



**Biennial Report regarding the Texas Civil Commitment
Office December 1, 2022 – November 30, 2024**

**Prepared for the Office of the Governor, Lieutenant Governor, and Speaker
of the House of Representatives
Pursuant to Texas Government Code Section 420A.007**

Table of Contents

Overview	1
TCCO Executive Staff	1
Agency Mission, Philosophy, Objectives and Core Values	2
Agency History	2
What is a Sexually Violent Predator?	3
Civil Commitment Process	3
Review by Texas Department of Criminal Justice	3
Multidisciplinary Team Review	4
Evaluation for a Behavioral Abnormality	5
Referral to Prosecutor	5
Filing a Petition and Trial	6
Final Judgment & Order of Commitment	6
Continuity of Care with TDCJ Treatment Programming	7
Table: Initial Tier Placements at the TCCC	8
Violations	8
Table: SVPs Returned to TDCJ by Year	9
Biennial Reviews and Petitions for Release	9
TCCO Client Demographics & Offense Statistics	10
Table: Last Counties of Conviction as of August 31, 2024	11
Table: SVP Victim Ages	12
Table: SVP Victim Types	12
Tiered Treatment Program	13
Tiers One through Four	13
Additional Programming at the Texas Civil Commitment Center	15
Tier Movement	15
Table: Types of Tier Movement December 2022 to November 2024	16
Table: Tier Levels of Clients at TCCC as of November 5, 2024	17
Tier Five	17
Reentry Reboot Grant Program	17
Additional Treatment and Supervision Requirements	18
Table: Cost Recovery FY 2016 to FY 2024	18
TCCO Client Population	18
Current Population Data	18
Caseload Growth	18
Table: Caseload Growth 2014 to 2027	20
TCCO Case Managers	20
TCCO Contract Monitoring	21
TCCO Goals	22
Goal One: Enhance Public Safety	22
Goal Two: Provide Evidence-Based Treatment to SVP Clients	23
Goal Three: Provide Effective Supervision to SVP Clients	25
Goal Four: Enhance Reentry Preparation	26
Goal Five: Recruit and Retain an Effective, Efficient Workforce	27
TCCO Fiscal Information: Size of Budget	28
Table: FY 2024 TCCO Funding Allocation	29
Table: TCCO Appropriated Funds, FTEs and SVPs Served by Fiscal Year	30
Legislative Appropriations Request	30
Future Challenges and Focus Points	35
Contact Information for Questions	36

Biennial Report Regarding the Texas Civil Commitment Office

Overview

The Texas Civil Commitment Office (TCCO) is a small state agency with limited resources that is tasked with the huge responsibility of providing supervision and treatment to civilly committed sexually violent predators (SVPs) through the case management system. TCCO is governed by a five-member board appointed by the Governor, three of whom must meet the following criteria:

1. One member experienced in the management of sex offenders;
2. One member experienced in the investigation or prosecution of sex offenses; and
3. One member experienced in counseling or advocating on behalf of victims of sexual assault.

TCCO board members serve staggered, six-year terms with the terms of one or two members expiring on February 1 of each odd-numbered year. The current members of the TCCO Board are:

Christy Jack, Chair
Fort Worth, Texas
Term Expires: 02/01/2029

Katie McClure
Kingwood, Texas
Term Expires: 02/01/2027

Roberto Dominguez
Mission, Texas
Term Expires: 02/01/2029

Jose Aliseda
Beeville, Texas
Term Expires: 02/01/2025

Rona Stratton Gouyton
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Agency Mission, Philosophy, Objectives and Core Values

The Texas Civil Commitment Office (TCCO) mission is to enhance public safety by developing and implementing strategic management policies to protect the citizens of Texas and enhance protection of victims and potential victims through research-based management of civilly committed sexually violent predators. TCCO's core values are: commitment, accountability, victim-centered, and safety. TCCO recognizes that the civil commitment of sexually violent predators is necessary for the protection of the citizens of the State of Texas. The Texas Civil Commitment Office is committed to providing long-term, comprehensive evidence-based treatment and supervision to civilly committed sexually violent predators to enhance the safety of the public with the ultimate goal of no more victims while maintaining accountability to the citizens of Texas. TCCO's administration is focused on the agency's equally important responsibilities for public safety, supervision, and treatment.

Agency History

Sexually Violent Predator (SVP) civil commitment was enacted in Texas in 1999. In enacting the SVP Act, Chapter 841 of the Texas Health and Safety Code, the legislature determined that a small, but extremely dangerous, group of SVPs were being released from prison with a behavioral abnormality that was not amenable to traditional mental illness treatment modalities and existing involuntary commitment provisions were not sufficient to address the risk posed by these sexually violent predators. The legislature further found these individuals were likely to engage in repeated acts of predatory sexual violence. Accordingly, the Texas civil commitment program was created to provide intensive supervision and treatment to those sexually violent predators suffering from a behavioral abnormality.

From its inception in 1999 until 2011, the Council on Sex Offender Treatment (CSOT) was responsible for the administration and implementation of the Texas civil commitment program. In 2011, the Office of Violent Sex Offender Management (OVSOM), was created as a separate state agency to perform the functions relating to the sexually violent predator treatment program. Civil commitment in Texas was administered by the OVSOM from 2011 until 2015 when the agency was renamed TCCO as a result of the 84th Legislative Session, Senate Bill 746.

What is a Sexually Violent Predator?

A sexually violent predator or SVP, as defined by Section 841.003 of the Texas Health and Safety Code, is a repeat sexually violent offender that suffers from a behavioral abnormality that makes the person likely to engage in a predatory act of sexual violence. A person is considered a repeat sexually violent offender if: the person is 1) convicted of more than one sexually violent offense and a sentence was imposed for at least one of the offenses; or 2) if the person was convicted of a sexually violent offense regardless of whether a sentence was imposed, or entered a plea of guilty or no contest to a sexually violent offense for a grant of deferred adjudication, or is adjudicated by a juvenile court as having engaged in delinquent conduct constituting a sexually violent offense and after that date the person is convicted, receives deferred adjudication, or is adjudicated as having engaged in delinquent conduct, the person commits a sexually violent offense for which the person is convicted and a sentence imposed.

Qualifying sexually violent offenses, as defined by Section 841.002(8), include: Continuous Sexual Assault of a Child; Indecency with a Child by Contact; Sexual Assault; Aggravated Sexual Assault; Aggravated Kidnapping with the Intent to Sexually Abuse or Violate the Victim; Burglary of a Habitation with the Intent to Commit a Sexual Offense; Murder or Capital Murder Based On Sexually Motivated Conduct; or the attempt, conspiracy, or solicitation to commit one of the listed offenses. Additionally, an offense under the law of another state, federal law, or the Uniform Code of Military Justice which contains elements substantially similar to the Penal Code offenses listed above constitute sexually violent offenses.

A behavioral abnormality is defined in Section 841.002 of the Health and Safety Code as a congenital or acquired condition that, by affecting a person's emotional or volitional capacity, predisposes the person to commit a sexually violent offense to the extent that the person becomes a menace to the health and safety of another person.

Civil Commitment Process

Review by Texas Department of Criminal Justice

The civil commitment process begins approximately two years prior to an offender's release from the Texas Department of Criminal Justice (TDCJ). TDCJ reviews all offenders to determine

whether the offender has more than one qualifying sexually violent offense and gives notice to a multidisciplinary team (MDT) of the anticipated release of a person who is serving a sentence for a sexually violent offense and may be a repeat sexually violent offender. The notice is required to provide the MDT with certain information regarding the person including name, identifying factors, anticipated residence after release or discharge, criminal history information, documentation of institutional adjustment, any treatment provided, and an assessment of the likelihood that the person will commit a sexually violent offense after release.

Multidisciplinary Team Review

The MDT is a seven-member panel composed of: one mental health professional from the Department of State Health Services, one licensed peace officer with five years' experience or the officer's designee from the Department of Public Safety, one licensed sex offender treatment provider from CSOT, two members from TCCO, and two members from TDCJ to include one member from the Victims' Services Division and one from the sex offender rehabilitation program. MDT members are required to receive training regarding the eligibility criteria for commitment, the process of evaluating people for commitment and the sex offender treatment program for civilly committed individuals. The training is conducted by TDCJ and TCCO staff.

Upon receiving notice regarding a potential sexually violent predator, the MDT is required to review that individual's case within sixty days. The MDT's task is to assess whether the person is a repeat sexually violent offender and whether the person is likely to commit a sexually violent offense after release, provide notice of the results of that assessment to TDCJ, and recommend the assessment of the person for a behavioral abnormality, if appropriate. A majority vote is required to recommend that the offender receive further evaluation to determine whether the offender suffers from a behavioral abnormality that makes him or her likely to engage in repeated predatory acts of sexual violence. MDT may not re-review a case that was previously reviewed and recommended for a behavioral abnormality assessment unless, after that previous recommendation, the individual has been convicted of a new sexually violent offense or if the individual's parole was revoked due to the commission of a sexually violent offense, failure to adhere to sex offender treatment and supervision requirements, or failure to register as a sex offender.

Evaluation for a Behavioral Abnormality

If the MDT refers a person for a behavioral abnormality assessment, TDCJ is required within sixty days of referral to assess whether the person suffers from a behavioral abnormality that makes him or her likely to engage in a predatory act of sexual violence. This is completed through an expert evaluation to include a clinical interview, psychological testing for psychopathy, a review of risk assessments, a review of records, a review of victim impact statements, institutional adjustment, and all relevant medical or psychiatric records or reports. The goal of the evaluation is to determine whether the person meets the definition of a behavioral abnormality, as set forth in the Health and Safety Code.

Referral to Prosecutor

If the evaluator determines that the offender suffers from a behavioral abnormality, TDCJ is required to provide notice of the assessment and supporting documentation to the attorney representing the state. Until June 17, 2015, the attorney representing the state was defined in Chapter 841 as an attorney employed by the civil division of the Special Prosecutions Unit (SPU) and all cases were filed in Montgomery County in the 435th District Court. Following the passage of Senate Bill 746 in 2015, the attorney representing the state is the District Attorney in the county of the offender's last conviction for a sexually violent offense. The attorney representing the state, upon receiving notice of the assessment and supporting documentation, reviews the case further to determine whether to file a petition for civil commitment in the offender's court of last conviction for a sexually violent offense. The attorney representing the state has the discretion to determine which cases are filed; the statute does not mandate that all cases who have been determined to have a behavioral abnormality result in a civil commitment proceeding. The decision whether to file a petition for civil commitment must be made within 90 days of receiving the case referral from TDCJ.

