The Texas Criminal Justice Coalition seeks the implementation of realistic criminal justice strategies that safely reduce the State’s costly over-reliance on incarceration – creating stronger families, less taxpayer waste, and safer communities.

Below, we have provided comprehensive information about McLennan County’s adult population at various stages of criminal justice system involvement. We have also provided the associated costs at each stage to highlight the significant expense to incarcerate or supervise these populations.

### Total County Population

- **McLennan County Population:** 245,671

### STAGE 1: Pretrial Jail Detention

Of all the people incarcerated in Texas’ county jails, more than half (on average) have not been convicted of the crime for which they are accused. They are in pretrial detention, awaiting trial. Many men and women cannot afford the bond that would allow them to return to the community prior to trial; others are not given that option by judges, despite presenting little flight risk or posing no danger to public safety. This leads to unnecessary and costly jail overcrowding.

- **McLennan County Jail Population:** 786
- **McLennan County Jail Pretrial Population:** 660 (84%)
  - Number of Pretrial Defendants with Misdemeanor Charges: 97
  - Number of Pretrial Defendants with State Jail Charges: 39
  - Number of Pretrial Defendants with Felony Charges: 524
- **Statewide Average Cost to County Taxpayers to Incarcerate One Individual in County Jail, Per Day (Pretrial or Post-Conviction):** $59.00
- **Average Cost to McLennan County Taxpayers to Incarcerate the Entire McLennan County Jail Pretrial Population, Per Day:** $38,940
  - Average Cost to Incarcerate Pretrial Defendants with Misdemeanor Charges: 5,723
  - Average Cost to Incarcerate Pretrial Defendants with State Jail Charges: 2,301
  - Average Cost to Incarcerate Pretrial Defendants with Felony Charges: 30,916
Any indigent individual in Texas charged with a Class B misdemeanor or higher is entitled to court-appointed representation. However, counties pay for 81% of indigent defense costs, statewide. The state pays only 19%. As such, counties with already strained budgets may struggle to provide legal representation for all defendants who request an attorney.

- **Number of Individuals (Adult and Juveniles) in McLennan County Receiving Constitutionally Guaranteed Representation (Court-Appointed Counsel):** 5,918
  - Number of Adults with Misdemeanor Charges: 2,900
  - Number of Adults with Felony Charges: 2,298
  - Number of Juveniles with Cases: 611
  - Number of Individuals with Appeals Cases: 51
  - Number of Individuals with Capital Cases: 7

- **Total Indigent Defense Expenditures Paid by McLennan County in FY 2015:** $3,290,589.51

- **State Formula-Based Grant Amount Received by McLennan County to Provide Indigent Defense Services:** $278,441.00 (8%)

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**STAGE 2: Court-Appointed Counsel**

Judges have the option of sentencing certain individuals to probation instead of prison or jail. Not only is probation over 30 times cheaper than prison or jail, it is more effective than incarceration at lowering rates of re-offending, especially when paired with rehabilitative programming. As such, investments in probation help boost public safety in the long term and reduce the likelihood of victims.

- **Number of Individuals in McLennan County on Community Supervision (Probation):** 3,098
  - Number of Individuals on Misdemeanor Probation: 1,561
  - Number of Individuals on Felony Probation: 1,537

- **Statewide Average Cost to the State to Have One Individual on Probation, Per Day:** $1.63

- **Average Cost to the State for the Entire McLennan County Probation Population, Per Day:** $5,049.74

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**STAGE 3 – Option A**

**Diversion from Incarceration to Community-Based Supervision (Probation)**
Texas has various types of correctional facilities to house individuals with misdemeanor or felony convictions. Our 246 county jails house individuals with both misdemeanor and felony offenses (including state jail felonies and felonies of various degrees); they also temporarily house parole violators and individuals awaiting transfer to another type of correctional facility.15 Texas’ 20 state jails16 house individuals with offenses of various levels.17 Our 57 prisons18 house individuals with felony or capital offenses. Our 5 Substance Abuse Felony Punishment Facilities (SAFPFs)19 house individuals with felony offenses who have been placed in this structured treatment regimen.20

**Correctional Facilities in McLennan County**

- McLennan County Jail

**Misdemeanor Offenses**

- Number of Individuals Sentenced to McLennan County Jail:21 101
- Statewide Average Cost to County Taxpayers Incarcerate One Individual in County Jail, Per Day:22 $59.00
- Average Cost to McLennan County Taxpayers to Incarcerate the Entire Population of Individuals Sentenced to McLennan County Jail, Per Day: $5,959.00

