felony drug offenses to be included in special prosecution initiative will be reviewed by APD and the NDA and factors to be taken in consideration for inclusion in the program include: prior arrest and criminal history, connection to drug dealing, occurrence on street in drug dealing area, quantity of drug, and whether the defendant is a known offender in downtown area.
- Held five planning meetings and with key stakeholders.
- Engaged partners in development of the program including: Austin Police Department, Crime Records Unit of Austin Police Department, Travis County DA's Trial Court Division and Records Division.
- Developed process for tracking cases within the DA's Office in order to monitor outcomes and assess dispositions.

### **Results/Impact (May 16<sup>th</sup>, 2011-October 10<sup>th</sup>, 2011):**

- A total of 240 cases have been reviewed and 134 cases accepted for the program.
- 90 cases of the 240 reviewed were rejected for the program with 62% of those cases not meeting criteria for inclusion and 27% for not being within the target area.
- 32 cases have been disposed as of October 10<sup>th</sup>, 2011:
  - 81% resulted in guilty pleas.
  - Of those guilty pleas, 31% resulted in a sentence to TDCJ-Prison and 27% to TDCJ-State Jail facility (58% to TDCJ total).
  - Of the 32 cases disposed of to date, 47% were related to Possession of a Controlled Substance and 25% related to Delivery of a Controlled Substance.

### **Other Key Activities of the Downtown NDA Project During FY 2011:**

- **Downtown Austin Community Court (DACC) Frequent Offender Initiative:** During the year, the Travis County DA's Office worked closely with the DACC staff and Advisory Board to develop/enhance their frequent offender initiative which included adding two additional intensive case managers to help focus on the 270 plus individuals who they have identified as their frequent users of their court. Activities included participating in DACC Advisory Court meetings and DACC staff meetings. We also helped connect DACC staff to other conversations/initiatives in the community that could help them link to or leverage additional resources for their clients.
- **Caritas' My Chance Program:** In the 81st Texas Legislature (2009), funding was approved to launch the Homeless Housing and Support Services Program (HHSP) to the eight largest cities in Texas. The City of Austin received \$1.9 million and used the bulk of those dollars to fund 46 units of permanent supportive housing. Ten of those 46 units were for a direct reentry PSH initiative serving men who were exiting the Travis State Jail who would have been released to the downtown homeless shelter. The program was launched in March of 2010 and all housing was filled by June. Activities by the DA's Office included: assisting Caritas and Crime Prevention Institute (providing in-prison reentry planning services) in developing a working partnership as well as developing a document that summarizes the characteristics of the population being served including previous criminal history as well as re-arrest history for all clients after one year in housing. We also assisted in arranging technical assistance training by the Corporation for Supportive Housing for Caritas, CPI and DACC case managers around managing permanent supportive housing for a reentry population. (FOLLOW UP: During the 82nd Texas Legislature, the HHSP program was not approved in the normal budgeting process. If funding could be found after session, the City of Austin recognized that it would be greatly reduced. Caritas was unable to sustain the My Chance Program and it was formally closed at the end of August 2011. All clients were transferred in to other housing but it did not include the on-site support services offered during the My Chance program.)



- **Goodwill Employment Readiness Services in Travis County Jail:** The Downtown NDA helped coordinate meetings with staff and managers from Goodwill who were attempting to use a grant for employment readiness programming to serve inmates of the Travis County Jail. We were able to connect Goodwill with Travis County Adult Probation for further conversations for possible services to those in the SMART residential treatment program.
- **Facilitated Community Meeting Regarding Local Application for a Second Chance Act Federal Grant:** In March 2011, the TCDA Community Justice Senior Planner facilitated a community forum regarding a possible application from our community for a BJA Second Chance Act. Goodwill partnered with Crime Prevention Institute for an application for mentoring and reentry planning services within the Travis County Jail and the Travis State Jail. In August, BJA announced that Goodwill did receive a \$220,000 grant award and efforts are underway to launch the program.