While the SPU is no longer formally assigned to handle civil commitment cases, they are required by statute to provide assistance upon request. Section 841.042 of the Health and Safety Code directs that upon the request of the attorney representing the state, the SPU shall provide legal, financial, and technical assistance for civil commitment proceedings. Until 2015, the SPU was funded for a maximum of fifty trials per year. This funding limit put a maximum on the number of cases that would be filed in any given year. However, under the amended statute with cases being filed in the offender's county of last conviction rather than in Montgomery County, this limit

no longer exists.

Filing a Petition and Trial

If the prosecutor moves forward with filing a petition and trial, the offender is represented by the State Counsel for Offenders (SCFO) and both the prosecutor and the SCFO are entitled to obtain an additional evaluation of the offender. The offender can choose to enter into an agreed judgment and admit that he or she is a sexually violent predator, or the offender can move forward to trial. Section 841.065 of the Health and Safety Code specifies that any agreed order of civil commitment must require that the SVP submit to the treatment and supervision of TCCO. This is to ensure that all civilly committed SVPs are provided with appropriate supervision and treatment, which TCCO is required by Section 841.007 to provide.

If a case goes to trial, the offender has the right to a jury trial but can waive that right and elect for a bench trial. The Texas Rules of Civil Procedure apply to the civil commitment proceedings, including rules related to pre-trial discovery. At trial, the prosecutor is required to prove beyond a reasonable doubt that the offender 1) is a repeat sexually violent offender and 2) suffers from a behavioral abnormality that makes him or her likely to engage in a predatory act of sexual violence. If the jury, or judge in a bench trial, determines the offender met the two criteria of an SVP, the judge is required to commit the person for treatment and supervision to be coordinated by TCCO.

Final Judgment & Order of Commitment

An order of civil commitment and final judgment are then signed by the judge. The order of civil commitment, pursuant to Section 841.082 of the Health and Safety Code, imposes requirements upon the person to ensure the SVP's compliance with treatment and supervision. The order of civil commitment requires that the SVP: 1) reside where instructed by TCCO; 2) is prohibited from contacting a victim of the SVP; 3) participate in and comply with the sex offender treatment program and written requirements imposed by TCCO; 4) submit to GPS monitoring and refrain from tampering with or manipulating the GPS device; and 5) is prohibited from leaving the state without TCCO's authorization.

Table: MDT Presentations, Referrals to SPU or County, and Civil Commitments by Fiscal Year

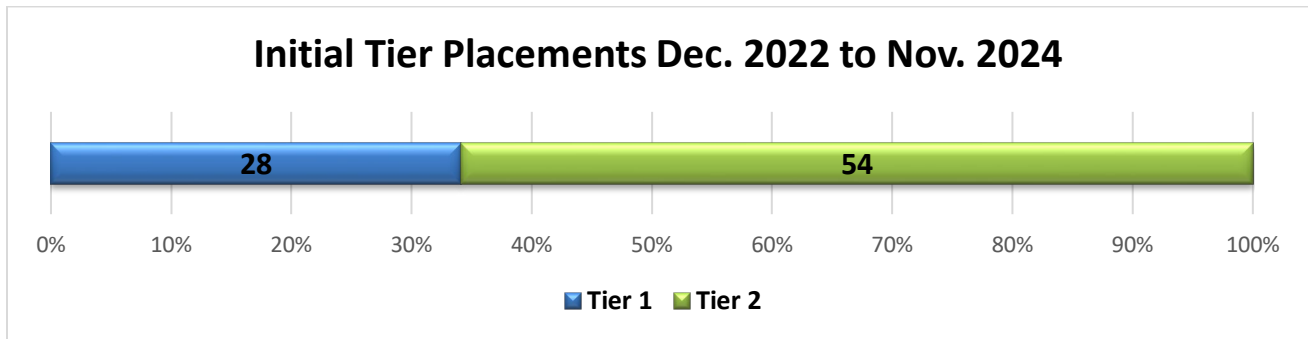
Fiscal Year	Presented to MDT	Referred to Prosecutor	Civilly Committed
2010	528	84	37
2011	560	74	47
2012	640	89	43
2013	816	130	44
2014	1062	159	43
2015	966	57	32
2016	935	70	18
2017	784	47	41
2018	653	49	29
2019	583	49	36
2020	642	60	23
2021	703	95	30
2022	589	63	44
2023	503	64	36
2024	462	59	33

Continuity of Care with TDCJ Treatment Programming

In order to maximize the efficient use of state resources, TCCO and TDCJ have collaborated to develop a multidisciplinary continuity of care program. Through this program, TCCO and TDCJ have worked together to develop an in-prison treatment program that mirrors the sex offender treatment program provided by TCCO at the Texas Civil Commitment Center. This allows SVPs to benefit from treatment before being released from prison and to prepare to enter more advanced phases of treatment upon release to TCCO. The program includes a multidisciplinary team continuity of care teleconference regarding each SVP’s individual progress while in TDCJ treatment programming wherein professionals from all aspects of the TCCO program discuss the SVP’s case with the SVP and the SVP’s in-prison TDCJ treatment team. This also provides the SVP with an opportunity to learn about the TCCO treatment program and ask questions. This program assists the SVPs’ transitions to the TCCO program, allows SVPs to begin their treatment

in TDCJ to maximize the use of taxpayer dollars and results in more effective supervision and treatment, thereby enhancing public safety. Of the clients released to TCCO from December 2022 to November 2024, nearly two-thirds of the 82 clients or 65.85% transitioned directly into Tier Two of the four treatment tiers at the Texas Civil Commitment Center.

Table: Initial Tier Placements at the TCCC



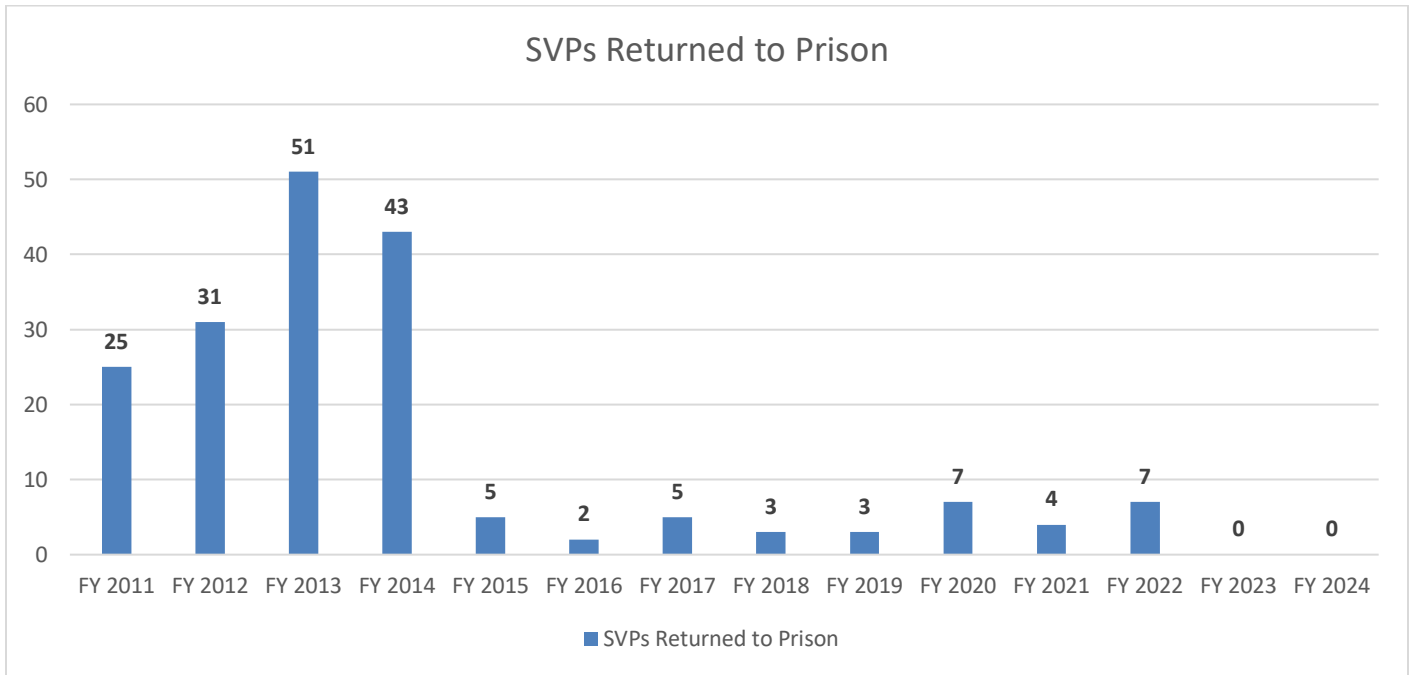
Violations

Under the previous version of the statute, any violation of the order of commitment or of the OVSOM’s rules could be prosecuted as a third-degree felony violation of Section 841.085 of the Texas Health and Safety Code. As a result, many SVPs were returned to TDCJ each year for violations of their civil commitment order. Senate Bill 746, effective June 17, 2015, removed the majority of the criminal penalties from the civil commitment program but left the most serious violations in place. Specifically, four types of violations remain subject to criminal penalties: 1) not residing where instructed by the TCCO; 2) contacting a victim; 3) leaving the state without permission; and 4) GPS violations. This change in statute has greatly reduced the number of SVPs returned to TDCJ for violations and allows TCCO to deal with violations in a treatment setting.

Violation cases, pursuant to the amended version of Article 13.315 of the Texas Code of Criminal Procedure, may be prosecuted in the county in which any element of the offense occurred or in the court which retains jurisdiction over the case. If an SVP is convicted of a civil commitment violation, or any other offense, and returns to TDCJ his civil commitment remains in effect throughout the SVP’s incarceration. However, pursuant to Section 841.150 of the Texas Health and Safety Code, TCCO’s requirements regarding the SVP’s civil commitment are suspended throughout his incarceration. Upon the SVP’s release from TDCJ, the SVP returns to the TCCO caseload and is provided with supervision and treatment by TCCO. TCCO closely tracks the

release dates of any SVP who has returned to TDCJ on a violation in order to prepare for the impact on TCCO’s caseload.

