Adult Criminal Justice System: 1993 – Present
Birth of State Jails, Preliminary Sentencing Reform, Diversion Funding, Alarming Prison Projections, Justice Reinvestment, Policy Passage, Prison Closure

Texas: A National Model
Prison Population Stabilized, Incarceration Rate Decline, Positive Media Recognition, Policy-Maker Awards

Work to Be Done
Problems: Corrections Costs to Taxpayers, Nonviolent Individuals in Prison

Moving Forward
Keys to Public Safety
Risk-Reduction Alternatives We Will Continue Pushing For
Without Smart Policy Changes...
Lessons Learned
Adult Criminal Justice System: 1993 – Present

★ 1993 – Birth of the State Jail: The state jail system was created in 1993 to divert individuals with low-level drug offenses from long sentences in TDCJ prisons.

State jails were conceptualized as a back-up sentence for individuals who did not comply with community supervision. Over the years, however, tens of thousands of Texans with low-level drug offenses have been sentenced directly to state jail, serving on average, over one year.

★ 2003 – Preliminary Sentencing Reform: We begin to shift the dialogue from a tough-on-crime to smart-on-crime sentiment, promoting the use of progressive sanctions for drug offenses involving possession of small amounts of certain controlled substances (which was signed into law), the shortening and strengthening of probation term lengths, and a stronger treatment infrastructure.

Unfortunately, the state budget shortfall resulted in cuts to probation, treatment, and parole – driving the prisons to a breaking point.
Adult Criminal Justice System: 1993 – Present

★ 2005 – Diversion Funding: Mass mobilization of individuals advocating for smart-on-crime reforms resulted in furthering policies that increase **accountability for drug task forces** and increase **accessibility to identification cards** for previously incarcerated individuals, while also allocating **additional funds for probation**.

★ January 2007 – Alarming Prison Projections: Texas faced a projected prison population increase of up to **17,000** inmates in the next five years (in addition to the nearly 6,000 beds added between 2004 and 2007) if Texas’ pace of incarceration continued.

★ 2007 Legislative Session – Justice Reinvestment: Rather than spending nearly $2 billion on new prison construction and operations, policy-makers worked **collaboratively and diligently** to reinvest a fraction of this amount – **$241 million** – in probation, alternatives to incarceration, parole, etc.
Adult Criminal Justice System: 1993 – Present

★ 2007–2011 – Smart-on-Crime Policy Passage & Implementation: 91 new crime reduction strategies positively changed the course of the criminal justice system, resulting in savings to taxpayers and the lowest crime rate Texas has had since 1985.

• 2007: 33 bills
• 2009: 31 bills
• 2011: 27 bills

★ 2011 – Prison Closure: Historical shifts resulted in the first prison closure (Sugar Land Facility).
Texas: A National Model

Prison Population Stabilized

REMAINING STABLE

Five years ago, the Texas Legislature enacted a reform package that invested in drug and alcohol treatment programs and expanded diversion options to reduce incarceration of low-risk offenders. As a result, the prison population has stabilized and the state has saved money.

WHY IT HAS REMAINED STABLE

Fewer offenders are being sent to prison or returned to prison from probation and parole as revocation rates have dropped to their lowest point in a decade.

Sources: Bureau of Justice Statistics, Texas Legislative Budget Board

Ryan Smith / The Times-Picayune
Texas: A National Model

Incarceration Rate Decline

OVERTAKING TEXAS
Since 1997, Texas’ incarceration rate has declined by nearly 10 percent, while Louisiana’s has soared by almost a third.

INCARCERATION RATE, PER 100,000 RESIDENTS

Sources: Bureau of Justice Statistics

RYAN SMITH / THE TIMES-PICAYUNE
Texas: A National Model

Positive Media Recognition: Louisiana and Oklahoma

Texas puts more people in treatment and fewer people in prison

Oklahoma can learn from criminal justice reform in Texas

The Oklahoman Editorial
Published: February 14, 2012

A S Oklahoma tackles criminal justice reform, we'd be wise to consider an offering of neighborly advice. Texas state Rep. Jerry Madden shared his experience at last week's Justice Reinvestment in Oklahoma discussion hosted by House Speaker Kris Steele and The Council of State Governments Justice Center.
Texas: A National Model

Policy-Maker Awards

2010 PUBLIC OFFICIALS OF THE YEAR

The Correctionists
John Whitmire and Jerry Madden
State Senator and State Representative, State of Texas
Texas prison population now eclipses California’s in the wake of cuts to inmate population

By Associated Press, Published: June 13
• Approximately 155,000 men and women are in Texas Department of Criminal Justice (TDCJ) facilities, with more than 140,000 individuals in prison units, and approximately 12,000 individuals in state jail.

• Of the entire TDCJ population, 48.5% are incarcerated for nonviolent offenses, costing taxpayers almost $4 million per day.

• Housing people in state jails costs the state $43 per bed per day, or $515,000 daily for all individuals housed there.

