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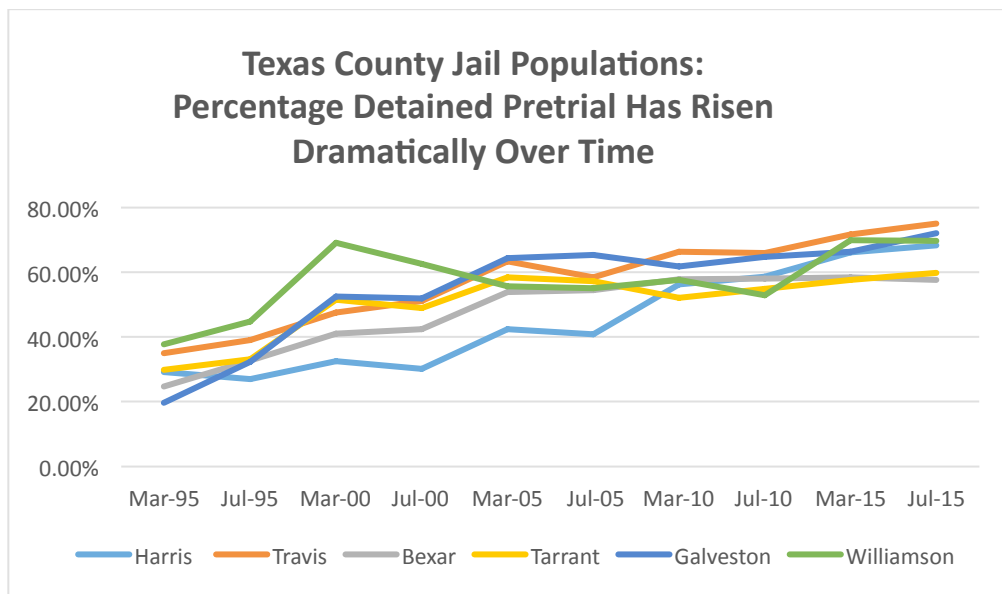
Improve Efficiency in Texas Courts and Reduce Unnecessary Pretrial Incarceration

PRETRIAL REFORM WILL SAVE TAXPAYER DOLLARS, INCREASE PUBLIC SAFETY, AND INCREASE CAPACITY IN COUNTY JAILS

Pretrial release decisions are crucial in the safe and efficient operation of Texas jails. According to a recent study, “Texas’ resource-based bail system keeps low-risk individuals unnecessarily detained before trial and allows risky defendants to buy their freedom with limited oversight. This practice undermines public safety, disproportionately harms low-income defendants, and costs counties millions of dollars every year. **By adopting pretrial reform in line with national standards, Texas can reduce its jail population while making communities safer.**”¹ Adopting risk assessment tools that more accurately measure a person’s risk to the community, as opposed to resource-based assessments that discriminate against low-income defendants, could alleviate the costly strain on county jails, with increased and safe use of personal bonds and a presumption of pretrial release for low-risk individuals.

KEY FINDINGS

- Between September 2015 and August 2016, Texas’ county jails housed pretrial an average of over 6,200 people charged with a misdemeanor.² **At an average cost of \$59 per person per day,³ this population costs taxpayers approximately \$369,000 per day—nearly \$135 million per year.**
- As of August 1, 2016, pretrial detainees made up over 62% of Texas’ county jail population.⁴ **Pretrial reform will help reduce the time and money spent keeping such individuals in pretrial detention by increasing efficiency in the pretrial process and focusing on risk, rather than financial means.**



THE TEXAS CRIMINAL JUSTICE COALITION SUPPORTS COST-SAVING AND PUBLIC SAFETY-DRIVEN PRETRIAL SOLUTIONS

- Without the use of a risk assessment prior to magistration, **a significant number of low-risk, nonviolent defendants spend weeks or months behind bars before trial, simply because they cannot afford the high cost of their monetary bond.** Not only is this a constitutional concern, potentially resulting in costly liability for Texas jurisdictions, but it squanders public resources that could be better used to address substance abuse, mental health, or other issues within the community.
- The Texas Criminal Justice Coalition supports pretrial reform because it gives eligible individuals the opportunity to remain stable, productive members of their families and communities while awaiting trial. As former Texas District Judge Charlie Baird stated, **“It allows people who are presumptively innocent to get out and not just to continue to work, to provide for themselves and their families, and to help their lawyers to prepare a case, but it also saves the county millions a year.”**⁵

Citations

¹ Nathan Fennell and Meredith Prescott, LBJ School of Public Affairs, *Risk, Not Resources: Improving the Pretrial Release Process in Texas*, June 2016, <https://lbj.utexas.edu/sites/default/files/file/Risk,%20Not%20Resources-%20Improving%20the%20Pretrial%20Release%20Process%20in%20Texas--FINAL.pdf>.

² Texas Commission on Jail Standards, *Texas County Jail Population*, August 1, 2016, <http://www.tcjs.state.tx.us/docs/POPSUMCurrent.pdf>. County jails housed an average of 6,252 pretrial misdemeanants from September 2015 to August 2016.

³ Brandon Wood, Assistant Director of the Texas Commission on Jail Standards (TCJS), e-mail messages to Travis Leete, Texas Criminal Justice Coalition (TCJC), April 4, 12, 13, and 16, 2012; Brandon Wood, Assistant Director of TCJS, telephone conversation with Travis Leete, TCJC, April 12, 2012.

⁴ Texas Commission on Jail Standards, *Texas County Jail Population*, August 1, 2016, <http://www.tcjs.state.tx.us/docs/POPSUMCurrent.pdf>. County jails housed 41,470 pretrial detainees and a total population of 66,271 individuals as of August 1, 2016.

⁵ Charlie Baird, former Texas district judge, as quoted in *The Austin Chronicle*, October 12, 2012, <http://www.austinchronicle.com/news/2012-10-12/your-word-is-your-bond/all/>.