Table: SVPs Returned to TDCJ by Year



Biennial Reviews and Petitions for Release

Once an individual has been civilly committed, a court order from the court of commitment or a higher court is required to release that person from civil commitment. If an appellate court overturns the district court’s decision committing an individual as an SVP, TCCO has a policy and procedure in place to release that individual. The court of commitment can also issue an order to release a client from civil commitment.

Chapter 841 envisions two procedures by which an SVP can be released from civil commitment: the biennial review process or through a petition for release. Each SVP has a right to file an unauthorized petition for release with the court of commitment alleging that he no longer suffers from a behavioral abnormality and should be released. TCCO is required by statute to remind each SVP of this right on an annual basis.

Pursuant to Chapter 841.101, civilly committed SVPs are entitled to a review of their commitment status once every two years to determine if their behavioral abnormality has changed to the extent that

the person is no longer likely to engage in a predatory act of sexual violence. TCCO contracts with clinical examiners to provide independent evaluations of SVPs. The clinical examiner's report along with a report from the SVP's assigned case manager and treatment provider are filed with the court of commitment. A copy of the biennial examination is provided to the attorney representing the state, the SVP's attorney, and to the SVP. During FY 2023 and 2024, TCCO filed 438 biennial examinations with courts of commitment throughout the state. After the review of the biennial examination report and other supporting documents, if TCCO determines that a client's behavioral abnormality has changed to the extent that the client is no longer likely to engage in a predatory act of sexual violence, TCCO may authorize the client to petition the court for release. Correspondingly, if the TCCO determines that a client's behavioral abnormality has not changed to the extent that the client is no longer likely to engage in a predatory act of sexual violence, TCCO may not authorize the client to petition for release from civil commitment. However, an SVP has the right to file an unauthorized petition for release at any time and does not need to wait for a biennial review to do so. A civilly committed person may be released from civil commitment only by a court order from the court of commitment or a higher court.

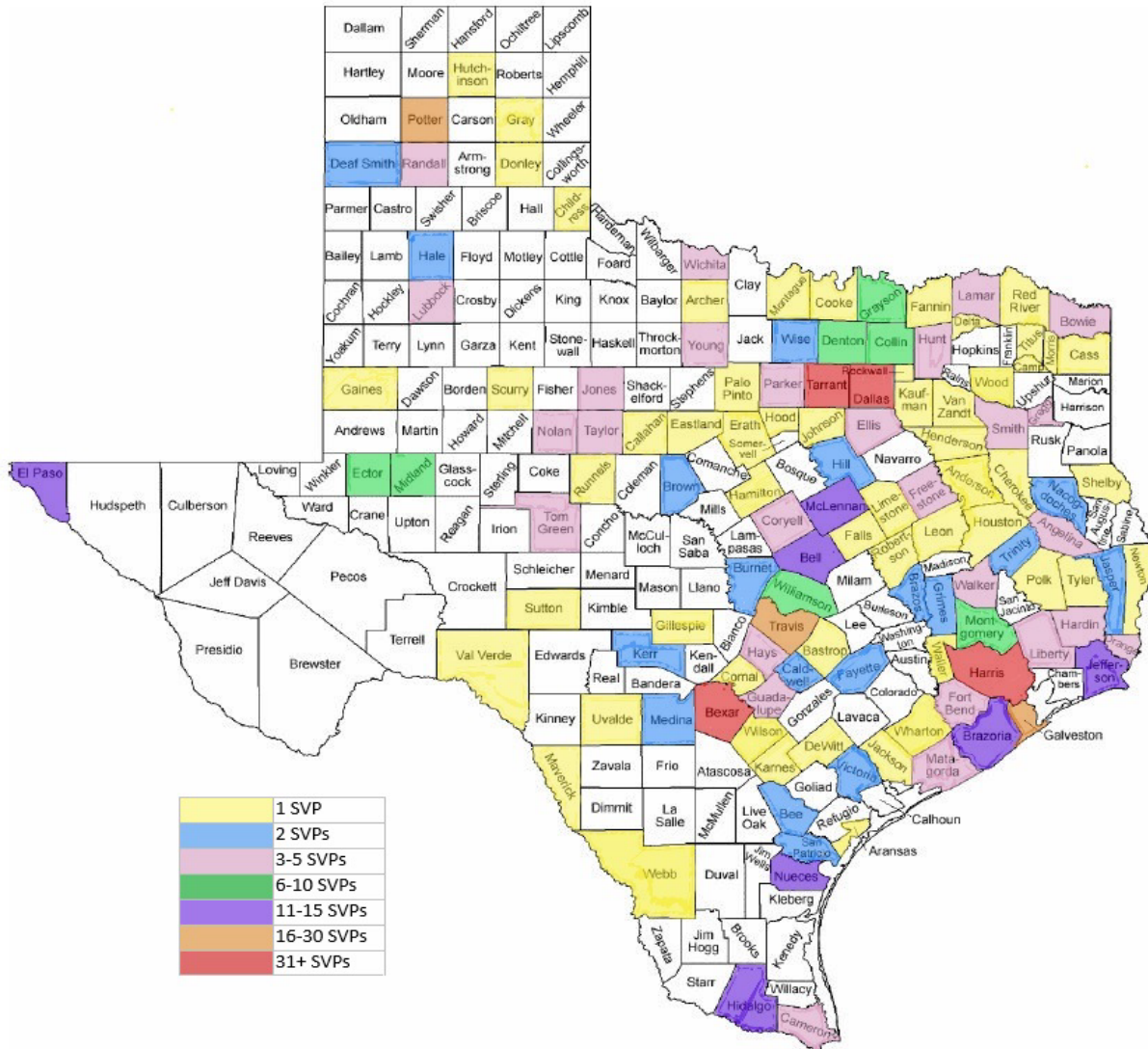
An SVP is entitled by Chapter 841 to representation by counsel during the biennial review process and SCFO is appointed for that purpose; however, the SVP is not entitled to be present during a biennial review unless a hearing is set. If the court determines there is probable cause to believe that the SVP's behavioral abnormality has changed such that he or she is no longer likely to engage in a predatory act of sexual violence, the court is required to set the case for a hearing. The hearing can be held before a jury if requested by the SVP or the state. If a hearing is set, the state and the SVP are entitled to an additional examination by an expert. At the hearing, the state is required to prove beyond a reasonable doubt that the SVP's behavioral abnormality has not changed to the extent that he or she is no longer likely to engage in a predatory act of sexual violence. If the state fails to meet the burden, the court will issue an order releasing the SVP from civil commitment.

TCCO Client Demographics & Offense Statistics

Although Chapter 841 of the Health and Safety Code does not preclude female sex offenders from being referred for civil commitment, at present all TCCO clients are male. TCCO clients range in age from 27 years old to 85 years old with an average age of 58.85 years. The majority of TCCO

clients, 54.91%, are Caucasian. The remaining population is divided as follows: 23.65% African American, 21.24% Hispanic, and 0.20% Other. As of August 31, 2024, the SVPs in TCCO’s program had last counties of conviction spanning 121 counties throughout the state with many areas having only one SVP.

Table: Last Counties of Conviction as of August 31, 2024



Each of the SVPs has committed at least two qualifying offenses as required by Chapter 841. The majority of the SVPs, 66.50%, committed their offenses against female victims only. Of the remaining SVPs, 18.48% committed offenses against both male and female victims and 15.02% committed offenses against male victims only. The victims of the SVPs’ offenses are classified as strangers, acquaintances, or family members for purposes of TCCO’s statistics. Many of the SVPs committed an offense against more than one type of victim. However, as of August 31,

2024, 83.99% of SVP clients knew the victim of at least one of their offenses. Charts illustrating the victim age and category profiles of the SVPs are below.

