

What is Community Supervision?

Community Supervision was formerly called adult probation. In addition to sending the offender to jail or prison, the court can place the offender under the supervision of the local Community Supervision and Corrections Department (CSCD-adult probation). The court sets out specific conditions which the offender must meet while supervised and a plan is developed for providing effective supervision.

Community Supervision seeks to protect the public and provide punishment and rehabilitation of the offender. If the offender does not follow the conditions of supervision, additional conditions can be imposed or the offender can be removed from community supervision (revoked) and sent to the prison or county jail.

Community Supervision includes a wide range of services and requirements, from regular reporting and attending counseling or life skills classes, to being placed on electronic monitoring and having to submit to drug testing, to placement into a residential facility or state jail, and varying levels of supervision in between.

Definitions

Deferred Adjudication: The court “defers” a finding of guilt and places the offender under community supervision for a specified period of time. If conditions are met, no conviction for the crime will be on record.

Pre-Sentence: A pre-sentence investigation report (PSIR) may be prepared before a plea bargain or before sentencing at trial. The PSIR provides information about the offender, the crime committed, and the impact of the crime on the victim(s). You provide the information to a community supervision officer about how the crime has affected you.

Pre-Trial Supervision: In some instances the court may place the defendant under supervision of the Community Supervision and Corrections Department (CSCD-adult probation) or another appropriate agency while awaiting trial. Specific conditions are assigned which must be followed by the defendant.

Additional Resources

For additional information on Crime Victim’s Rights and other helpful information please go to the following websites:

TDCJ-Victim Service Division

tdcj.state.tx.us/ks_victim.html

tdcj.state.tx.us/documents/Its_Your_Voice.pdf

tdcj.state.tx.us/php/prod/resource_directory

The Attorney General of Texas

www.texasattorneygeneral.gov/cvs/crime-victim-publications

www.texasattorneygeneral.gov/cvs/crime-victims-compensation



Where Can I Get Help?

Contact the following department if you are not sure which county probation office to contact for victim information, please call or write to:

Texas Department of Criminal Justice–Community Justice Assistance Division

Victim Service Liaison

**Price Daniel Sr. Bldg.
209 West 14th Street, Ste. 400
Austin, Texas 78701
(512) 305-9394
Fax: (512) 305-9368**

To better assist you please have the following information available:

- ❖ Offender’s name
- ❖ Date of birth
- ❖ County name where offence occurred



The Rights of Crime Victims



Your Rights As A Victim

This brochure will assist you, the victim (as defined in Article 56.01 of the Texas Code of Criminal Procedure) and family member of the victim of crime, in understanding what happens once the offender is placed on community supervision and what rights you have as a crime victim (as described in Article 56.02 of the Texas Code of Criminal Procedure). To list a few:

- ❖ The right to receive from law enforcement agencies adequate protection from harm and threats of harm arising from cooperation with prosecution efforts;
- ❖ The right to have the magistrate take the safety of the victim or his family into consideration as an element in fixing the amount of bail for the accused;
- ❖ The right to receive adequate protection from harm and threats of harm which might be made by the offender because you give information to the prosecuting attorney;
- ❖ The right, if you request, to be told when court actions are scheduled and to be told in advance if the court dates and times have been canceled or rescheduled;
- ❖ The right to be informed of the use of a victim impact statement and the statement's purpose in the criminal justice system, and to have the victim impact statement considered by the attorney representing the state and the judge before sentencing or before a plea bargain agreement is accepted;
- ❖ The right to provide pertinent information to a probation department conducting a presentencing investigation concerning the impact of the offense on the victim and the victim's family by testimony, written statement, or any other manner prior to any sentencing of the offender.

As a victim you also have the right to notification of the offender's community supervision as described in the Texas Government Code 76.016 which includes:

- ❖ Notice if the offender is being placed on community supervision;
- ❖ The conditions of community supervision imposed by the court, and the time and location of any hearing or proceeding at which the conditions of the offender's community supervision may be modified or the offender's placement on community supervision may be revoked or terminated;
- ❖ Copy of court ordered community supervision identifying the department with jurisdiction;
- ❖ A written copy of the conditions of supervision;
- ❖ Name of the supervision officer;
- ❖ Victim assistance coordinator contact information;
- ❖ Motion to revoke supervision as a result of a violation of community supervision;
- ❖ Information regarding the transfer of an offender to another jurisdiction and contact information;
- ❖ Information that the offender has been placed in residential confinement and released from confinement, unless such confinement is in a substance abuse treatment facility;
- ❖ Uncollected/unpaid restitution;
- ❖ Sanctions for violating the terms and conditions of supervision.

Note: If you have not filled out a Victim Impact Statement (VIS) prior to the sentence and judgement, and wish to do so, go to the following link to print a copy.

www.tdcj.texas.gov/publications/victim_impact_statement.html

Once you have filled out the VIS, send original VIS to the Victim Assistance Coordinator at the Community Supervision and Corrections Department (CSCD-adult probation) where the offender is reporting for probation to be placed in his/her file

How Can I Find Out What's Going On?

The Community Supervision and Corrections Department (CSCD) Victim Assistance Coordinator/Liaison (VAC) may notify you when the offender is placed on community supervision. At that time, the VAC will give you the opportunity to state if you want further notification about what happens to the offender. The VAC is limited by law as to what information they can give you, but they will help you as much as possible. If you know the offender was placed on community supervision, but you do not receive notification from the department and want to know what is going on, contact the department in writing. Include your name, address, phone number, the name of the offender, and the case number (if known).

For department contact information, you may contact or write the Texas Department of Criminal Justice - Community Justice Assistance Division (TDCJ-CJAD) Victim Service Liaison at the following address:

TDCJ-CJAD Victim Service Liaison
209 West 14th Street, Ste. 400
Austin, Texas 78701
(512) 305-9394



What Information Can I be Told?

The following is a **partial list** of what a Community Supervision and Corrections Department (CSCD-adult probation) can and cannot disclose to a victim(s) and other members of the public. There are laws which govern what information is protected as well as some local policies which impact what can or cannot be disclosed. If you have additional questions, contact the TDCJ-CJAD Victim Service Liaison at (512) 305-9394.

What **CAN** and **CANNOT** be disclosed:

- ❖ Whether or not an offender is under supervision.
- ❖ If the offender is current on restitution payments or not.
- ❖ If a motion to revoke has been filed and the outcome of this process.
- ❖ If the offender was revoked and placed in the county jail.
- ❖ If the offender was sentenced to prison time with the Texas Department of Criminal Justice-Correctional Institutions Division (TDCJ-CID).
- ❖ If the offender has been placed in a residential facility, but **CANNOT** disclose what type of treatment (i.e. substance abuse or mental health problems).
- ❖ If the offender has been transferred to another county and provide contact information for the other probation office.
- ❖ **CANNOT** disclose the offender's medical or psychological records.
- ❖ **CANNOT** disclose whether or not the offender is in a drug/alcohol treatment program.