**For additional information about the Travis County District Attorney's Office  
Downtown Neighborhood District Attorney Program:**

**Jason English**  
**[Jason.english@co.travis.tx.us](mailto:Jason.english@co.travis.tx.us)**  
**512-974-5257**

**Goals and Activities of the Travis County DA's Downtown Neighborhood DA Program—  
Oct. 1<sup>st</sup>, 2010 through Sept. 30<sup>th</sup>, 2011**

<b>Enhance criminal justice processes:</b>			
	Provide investigative assistance to law enforcement officials	Met weekly with numerous officers on cases giving advice on criminal cases, as well as, coordinating law enforcement with prosecutors and other investigators from other agencies.	<b>Results to Date:</b> Helped officers prepare an inner-office presentation on drug-free zone enhancement for numerous narcotic cases which continues to result in proper felony charges on a weekly basis. Continued guidance in building better cases in general, as well as, specific guidance on unusual cases.
	Serve as a link between courts and the police and community	Met w/court staff regarding general issues impacting downtown as well as to assist on specific cases Encouraged utilization of stay-away orders for defendants placed on probation	<b>Results to Date:</b> Connected with multiple prosecutors on several cases/issues
	Utilized 5 <sup>th</sup> Street Initiative to help track felony dispositions	Worked with community and DA Office stakeholders on identifying high impact offender drug cases and helped with making initial plea recommendations Developed processes for identifying cases and created a tracking system	<b>Results to Date:</b> Targeted/tracked over 20 cases. Project led to development of the Downtown Crime Initiative Program (see below)
	Launched Downtown Crime Initiative Program (May 2011)	Developed program criteria Developed case tracking process Developed process for initial recommendations	<b>Results to Date:</b> 240 cases reviewed with 134 cases accepted 32 cases disposed of with 81% resulting in guilty pleas with 31% sentenced to prison and 27% sentenced to state jail
	Provide assistance on nuisance abatement-related cases	Coordinate with APD Nuisance Abatement Detectives on 5 different properties, with some cases still being monitored.	<b>Results to Date:</b> One tenant was evicted by the landlord abating the problem; other properties have not risen to the level to file any formal abatement proceedings.
<b>Enhance successful reentry that impacts the downtown community:</b>			
	Help identify reentry resources that will help enhance reentry impacts	Convened stakeholders to help develop reentry plan for seriously mentally ill/frequent downtown offender from a TDCJ Mental Health prison unit	<b>Results to Date:</b> 4 meetings held 30 persons representing 12 organizations engaged ATCIC Outreach was connected to client

		Connected Goodwill with Travis County Adult Probation/SMART Program for dialogue around employment readiness programming	<b>Results to Date:</b> Continue to work with Goodwill
		Partner with Caritas of Austin and Crime Prevention Institute on the <i>My Chance</i> permanent supportive housing project for State Jail clients (who would have been released to homeless shelters downtown)	<b>Results to Date:</b> Helped leverage technical assistance training for case managers. Developed report regarding criminal history backgrounds for clients and re-arrest history after one year of program. NOTE: Due to loss of state funding, this project was ended in August 2011.
		Facilitated community forum regarding a local application for a BJA Second Chance Act	<b>Results to Date:</b> In August 2011, Goodwill was awarded a 2 year grant award to provide services to persons in the Travis County Jail and the Travis State Jail.
<b>Partner with community stakeholders to improve quality of life in downtown:</b>			
	Participate in DAA Security and Maintenance Meetings	Attended monthly meetings and provided relevant updates	<b>Results to Date:</b> Attended 11 meetings
	Work with 5 <sup>th</sup> Street Neighborhood group regarding drug sales <a href="http://www.5thstreetcommunity.org">www.5thstreetcommunity.org</a>	<ul style="list-style-type: none"> <li>• Attended neighborhood meetings/events</li> <li>• Attended one-on-one meetings with individual neighborhood members</li> <li>• Developed disposition tracking system to examine final dispositions versus initial plea recommendation</li> </ul>	<b>Results to Date:</b> Over 20 cases tracked  Evolved into larger project—Downtown Crime Initiative
	Participate in Downtown Area Commanders Forums		<b>Results to Date:</b> Participated in 4 forums