Table: SVP Victim Ages

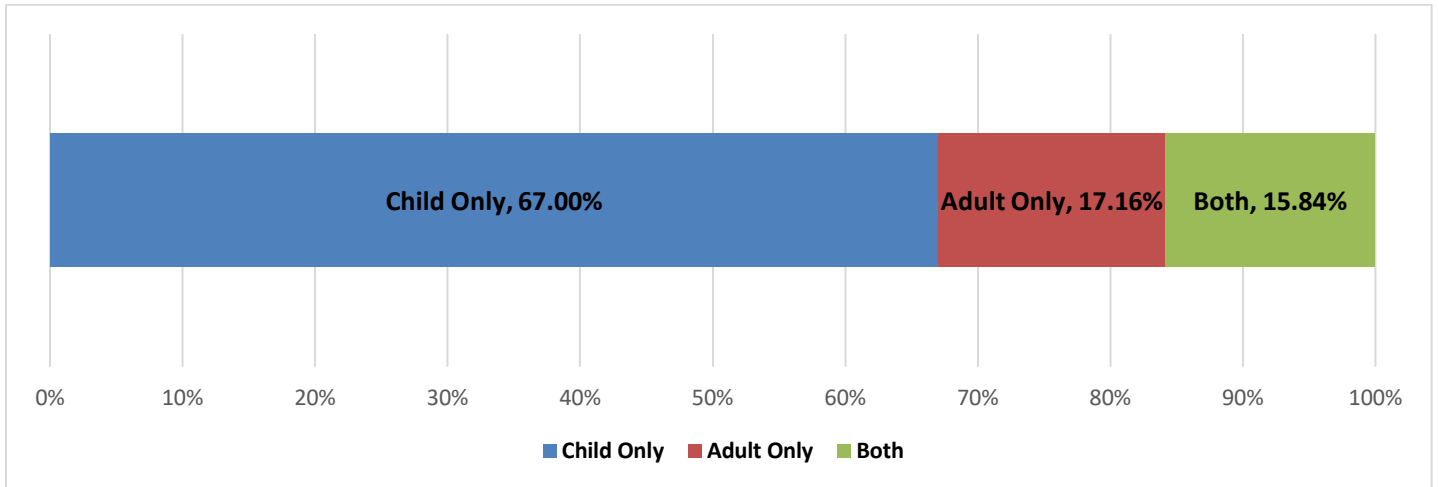
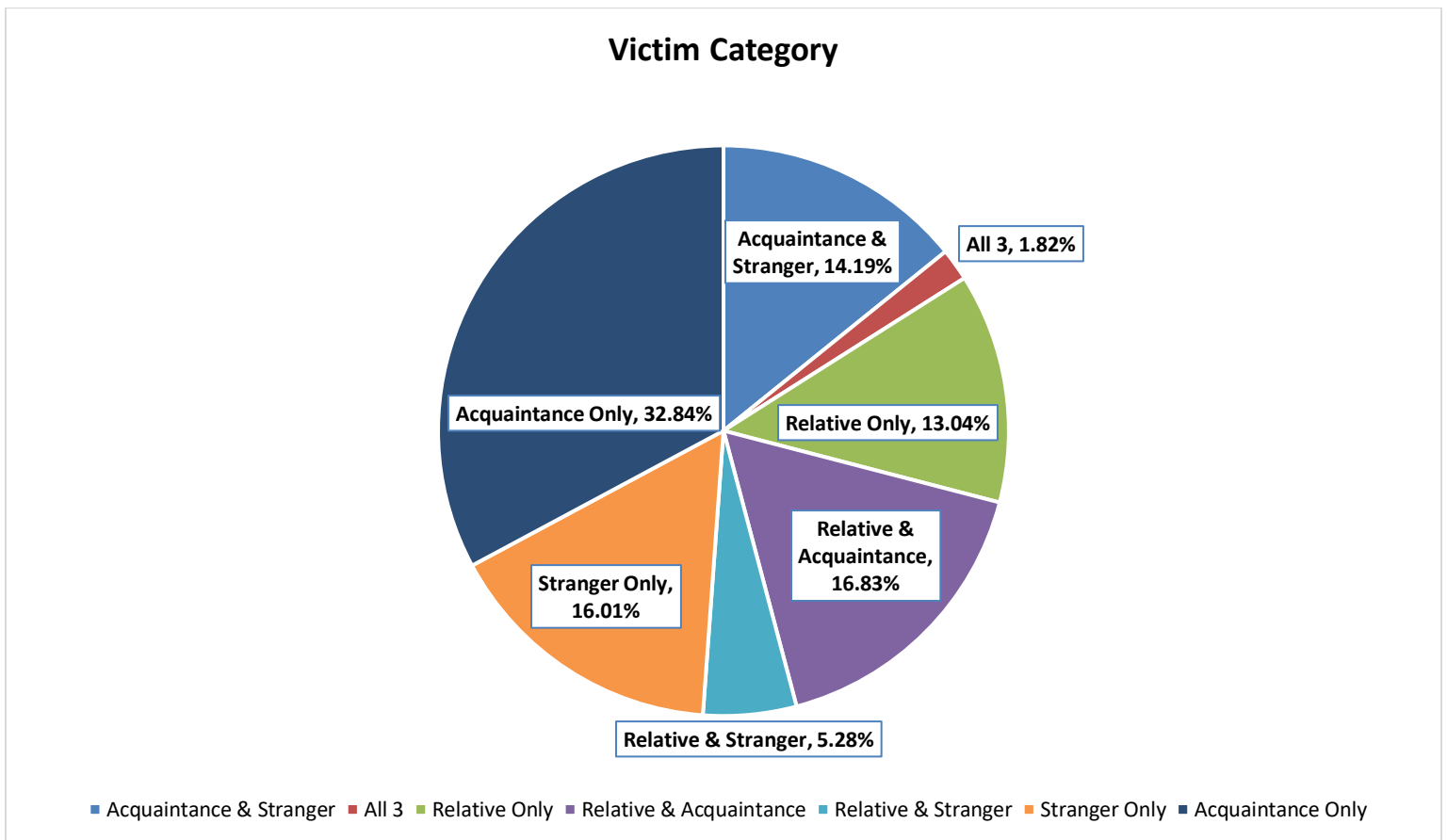


Table: SVP Victim Types



Tiered Treatment Program

The SVP Act requires TCCO to provide appropriate and necessary supervision and treatment to civilly committed SVPs and requires TCCO to develop a tiered program for the supervision and treatment of SVPs. Section 841.0831 of the Health and Safety Code requires the tiered program to provide for the seamless transition of SVPs from total confinement to less restrictive housing and supervision to eventual release from commitment based upon the SVP's progress in treatment and behavior. TCCO is required to transfer an SVP to less restrictive housing and supervision if the transfer is in the best interests of the SVP and conditions can be imposed to adequately protect the community. Additionally, if transferred to a less restrictive environment, an SVP can be returned to a more restrictive environment if the transfer is necessary to further the SVP's treatment and protect the community. Further, an SVP who wishes to transfer to a less restrictive environment may file a petition with the court for a transfer and an SVP who has been returned to a more restrictive environment is entitled to a review of the transfer by the court of commitment.

TCCO operates a five-tiered sex offender treatment program for SVPs. Tiers One through Four take place at the Texas Civil Commitment Center in Littlefield, Texas and Tier Five takes place in the community. The tiered program utilizes cognitive behavioral therapy incorporating the Good Lives and Risk Needs Responsivity models. Each tier builds upon the previous tier and has several tasks or assignments and behavioral targets which must be met or completed in order to move to the next tier. An SVP that does move to a higher tier but struggles with that tier or has treatment or behavioral setbacks can move back down to repeat a step if necessary. All movement is based on individual progress. The entire tiered program is positive programming designed with the goal of getting the SVP to a point where he is able to successfully and safely reside in the community and ultimately, be released from civil commitment.

Tiers One through Four

Tier One introduces the language and concepts of the Good Lives model which is founded on the belief that all humans share primary needs. The curriculum utilized in Tier One builds problem solving skills and teaches SVPs how good decisions are made. Additionally, Tier One addresses individual needs and considers the various levels of skills each SVP has for managing their own life. Tier One clients participate in six hours of group sex offender treatment per week, are required to attend a weekly therapeutic study hall, and participate in individual treatment sessions every 90

days or more frequently as needed.

Tier Two builds upon the concepts from Tier One and assists the client in developing a path toward establishing a balanced, self-determined lifestyle free from offending behaviors. In Tier Two clients participate in disclosure groups that discuss their offending behaviors, relationships, and sexual history. Tier Two clients participate in six hours of group sex offender treatment per week, are required to attend a weekly therapeutic study hall, and participate in individual treatment sessions every 90 days or more frequently as needed.

Tier Three helps the SVP client develop the skills to control his or her psychological risk factors. Tier Three also focuses on relationship skills and the ability to develop and maintain an emotionally close relationship with adults. Additionally, Tier Three focuses on relationship skills and provides clients with the skills to understand and share with others in a more empathic and emotionally healthy manner. Finally, throughout Tier Three clients continue ongoing development and practice of their self-control behaviors, thoughts, and emotions. Tier Three clients participate in six hours of group sex offender treatment per week, individual treatment sessions every 90 days or more frequently as needed and are not required to but can choose to attend a weekly therapeutic study hall.

Tier Four SVP clients are nearing readiness to return to the community. The focus of their treatment is maintenance and discharge planning. Clients in Tier Four receive support and guidance to reinforce the skills they have learned in treatment and prepare to return to the community through individually tailored curriculum. Tier Four clients also have the opportunity to mentor clients in lower tiers. Tier Four clients participate in six hours of group sex offender treatment per week, individual treatment sessions every 90 days or more frequently as needed and may choose to attend therapeutic study hall but are not required to do so. The most advanced Tier Four SVPs are able to reside in an Advanced Group Environment or AGE Dorm in which the residents are able to focus on preparing to return to the community while residing in a less restrictive environment within the Texas Civil Commitment Center. Tier Four-AGE clients have housing akin to studio apartments with their own kitchenette, bed and bathroom area, and are able to cook their own meals.

Additional Programming at the Texas Civil Commitment Center

The treatment program for Tiers One through Four at the Texas Civil Commitment Center also encourages SVPs to develop a healthy and prosocial lifestyle by offering other treatment-related activities such as life skills classes, employment services, budget planning, AA/NA groups, substance abuse treatment, and basic education/GED classes. All SVP Clients 60 years of age or younger are required to participate in basic education or GED classes if they do not already have a high school diploma or GED. Clients over the age of 60 may choose to participate. As of November 5, 2024, 187 clients have participated in the adult basic education/GED program and 3 clients have earned their GED. Additionally, 511 SVP clients have been screened for or participated in substance abuse treatment at the TCCC.

SVPs also participate in one hour of therapeutic community meetings per week with the other residents of their dorms to allow SVPs to discuss issues that have arisen in their community during that week, provide ideas of possible improvements or changes to the dorm, and suggest topics to be brought to the facility-wide Resident Council. The Resident Council is made up of an SVP from each dorm as well as the facility administration and a TCCO case manager. This allows SVPs to voice concerns in a productive manner and provide feedback on the treatment program, life at the facility, and services provided as well as encourages positive communication among all parties involved. The Texas Civil Commitment Center also offers a paid therapeutic work program for SVPs; SVPs are able to apply and interview for positions within the center. SVPs in Tiers Three and Four are able to participate in the therapeutic work program. The SVPs who participate in the therapeutic work program opportunities receive real-world experience of developing a resume, interviewing for a job, managing time on the job, reporting to a supervisor, and budgeting income.

Tier Movement

At the Texas Civil Commitment Center, clients are assessed by their case manager and treatment provider on a regular basis to determine whether the client is appropriately placed in the current tier and whether the client is ready to advance to the next treatment tier. Clients in Tiers One or Two can advance to the next treatment tier upon recommendation of the case manager and treatment provider by successfully completing all assigned curriculum and assignments, meeting

and maintaining all treatment goals, consistently demonstrating through behavior that the client is engaged in treatment, and utilizing the strategies learned. A client in Tier Three who has been recommended by his case manager and treatment provider to advance to Tier Four has additional requirements of being compliant with supervision and treatment rules, having no violations reported in the last six months, and having no deception indicated on the most recent maintenance polygraph. Prior to advancement to Tier Four, a client in Tier Three is also required to participate in a tier movement panel review during which the client discusses his offenses, progress in treatment, and completion of his goals. Transition to Tier Four or Tier Five requires additional levels of review and approval beyond the case manager and treatment provider to include on-site leadership at the TCCC and TCCO leadership.

During the time period of December 1, 2022 to November 5, 2024 a total of 82 clients were released from the TDCJ to the Texas Civil Commitment Center. Nearly two-thirds of the 82 clients or 65.85% transitioned directly into Tier Two while the remainder were placed in Tier One. Additionally, there were a total of 245 tier movements with clients at the Texas Civil Commitment Center during the same time period. Of those 69.39% were upward tier promotions and 30.61% were tier reductions.