**Felony Offenses**

- Number of Individuals from McLennan County Sentenced to State-Level Confinement: 2,552
  - Number of Such Individuals Sentenced to State Jail:23 211 (8%)
    - Average Cost to the State to Incarcerate One Individual in State Jail, Per Day:24 $47.30
    - Average Cost to the State to Incarcerate the Entire Population of Individuals from McLennan County Sentenced to State Jail, Per Day: $9,980.30
  - Number of Such Individuals Sentenced to Prison:25 2,272 (89%)
    - Average Cost to the State to Incarcerate One Individual in Prison, Per Day:26 $50.91
    - Average Cost to the State to Incarcerate the Entire Population of Individuals from McLennan County Sentenced to Prison, Per Day: $115,667.52
  - Number of Such Individuals Placed in a SAFPF:27 39 (2%)
    - Average Cost to the State to Place One Individual in a SAFPF, Per Day:28 $62.68
    - Average Cost to the State to House and Treat the Entire Population of Individuals from McLennan County Placed in a SAFPF, Per Day: $2,444.52
The vast majority of people who are incarcerated in state-level corrections facilities are ultimately released back into the community. Upon leaving state jail, most individuals are left unsupervised. Upon leaving prison, however, individuals are either supervised on parole, supervised on community supervision (e.g., shock probation), or released on “flat discharge” (unsupervised).

- **Total Number of Individuals Released from State-Level Confinement to McLennan County:** 29,940
  - **Number of Individuals Released to Community Supervision:** 30,62 (7%)
    - Statewide Average Cost to the State to Have One Individual on Probation, Per Day: $1.63
    - Average Cost to the State for the Entire McLennan County Post-Release Probation Population, Per Day: $101.06
  - **Number of Individuals Released to Parole Supervision:** 32,507 (54%)
    - Statewide Average Cost to the State to Have One Individual on Parole, Per Day: $4.04
    - Average Cost to the State for the Entire McLennan County Parole Population, Per Day: $2,048.28
  - **Number of Individuals Released on Flat Discharge:** 34,371 (39%)

- **Number of Individuals in McLennan County who Returned to Prison:** 35,107
programs and others awaiting a slot in special drug therapy prisons.”

were serving time for state jail offenses. Another 13,530 were regular convicts, some enrolled in treatment

25,458 of the approximately 152,000 convicts in state prisons on Dec. 31, 2012; “John Hurt, a spokesman for the Texas Department of Criminal Justice […] said that state jails housed 17,950 convicts on Dec. 31, 2011; 20,120 on Dec. 31, 2010; and 22,170 on Dec. 31, 2009.”

Another 13,530 were regular convicts, some enrolled in treatment programs and others awaiting a slot in special drug therapy prisons.”

were serving time for state jail offenses. Another 13,530 were regular convicts, some enrolled in treatment

methods to deal with the state’s growing prison population. They noted that the population increase was due in part to an 8 percent increase in the number of offenders on each tier, driven by an average 3.3 percent increase in total prison capacity.

17 Texas Criminal Justice Coalition, “State jails struggle with lack of treatment, rehab programs,” Austin American-Statesman, December 30, 2012; “John Hurt, a spokesman for the Texas Department of Criminal Justice […] said that state jails housed 25,458 of the approximately 152,000 convicts in state-run lockups at the end of October. Of those, just 11,802 were serving time for state jail offenses. Another 13,530 were regular convicts, some enrolled in treatment programs and others awaiting a slot in special drug therapy prisons.”

18 TDCJ, Unit Directory.

19 Ibid.
A SAFPF is an intensive six-month therapeutic and education program (or nine-month program for prisoners with special needs), typically assigned as a condition of community supervision or a modification of parole/community supervision.


Brandon Wood, Roundtable on Pretrial Detention.

Texas Department of Criminal Justice (TDCJ), Statistical Report: Fiscal Year 2014, p. 15.

LBB, Criminal and Juvenile Justice Uniform Cost Report, p. 4.


LBB, Criminal and Juvenile Justice Uniform Cost Report, p. 4.


LBB, Criminal and Juvenile Justice Uniform Cost Report, p. 4.


LBB, Criminal and Juvenile Justice Uniform Cost Report, p. 6. Figure reflects FY 2014 state cost of community supervision.


LBB, Criminal and Juvenile Justice Uniform Cost Report, p. 5.


Individuals could return to prison after being revoked while on parole, Discretionary Mandatory Supervision (DMS), or Mandatory Supervision (MS).

**DMS:** In 1995, the Texas Legislature gave the Texas Board of Pardons and Paroles (BPP) the authority to review eligible individuals whose offenses were committed on or after September 1, 1996, for possible release to Discretionary Mandatory Supervision. The BPP must review eligible prisoners on or before their discretionary mandatory eligibility date, and it has the discretion to deny release.

**MS:** This is a type of release from prison provided by law for restricted categories of returning individuals. Eligible individuals are released on MS when their served calendar time plus their good time credit equals the length of their prison sentence. Under previous law (effective until August 31, 1996), release to MS was automatic, with no requirement for release approval from the BPP.

For McLennan County revocation total, see TDCJ, Statistical Report: Fiscal Year 2015, p. 32.