Every year, Texas spends these amounts on corrections-related areas:

Prisons - $3 billion
Police - $1.4 billion
Courts - $321.5 million
Prosecution - $42 million
Indigent Defense - $30 million
• Approximately 49% of individuals incarcerated in Texas’ adult prisons and state jails are there for *nonviolent* offenses.

• The **nearly 73,000** nonviolent individuals on hand in prisons and state jails alone are costing taxpayers **nearly $4 million daily**.

**It is long overdue that we ask ourselves a practical question:**

*What have we gained through the inefficient and costly incarceration of thousands of Texans whose risk of re-offending would have been more effectively reduced if they would have received *programming, treatment, re-entry tools, and meaningful supervision*?*

**BOTTOM LINE:** Passing policies that responsibly divert individuals from confinement, and shifting money from *risk containment* to *risk reduction*, means greater taxpayer savings, fewer victims, and stronger and healthier communities in the long term.
Keys to Public Safety

Texas must continue to invest in strategies that truly address the root causes of crime.

• Incarceration accounts for 90% of the state’s corrections spending (approximately $3 billion every year), and only 10% is allocated for treatment and diversions such as probation and parole.

• Yet incarceration results in greater levels of re-offending than treatment and other risk-reduction alternatives, which are proven to be more cost-efficient and programmatically effective.

According to the National Institute of Corrections at the U.S. Department of Justice:

✓ Punishment increases an individual’s inclination towards criminal activity by .07%.

✓ Treatment decreases an individual’s inclination towards criminal activity by 15%.

✓ Cognitive skills programs decrease an individual’s inclination towards criminal activity by 29%, making them most effective at decreasing criminal behavior.
Risk-Reduction Alternatives We Will Continue Pushing For

★ Make the criminal justice system a place of last resort, not the first option for those suffering from mental health disorders or the disease of addiction. People should be diverted away from incarceration if they have low-level, nonviolent offenses and would benefit more fully from treatment.

★ Promote policies that will deter criminal behavior rather than focusing on criminal enhancements, which raise penalties for existing crimes.

★ Save the state and county taxpayers millions of dollars by re-examining penalties for various low-level, nonviolent offenses that do not endanger communities. The over-criminalization of low-level offenses is costing Texas taxpayers millions of dollars.

★ Increase the professional development of corrections staff and practitioners through trainings that promote evidence-based practices and measurable outcomes.

★ Begin preparing for reentry during the intake process into prison or jail, especially through assessments.
Risk-Reduction Alternatives We Will Continue Pushing For

★ Strengthen investments in both in-prison AND community-based treatment services (especially mental health and substance abuse) for pretrial defendants, inmates, and individuals reentering our communities.

★ Strengthen investments in pre- and post-release employment services to help reentering individuals become self-sufficient, productive community members.

★ Proactively target “frequent flyers,” who cycle in and out of jails at high rates and great costs, and who are typically suffering from mental illness.

★ Encourage incentives to strengthen and expand public defender systems in Texas, and strengthen investments in the new Texas Indigent Defense Commission to support evidence-based programs and impact statewide performance standards.

★ Safely increase the use of assessment-based personal bonds.
Without Smart Policy Changes...

- **Texas prisons will fill up** with individuals who have committed minor crimes or administrative rule violations (e.g., technical probation or parole violations).

- If parole release rates fall, **prisons will become a bottleneck** for men and women who are eligible for release.

- **Taxpayers will foot the bill** for thousands more people to be warehoused in prisons and jails, rather than be given the (much less expensive) rehabilitative help they need to become responsible, productive community members.
Lessons Learned

- One organization cannot do advocacy and evaluation work alone. **Coalition work** is critical – even when the organizations may not see eye-to-eye on every issue. Collaborative groups should include members of agencies, practitioners, advocates, and members of affected communities.

- The state must provide **sufficient resources and proper staffing levels** to meet the needs of system-involved individuals and adequately implement services and programs. This holds true for both state- and local-level programming. County-based treatment infrastructures are critical for handling individuals diverted from confinement.

- **Evidence-based practices and data** must inform the utilization of diversion programs and sentencing decisions.

- Leadership must appoint **experts with an effective track record** to run juvenile and criminal justice programs and agencies.

- The real work begins **after** the passage of policies. **Monitoring** the implementation of new provisions and providing **feedback** to stakeholders is key.
Please log on to www.CriminalJusticeCoalition.org/about/email_alerts to sign up for e-alerts and get more information about the following:

- TCJC’s work and our new public education materials
- Interim and legislative committee hearing notices and related materials
- Policy analysis
- Links to key report findings by other researchers and advocates
- Features on criminal and juvenile justice practitioners and programs
- Media clips that discuss criminal and juvenile justice
- Funding opportunities
- Upcoming events
- Important upcoming dates

We also want to hear **what’s important in your community**. Please let us know about innovative strategies being implemented, as well as policy areas in need of reform.

Lastly, we would love the opportunity to partner with you and, through our public education and policy advocacy efforts, **we can work together** to improve the lives of Texans.
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