Table: Types of Tier Movement December 2022 to November 2024

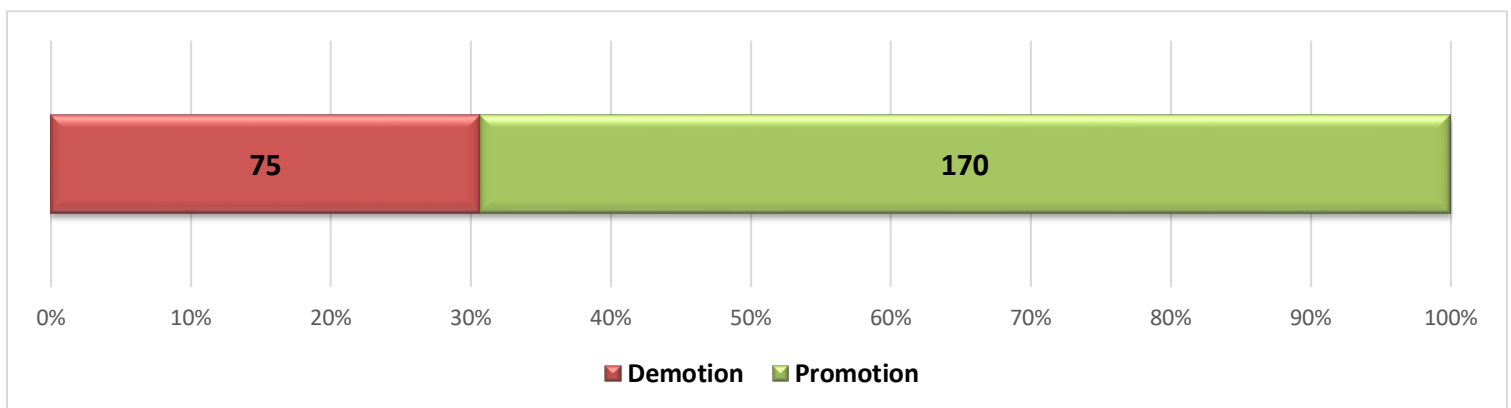


Table: Tier Levels of Clients at TCCC as of November 5, 2024

Tiers at TCCC	Total 481
1	64
2	151
3	239
4	27

Tier Five

Tier Five takes place in the community in the SVP's County of last conviction for a sexually violent offense unless there are not adequate opportunities for the SVP's treatment, housing, or supervision in that county. SVPs in Tier Five attend sex offender treatment in the community and receive group and individual treatment sessions. The number of hours of group and individual treatment are determined by the SVP's treatment provider, in coordination with TCCO, dependent upon the SVP's individual needs. Currently, there are five SVPs in Tier Five in the community.

Reentry Reboot Grant Program

In FY 2023, TCCO applied for and received a grant from the Department of Justice to provide training to clients to assist in reentry to the community upon reaching Tier Five. The grant is a three-year grant with the option to extend to a fourth year and TCCO is required to serve 150 clients through the program. The grant program is called the Reentry Reboot program and through this grant, TCCO is providing hands-on workplace technology and soft skills employability training to clients at the TCCC. TCCO has hired a dedicated smart training program coordinator/instructor and dedicated computer lab for the program at the TCCC. TCCO has also entered into an agreement for Goodwill Industries to provide basic, intermediate, and advanced computer courses to clients as well as employability soft skills courses at no cost to TCCO. Clients completing the Goodwill computer courses receive continuing education certificates from South Plains College. TCCO is also offering additional courses such as typing courses, forklift training, training regarding utilizing public transportation, and a course regarding using technology to search for housing when they are approved to live in the community in Tier Five. As of November 5, 2024, TCCO has served 77 clients in the program with the first cohort of students

completing through the advanced computer course while a second cohort has completed the basic computer course and has begun the intermediate computer course.

Additional Treatment and Supervision Requirements

SVPs in all tiers also participate in polygraph examinations and penile plethysmograph examinations to determine compliance with treatment and supervision requirements and to measure the client’s sexual deviance to determine treatment needs and progress. Additionally, the SVP Act encourages financial responsibility by requiring all non-indigent SVPs to reimburse the state for the cost of their housing, treatment, and GPS monitoring. TCCO has implemented this requirement by enacting a cost recovery policy that non-indigent SVPs are required to pay 25% of their income toward their housing, treatment, and GPS costs or the actual cost of services, whichever is less.

Table: Cost Recovery FY 2016 to FY 2024

FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024
\$145,336	\$169,946	\$190,768	\$231,623	\$255,685	\$463,696	\$224,451	\$213,480	\$223,626

TCCO Client Population

Current Population Data

As of November 5, 2024, there are 638 active civilly committed sex offenders. An additional twenty-three SVPs who were found by their biennial examiners to no longer have a behavioral abnormality have been completely released from civil commitment by the court. Of the 683 SVPs, 100 are in prison and 538 are in the community. The majority of the SVPs in the community, a total of 481, are located at the Texas Civil Commitment Center in Littlefield, Texas. Five SVPs are in Tier Five in the community; four in Houston and one in Fort Worth. An additional five SVPs are in state hospitals or state supported living centers, nine are in a county jail, three are in nursing homes, and 35 SVPs have passed away and are pending case closure with the court.

Caseload Growth

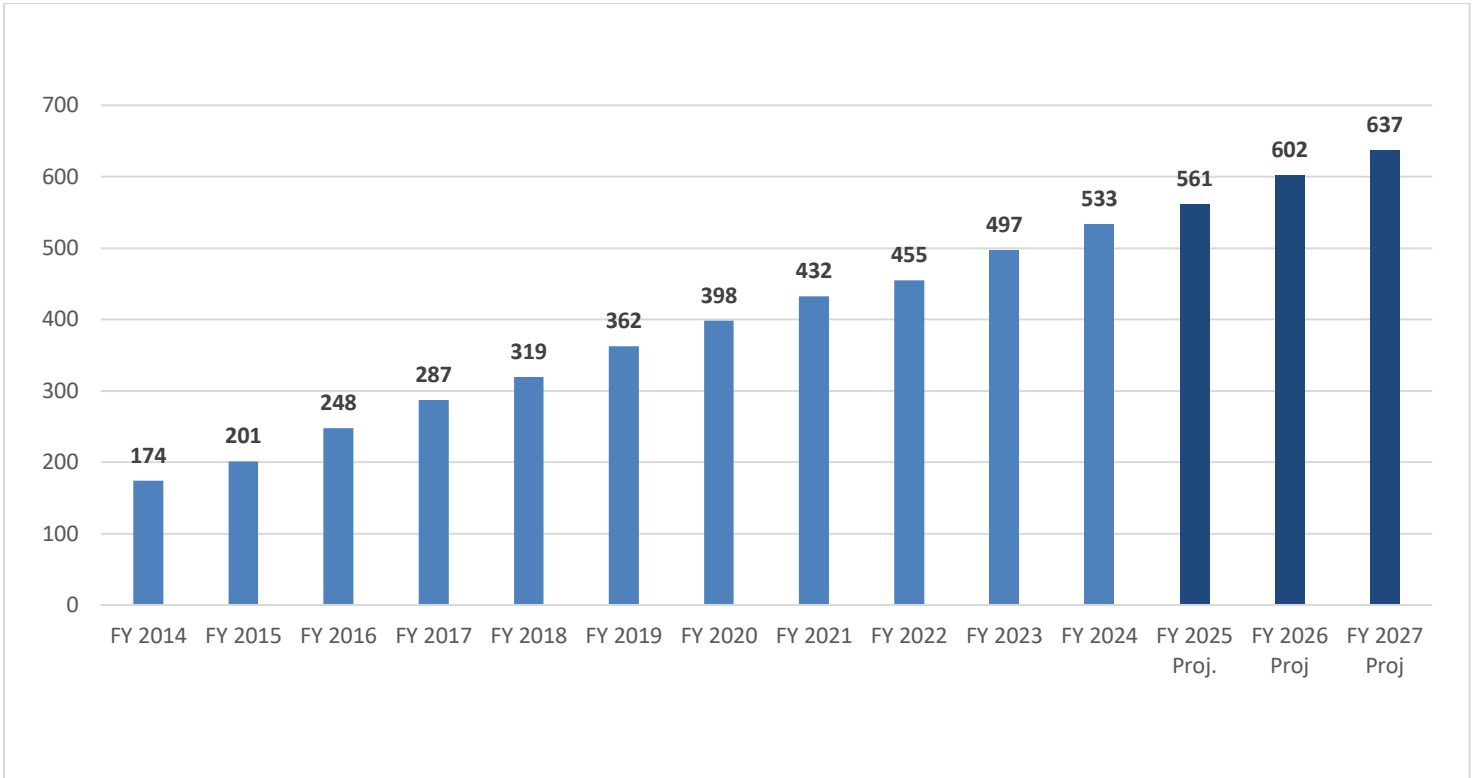
TCCO’s caseload of SVPs in the community has grown significantly over the last ten years. Between FY 2014 and the end of FY 2024, TCCO’s caseload grew by 206% from 174 SVPs in

the community in FY 2014 to 533 SVPs in the community at the end of FY 2024. TCCO continually monitors anticipated caseload growth in order to estimate the type, amount, and cost of services that will be necessary for the SVP clients, including the space that is necessary to house SVPs. The Texas Civil Commitment Center is the only confined treatment facility for SVPs in Texas.

TCCO has closely monitored caseload growth in relation to capacity at the Texas Civil Commitment Center. The facility, which is owned by the vendor that operates the facility under contract with TCCO, had an initial capacity of 346 SVPs. That capacity was able to be expanded to 488 SVPs through internal reconfiguration. TCCO has reached an agreement with the contracted service provider for the Texas Civil Commitment Center to expand capacity to 750 SVPs at no additional cost to the state. The contracted service provider has a new housing building for 96 clients, a new classroom/treatment building, and has begun work on two additional housing buildings with estimated completion dates in 2025.

In projecting its population growth, TCCO completely revamped its caseload projection model in 2018 after working with TDCJ throughout the year to conduct a review of the pipeline of inmates that were eligible for civil commitment. TCCO reviewed the inmates in TDCJ that were flagged as civil commitment eligible and found that these inmates would provide a steady pipeline of individuals who could be civilly committed. Based on the information regarding inmates eligible to be civilly committed along with average commitment rates and average time between commitment and release, TCCO developed an updated caseload projection model. In 2024, TCCO has again reviewed the caseload projection model and made only minor adjustments. The projections indicate that the number of SVPs who are civilly committed and in the community will continue to rise. TCCO's caseload is projected to reach 602 in FY 2026, and 637 in FY 2027.

Table: Caseload Growth 2014 to 2027



TCCO Case Managers

TCCO employs full-time case managers assigned to the clients at the Texas Civil Commitment Center and for Tier Five clients in the community. Additionally, TCCO employs part-time hourly case managers to provide relief coverage for community case managers. TCCO's case managers are the first level of supervision, who monitor clients' activities, compliance with supervision, initiate interventions, redirect when necessary, and report violations for non-compliance. TCCO case managers, both in the community and those assigned to the Texas Civil Commitment Center, are responsible for coordinating with multiple agencies regarding each client's treatment and supervision and making referrals for necessary services such as mental health services. TCCO case managers also motivate change within the client by modeling and encouraging pro-social behaviors.

TCCO case managers assigned to the Texas Civil Commitment Center supervise caseloads of up to fifty clients while case managers in the community supervise smaller caseloads of clients but see each client multiple times per week. TCCO case managers at the Texas Civil Commitment Center conduct office visits and home visits with clients inside the facility while case managers

assigned to Tier Five clients conduct home visits, employment visits, and field surveillance for TCCO clients. Community-based case managers also conduct late-night, weekend, and holiday visits at the client's personal residence to include searches of the personal residence as a standard operating procedure. Community-based case managers have access to safety equipment to include safety alert straps that report to a monitoring center and livestreaming body-worn cameras which allow a supervisor to watch while a case manager conducts a home visit with a Tier Five client.

The case managers at the Texas Civil Commitment Center rotate 24/7 on-call on a weekly basis while case managers in the community rotate 24/7 on-call on a monthly basis to respond to GPS alerts, conduct emergency visits, conduct late-night or early morning visits, and address any emergent issues that arise outside of business hours. In light of the dangerous nature of the case managers' work and the areas which they are required to visit, TCCO has submitted an exceptional item for the FY 2026-2027 biennium to provide a monthly high risk supplement payment to each client services staff member.

TCCO Contract Monitoring

Due to the small size of the agency, TCCO relies heavily on contracted services to provide the appropriate and necessary supervision and treatment to our clients, to include the sex offender treatment and security services at the Texas Civil Commitment Center. TCCO, through its administrative attachment to the Health and Human Services Commission (HHSC) utilizes the services of HHSC Procurement and Contracting Services to issue solicitations such as requests for proposal or open enrollments. Although TCCO utilizes HHSC to issue solicitations, upon contract execution, TCCO maintains responsibility for the administration and monitoring of the contract. TCCO staff maintains a robust contract monitoring function to ensure that services are provided in accordance with the contract and in an acceptable fashion. Contract monitoring activities include on-site observation compliance reviews, unannounced site visit compliance reviews, announced site visit compliance reviews, desk audit compliance reviews, and a 100% monthly review of all required treatment activities and grievances. The 100% monthly review includes the assessment of penalties for any late or missed services. TCCO also assesses a monthly vacancy deduction for any staff positions at the Texas Civil Commitment Center that are vacant over the days allotted in the contract. Additionally, a TCCO central office staff member is generally onsite at the TCCC each week. TCCO completed 134 compliance reviews of the Texas Civil

Commitment Center during FYs 2020, 2021, 2022, 2023, and 2024 and assessed a total of \$3,729,009 in penalties in accordance with the Texas Civil Commitment Center contract. The total number of compliance reviews completed only includes reviews resulting in a written report and does not include any activities that did not result in a written report or that were addressed and resolved informally by TCCO staff in person, via phone or via email.

TCCO Goals

In the coming biennium, TCCO will focus on five main goals.

1. Enhance public safety.
2. Provide evidence-based treatment to SVPs.
3. Provide effective supervision to SVPs.
4. Enhance SVP Client reentry preparation through education and training.
5. Recruit and retain an effective, efficient workforce.

A detailed discussion and action plan for each goal is listed below.

Goal One: Enhance Public Safety

TCCO will work to enhance public safety by providing comprehensive treatment and other programming that encourages change in harmful beliefs and behaviors that permitted and supported the client to engage in sexual offending. The intervention methodologies address multiple areas that will provide the client with the necessary skills, tools, and resources to achieve beliefs, attitudes, and a lifestyle that are incompatible with criminal and sexual offending behaviors with the desired result of improving public safety.

The action plan to achieve this goal includes the following steps:

- a. TCCO will continue to contract with qualified partners who provide housing and other services to TCCO clients. TCCO will continue to contract with specialized professionals who provide treatment and evaluation services to TCCO clients.
- b. TCCO will continue to maintain strict policies and procedures for the security and treatment of SVP clients and regularly review those policies and procedures to ensure they reflect current agency needs.
- c. TCCO will maintain accountability of staff through supervisor oversight and monitoring

of staff work product.

- d. TCCO will maintain accountability of contractors through ongoing contract monitoring.
- e. An open line of communication will be maintained with staff and contractors to ensure that all involved in a client's supervision and treatment are aware of issues or concerns that arise; that those issues and concerns are investigated in a timely fashion and addressed accordingly. This open line of communication minimizes the risk of a client engaging in staff splitting behaviors.
- f. TCCO will continue to provide new hire and in-service training to staff and contractors to ensure that the workforce is dedicated to enhancing public safety.
- g. TCCO will continue to collaborate with partner agencies and community stakeholders. TCCO will maintain routine contact and connection with partner agencies and involve partner agencies in security drills at the Texas Civil Commitment Center. TCCO will seek assistance and guidance from community partners to leverage their expertise as needed.

This goal and the action steps taken to enhance public safety supports each of the statewide objectives. By maintaining open communication and accountability of staff and contractors, TCCO will continue to avoid unnecessary expenses and maintain accountability to taxpayers. By continuing to review policies and procedures and collaborating with partner agencies, TCCO is able to review operational practices to eliminate or avoid redundancies within the agency and is able to determine whether there are functions performed by both TCCO and partner agencies that could be consolidated. This continual review and process improvement that are paramount to achieving this goal supports the statewide objective to ensure TCCO is effective in successfully fulfilling core functions and continually improving. Enhancing the safety of the public supports the statewide goal of being attentive to providing excellent customer service – the public is the ultimate customer and by enhancing their safety, we are serving them. Finally, the adherence to accountability contained within this goal supports the broader statewide goal of maintaining transparency.

Goal Two: Provide Evidence-Based Treatment to SVP Clients

TCCO will continue to provide sex offender treatment by utilizing sex offender treatment providers licensed by the Council on Sex Offender Treatment (CSOT). The CSOT requires licensed sex offender treatment providers to comply with standards of practice that includes using

treatment modalities that are empirically supported. Furthermore, CSOT requires licensees to receive continuing education to maintain their license and to be aware of emerging and effective practices working with sex offenders.

The action plan to achieve this goal includes the following steps:

- a. TCCO will continue to review all applicants seeking to provide services to TCCO clients and require that such providers are specifically approved by TCCO prior to the provision of services.
- b. TCCO will continue to review and approve all curriculum utilized by TCCO-contracted providers and collaborate with providers to ensure any changes or additions to the curriculum meet the agency's needs, are in accordance with CSOT standards, and are in line with best practices in the field of sex offender treatment.
- c. TCCO will remain knowledgeable of the CSOT standards of practice to ensure standards are being followed.
- d. TCCO will continue to monitor the treatment services provided to TCCO clients to ensure such services are in accordance with contract requirements and CSOT standards.
- e. TCCO will continue to collaborate with civil commitment programs in other states and sex offender treatment programs within the state to ensure that an up-to-date knowledge is maintained regarding current and emerging treatment methodologies.

This goal and the action steps taken to provide evidence-based treatment furthers or supports each of the statewide objectives. By reviewing and approving those providing services, maintaining knowledge of practice standards and monitoring services, TCCO will avoid unnecessary expense and maintain accountability to taxpayers. By collaborating with other treatment programs within the state, TCCO can identify programs provided by other partners such as the Texas Department of Criminal Justice to ensure that we maximize efficiency by ensuring the treatment provided within prison dovetails to the treatment provided by TCCO. This continual review of best practices and monitoring services provided that are paramount to achieving this goal supports the statewide objective to ensure TCCO is effective in successfully fulfilling core functions and continually improving. Providing evidence-based treatment furthers the overall goal of enhancing the safety of the public which supports the statewide goal of being attentive to providing excellent customer service – the public is the ultimate customer and by enhancing their safety, we are serving them.

Finally, the adherence to accountability contained within this goal supports the broader statewide goal of maintaining transparency.

Goal Three: Provide Effective Supervision to SVP Clients

TCCO operates under a case management system and employs case managers to supervise clients while they are in the secure facility and in the community. TCCO's case managers are our most valuable asset in the supervision and rehabilitation process, as they are the first level of supervision, who monitor clients' activities, compliance with supervision, initiate interventions, and redirect when necessary and report violations for non-compliance. Additionally, for clients required to reside at the Texas Civil Commitment Center, the security officers employed by the contractor provide an additional layer of supervision and oversight of SVP clients.

The action plan to achieve this goal includes the following steps:

- a. TCCO will continue to provide new hire and in-service training to staff and contractors to ensure that the workforce understands their role in providing effective supervision to SVP clients.
- b. TCCO will continue to maintain strict policies and procedures for the security and supervision of SVP clients and regularly review those policies and procedures to ensure they reflect current agency needs.
- c. TCCO will maintain accountability of staff through supervisory oversight and monitoring to include monitoring of work product and observation of staff interactions with clients and other professionals involved in the client's supervision and treatment.
- d. TCCO will maintain accountability of contractors through ongoing contract monitoring to include unannounced site visits to observe security staff's actions.
- e. An open line of communication will be maintained with staff and contractors to ensure that all involved in a client's supervision and treatment are aware of issues or concerns that arise, that those issues and concerns are investigated in a timely fashion and addressed accordingly. This open line of communication minimizes the risk of a client engaging in staff splitting behaviors and ensures clients are held accountable for their behaviors.
- f. TCCO will continue to work collaboratively with community partners and contractors to assess each client's supervision needs and determine appropriate actions based on those needs.

This goal and the action steps taken to provide effective supervision furthers or supports each of the statewide objectives. By maintaining accountability of staff and contractors through supervision and contract monitoring, TCCO will avoid unnecessary expense which enhances accountability to taxpayers. By continually reviewing policies and procedures, the agency can identify and avoid redundancies. This continual review of policies and procedures and monitoring of staff and contractors supports the statewide objective to ensure TCCO is effective in successfully fulfilling core functions and continually improving. Providing effective supervision furthers the overall goal of enhancing the safety of the public which supports the statewide goal of being attentive to providing excellent customer service – the public is the ultimate customer and by enhancing their safety, we are serving them. Finally, the adherence to accountability contained within this goal supports the broader statewide goal of maintaining transparency.

Goal Four: Enhance Reentry Preparation

TCCO is working to enhance the reentry preparation of SVP clients through education and training. There is a wide range of activities available to clients designed to prepare the client for reentry to include education classes and soft skills classes that will help with employability as well as other mental health classes that will help the client with day-to-day life skills. Case managers also work in the community to locate housing, employment, and other services for clients returning to the community.

The action plan to achieve this goal includes the following steps:

- a. TCCO will continue to offer the “Reentry Reboot” technology training program which provides instruction on computer skills as well as soft skills related to employability. Clients participating in the program will be assessed to determine their skill level in utilizing basic technology such as a computer, mouse and keyboard and re-assessed at the end of the program to measure skills gained. TCCO will continue to develop additional curriculum to address needs such as life skills courses or employability soft skills.
- b. TCCO will assess each client’s readiness for return to the community on an ongoing basis and case managers will work with clients to address deficits by working directly with the

client to obtain necessary skills or referring the client to a contracted provider for additional services such as attendance to the GED program.

- c. TCCO will continue to research and maintain listings of potential employers willing to hire and work with TCCO clients upon their transition to Tier Five.
- d. TCCO will continue to research and maintain listings of potential housing options for clients upon transition to Tier Five.

This goal and the action steps taken to enhance reentry preparation furthers or supports each of the statewide objectives. By offering in-house reentry classes and services conducted by community partners or TCCO staff, TCCO avoids unnecessary expense and maintains accountability to the taxpayers. By continually researching and maintaining listings of potential housing and employment opportunities, the agency can avoid duplication of effort and maximize the efficient use of staff time by not having to re-review or redo research. A strong reentry preparation program supports the agency's core function of ensuring a seamless transition for clients through the tiered treatment program. Assessing each client's readiness for transition to the community and addressing any deficits the client may have furthers the overall goal of enhancing the safety of the public which supports the statewide goal of being attentive to providing excellent customer service – the public is the ultimate customer and by enhancing their safety, we are serving them. Finally, the adherence to accountability contained within this goal through the ongoing review of readiness supports the broader statewide goal of maintaining transparency.

Goal Five: Recruit and Retain an Effective, Efficient Workforce

TCCO is a very small state agency with only 41 allotted FTEs but is tasked with the huge responsibility of providing supervision and treatment to civilly committed SVP clients throughout the state. This small staff allotment requires staff to operate efficiently and to also be knowledgeable of and cross-trained in multiple areas of the agency. Due to the unique population served by TCCO and the limited number of staff, it is imperative that TCCO recruit and retain experienced, responsible, and effective staff. Staff must also be flexible due to the pervasive nature of the clients' criminogenic thinking that requires an individualized approach rather than one-size-fits-all strategy. As a result of the nature of TCCO's work and the need to address issues as they arise, staff are on-call 24/7 to include the agency's leadership, contract monitors, and case managers. For FY 2025 - 2029, TCCO needs to focus on ensuring that tenured, experienced staff

are sharing their institutional knowledge with less experienced staff to ensure continuity of operations as experienced staff retire or leave the agency.

The action plan to achieve this goal includes the following steps:

- a. TCCO will continue to develop and provide innovative and unique trainings for staff development to ensure that newly hired staff as well as tenured staff have the knowledge, skills, and ability to effectively perform their job duties.
- b. TCCO will send staff to trainings held by partner agencies to broaden staff members' skill sets.
- c. TCCO will continue to provide cross-training opportunities to ensure that no task can be performed by only one staff member.
- d. TCCO staff will continue to document their processes and related information to ensure that institutional knowledge is retained in an accessible fashion.
- e. TCCO will develop opportunities for shadowing and mentorship for tenured staff to share institutional knowledge with less experienced staff.

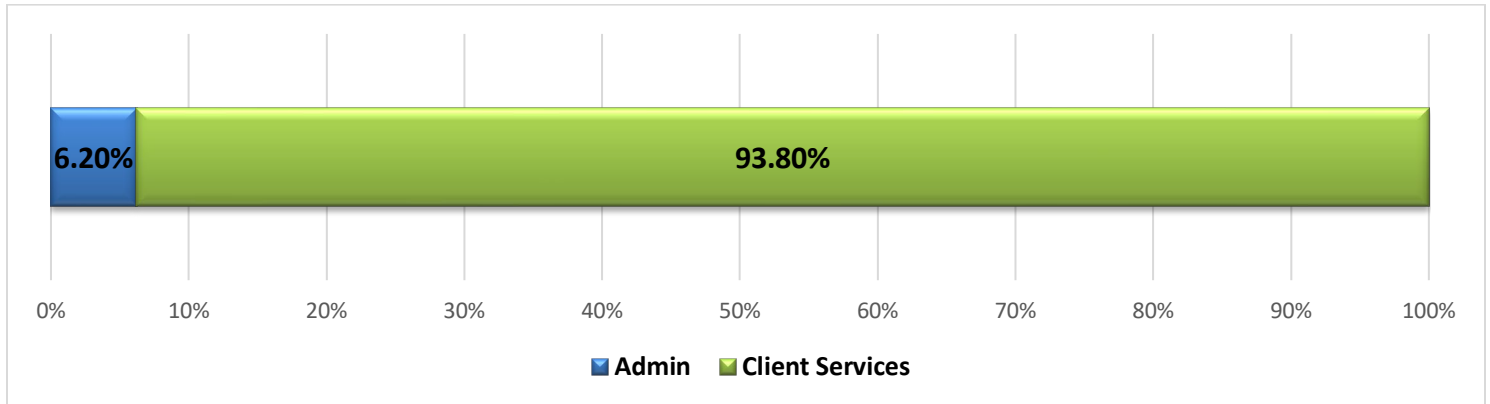
This goal and the action steps taken to recruit and retain an effective, efficient workforce supports the statewide objectives. By developing training to be offered in-house, cross-training, and sending staff to trainings offered by partner agencies, TCCO avoids unnecessary expense and maintains accountability to the taxpayers. Additionally, these trainings and dedication to the transfer of institutional knowledge ensures maximum results and allows staff opportunities to identify redundancies or non-core functions. TCCO's staff are an incredibly valuable resource to the agency and are directly responsible for the agency fulfilling core functions and continuing to improve throughout time. TCCO's team of dedicated staff, and retaining those staff, allows the agency to continue to provide excellent customer service. The accountability of those staff to the agency's mission and core values provides transparency into the agency's actions and helps Texans understand the important work that TCCO does.

TCCO Fiscal Information: Size of Budget

TCCO is responsible for providing appropriate and necessary treatment and supervision for SVPs civilly committed to the State's Civil Commitment Program. In FY 2024, the cost of providing those client services amounts to 93.8% of the agency's budget. TCCO employs Case Managers to

provide supervision and manage civil commitment caseloads. The below chart illustrates the allocation of the agency's funding between administration and client services.

Table: FY 2024 TCCO Funding Allocation



SVP clients who reside outside the TCCC, reside inside the TCCC but leave for any reason, and clients inside the TCCC who are in the two lowest tiers or not program compliant are monitored twenty-four hours a day, seven days a week by real-time GPS tracking. TCCO contracts with vendors to provide necessary services such as: housing in a confined treatment facility, sex offender treatment, substance abuse treatment, clinical examinations, polygraphs, medical services, transportation, and related program services. The TCCO is administratively attached to the Health & Human Services Commission which minimizes administrative costs and helps the agency focus on program service delivery. Between FY 2014 and FY 2024, TCCO's caseload has increased by 206% from 174 SVPs to 533 SVPs.

To fund the significant caseload growth and implement legislatively mandated changes, the size of the agency's budget has significantly increased. However, TCCO has not been appropriated sufficient funding to provide statutorily required treatment and supervision services to SVPs. TCCO has experienced significant budgetary shortfalls in FY 2022, FY 2023, and FY 2024. During FY 2022 and FY 2023, TCCO received a budget transfer from another state agency (HHSC) to pay for final end of year invoices. During FY 2024, TCCO transferred a significant portion of the FY 2025 budget into FY 2024 to cover this shortfall. This leaves an even larger shortfall in FY 2025 and TCCO has submitted a supplemental appropriations request. Without the supplemental appropriations request, TCCO will be unable to pay invoices related to services

performed after May 1, 2025.

The following chart shows the growth in the agency’s appropriated funds, the number of authorized FTEs and the number of SVPs provided services.

Table: TCCO Appropriated Funds, FTEs and SVPs Served by Fiscal Year

	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019
Appropriated Funds	\$6,029,249	\$ 6,902,262	\$12,250,269	\$12,250,270	\$16,775,737	\$16,310,808
Authorized FTEs	35	35	35	35	35	35
SVPs Served	174	201	248	287	319	362

	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025
Appropriated Funds	\$17,985,957	\$19,781,089	\$19,272,107	\$20,831,734	\$22,959,228	\$24,658,094
Authorized FTEs	35	35	37	37	41	41
SVPs Served	398	432	455	497	533	561 (projected)

The TCCO’s budget is fully funded by General Revenue, except for \$120,000 per year from cost recovery reimbursements from SVP clients. In FY 2024, 93.8% of the agency’s budget was spent on client services to include intensive case management, sex offender treatment, housing, security, medical care, GPS monitoring, and transportation for SVPs. In FY 2024, the TCCO spent an average of \$43,075 per SVP client. The average cost per client of all programs in the United States is \$172,299/year with a range from \$43,075 to a high of \$505,000/year.

Legislative Appropriations Request

As specified in the General Appropriations Act, the TCCO is an independent agency that is administratively attached to the Health and Human Services Commission (HHSC). As a result of the administrative attachment, TCCO does not submit a Legislative Appropriations Request, but

instead is part of the HHSC request and is reflected as Goal 13, Objective 1, Strategies 1 and 2. The following is a summary of the TCCO 2026-2027 Baseline and Exceptional Item request:

BASELINE REQUEST

FY 2026	\$ 24,053,897
<u>FY 2027</u>	<u>\$ 24,053,897</u>
Baseline	\$ 48,107,794

TCCO’s baseline funding is made up of \$47,867,794 in general revenue funds and \$240,000 in appropriated receipts consisting of reimbursements received from Sexually Violent Predators (SVPs) who are not indigent, for their housing, treatment and GPS tracking costs. The 2026/2027 LAR baseline is based on 2024/2025 funding and retains the agency’s 41 authorized FTEs. The agency has also submitted eleven exceptional item requests to maintain agency operations, provide required services, and support the agency's hardworking client services staff.

EXCEPTIONAL ITEM REQUEST

TCCO has submitted eleven exceptional items for legislative consideration.

Total Requested FY 2026	\$12,469,320
<u>Total Requested FY 2027</u>	<u>\$16,343,111</u>
Total, Exceptional Items	\$28,812,431

1. Caseload Growth

The number of sexually violent predators (SVPs) committed each year has continued to increase annually. The same applies to SVPs released from prison. TCCO under Government Code, Chapter 420A and Health & Safety Code, Chapter 841 is mandated to provide treatment and supervision to SVPs who are civilly committed. Treatment and supervision continues until the SVP’s behavioral abnormality has changed to the extent that the SVP is no longer likely to engage in a predatory act of sexual violence and the court of commitment has released the SVP. The number of SVPs who are civilly committed and in TCCO’s program is projected to grow to 602 in FY 2026 and 637 in FY 2027. The GR base funding for FY 2026/27 is based on 2024/25 SVP population and does not provide for caseload growth each year as the population increases.

Without additional funding, TCCO will not have sufficient budget to fulfill our legislative mandate to provide supervision and treatment to these SVPs. These expenses are expected to be \$1,978,190 in FY 2026 and \$3,641,174 in FY 2027 for a biennium total of \$5,619,364.

2. Reinstate Client Services Funding

During the 88th Legislature, TCCO requested \$1,866,691 to restore funding reduced in previous biennia. This funding is critical for maintaining funding with a linear growth civil commitment sexually violent predator population. Specifically, this request would have offset the growth from FY 2022 to 2023 to increase 2024-2025 baseline funding to 2023 operating levels. As part of reconciling FY 2024-2025 shortfalls, the agency determined this restoration of client services funding was critical in addressing a shortfall that will carry forward each fiscal year. TCCO has experienced budgetary shortfalls in FY 2022 and FY 2023 and expects ongoing shortfalls in the FY 2024 – FY 2025 biennium. This exceptional item requests \$933,345 in FY 2026 and \$933,346 in FY 2027 for a biennium total of \$1,866,691.

3. FY 2025 Baseline Leveling

The TCCCO has an annual projected growth for the sexually violent predator population receiving treatment. Base funding levels as introduced must be leveled to the second year of the previous biennium to account for the population and cost increases to maintain base level operations from the previous biennium. FY 2026 and FY 2027 require baseline funding increases to FY 2025 levels to account for changes that occurred in FY 2025 and establish the minimum operating levels with end of year FY 2025 population and services. This exceptional item requests \$849,433 in each year of the biennium for a biennium total of \$1,698,866.

4. Offsite Healthcare

The Texas Civil Commitment Center (TCCC) in Littlefield, Texas is the only confined facility in the state that houses SVPs. The average age of SVPs at the TCCC is 59 years old and many have chronic health conditions requiring extensive medical care. The TCCC contract provides on-site primary care and covers the first \$25,000 in offsite healthcare for each SVP client. Annual offsite medical costs that exceed \$25,000 per SVP are not covered by TCCO's contract with the TCCC operator. The requested funds will ensure that the costs of this offsite healthcare will not fall to the indigent care system in the rural county. Appropriated funds for these costs has not kept pace with expenses and TCCO has experienced budgetary shortfalls as a result that has led to the need for

appropriations transfers from HHSC in FY 2022 and FY 2023. The below chart further details offsite healthcare appropriations and expenditures for the last five fiscal years.

Fiscal Year	Appropriated Funds	Actual Expenditures	Description
FY 2020	\$414,368	\$638,459.59	TCCO was able to absorb the shortfall due to contractor penalties and agency operating savings.
FY 2021	\$414,368	\$2,632,011.77	TCCO was able to absorb the shortfall due to contractor penalties and agency operating savings.
FY 2022	\$771,080	\$1,938,003.71	TCCO was able to absorb a portion of the shortfall but required a \$700,00 transfer from HHSC to pay for the remainder.
FY 2023	\$771,080	\$3,085,541.89	TCCO was able to absorb a portion of the shortfall but required a \$1.59M transfer from HHSC to pay for the remainder.
FY 2024	\$1,851,685	\$2,123,477 billed through June 2024	TCCO projects \$4.2M in FY 2024 billing and has received a transfer from FY 2025 to FY 2024 to cover the shortfall.

These expenses are expected to be \$6,024,242 in FY 2026 and \$6,325,454 in FY 2027 for a biennium total of \$12,349,697.

5. Contract Rate Adjustments

The inflation experienced between 2022 and 2024 has increased prices in all sectors. Contracting for services for SVP Clients is the most cost-effective mechanism for the state to provide required security and treatment. Accordingly, it is necessary for TCCO to take steps to retain current vendors and attract new vendors. TCCO is requesting a 4% increase in per diem rates for our contracted services, subject to acceptable vendor performance from FY25 to FY26 and 3% from FY26 to FY27. This will be necessary to ensure uninterrupted operations of our statutorily required treatment and supervision program. These expenses are expected to be \$1,138,482 in FY 2026 and \$1,898,839 in FY 2027 for a biennium total of \$3,037,321.

6. Case Manager Career Ladder

Section 420A.009 of the Texas Government Code, as amended by SB 1576 during the 85th Legislative Session, requires TCCO to develop and implement a salary career ladder for its Case Managers based on the Case Manager’s classification and years of service with TCCO. As adopted by TCCO’s Board, the Case Manager Career Ladder provides for an annual salary

adjustment equivalent to 3% of the established salary rate for Case Managers in good standing that meet all required employment standards. For the FY 2026 and FY 2027 biennium, the Case Manager Career Ladder increases are expected to total \$115,934.

7. Twenty-Four Hour Medical

Clients at the Texas Civil Commitment Center have an average age of 59 years and the clients there have numerous chronic health conditions. Currently, the TCCC onsite primary care clinic is open 16 hours a day, 7 days a week and any needs that arise outside those hours or require 24 hour a day monitoring have to be referred for offsite hospitalization or specialty care. Expanding the primary clinic hours to 24 hours a day, 7 days a week will enhance the care that can be provided onsite with the goal of reducing reliance on offsite emergency and hospital care for issues that could be managed by the onsite medical staff. This will also reduce transports outside the TCCC, which enhances public safety while reducing transport and staffing costs associated with the security staff providing supervision to clients while at offsite medical facilities. This exceptional item requests \$1,254,658 for FY 2026 and \$2,522,679 for FY 2027 for a biennium total of \$3,777,338.

8. High Risk Pay

Each of TCCO's clients have been previously convicted of two violent sex offenses and has been determined to be likely to engage in future predatory acts of sexual violence, to the extent that the client is a menace to the health and safety of others. TCCO's client services staff work with these clients on a daily basis at the Texas Civil Commitment Center and at client private residences throughout the state. Client private residences are frequently in high-crime areas and case managers are required to conduct unannounced late-night and early morning visits. This exposes TCCO client services staff to potential danger. This request provides a \$50 monthly high-risk supplemental pay for each TCCO client services staff member. For the FY 2026 and FY 2027 biennium, the high risk pay supplement is expected to total \$24,360.

9. Vehicle Replacement

TCCO requests funding to replace two current vehicles exceeding replacement guidelines in the Comptroller of Public Accounts State Vehicle Management Plan. These vehicles will be over 10 years old at the end of 2025 and have over 150,000 miles. Vehicles will be replaced with similar vehicles. TCCO staff travel throughout the state to monitor client activities and travel weekly

from Austin to the Texas Civil Commitment Center (TCCC) in Littlefield to monitor contract activities and overall operation of the facility and treatment programs. The total funds requested for the biennium for this exceptional item are \$60,164.

10. Client Dental Services

Dental prevention services are necessary to provide clients at the Texas Civil Commitment Center with preventive treatment to reduce future costs to treat infections and dental conditions resulting in pain or difficulty eating. These services will provide annual preventive cleanings and examinations to clients, and will assist medical and dental staff to identify potential dental issues and develop treatment plans for clients required to reside at the Texas Civil Commitment Center to address any issues before they lead to other health conditions. TCCO has requested \$159,180 for FY 2026 and \$60,515 for FY 2027 for a biennium total of \$219,695.

11. Microsoft O365 License Upgrade

Texas Civil Commitment Office staff are currently utilizing Microsoft Office 2016. This product has reached the end of its life and will no longer be supported beginning October 2025, including no future security patches. To safeguard agency information and ensure no interruption to agency operations, TCCO needs to upgrade all systems to Office 365 modern licensing. The total biennium cost for this upgrade is \$43,002.

Future Challenges and Focus Points

Throughout 2024 and in the coming biennium, TCCO will focus on efforts to obtain funding to provide statutorily required supervision and treatment to SVPs to ensure that budgetary shortfalls do not put the safety of the public at risk. TCCO will also focus locating the necessary professional services, community transitional beds and related resources for SVPs transitioning to Tier Five in the community. TCCO continually monitors the quality of our programs and has an ongoing focus on contract monitoring and oversight to include weekly contract monitoring activities regarding the Texas Civil Commitment Center to ensure that services are being provided as required and at an acceptable quality level. TCCO is also concerned about the rising health care needs and expenses for the aging SVP population. TCCO will work with the vendor at the Texas Civil Commitment Center to continue to leverage onsite healthcare to the greatest extent possible and to negotiate the best rates possible with offsite healthcare providers. TCCO will also continue to

focus on the recruitment and retention of an effective, efficient workforce. Throughout the coming biennium, the Texas Civil Commitment Office will remain committed to providing long-term, comprehensive evidence-based treatment and supervision to civilly committed sexually violent predators to enhance the safety of the public with the ultimate goal of no more victims while maintaining accountability to the citizens of Texas.

Contact Information for Questions

If you have any questions regarding TCCO or any of the information included within this report, please contact:

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