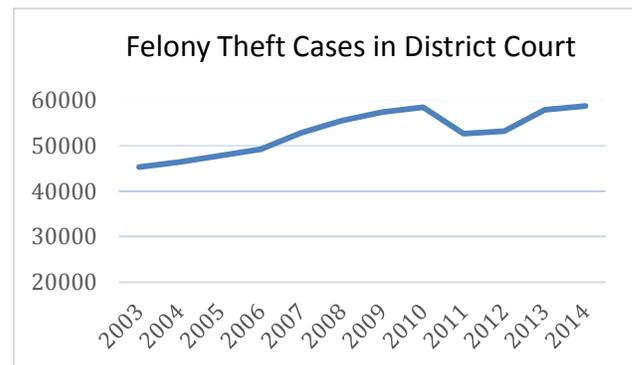
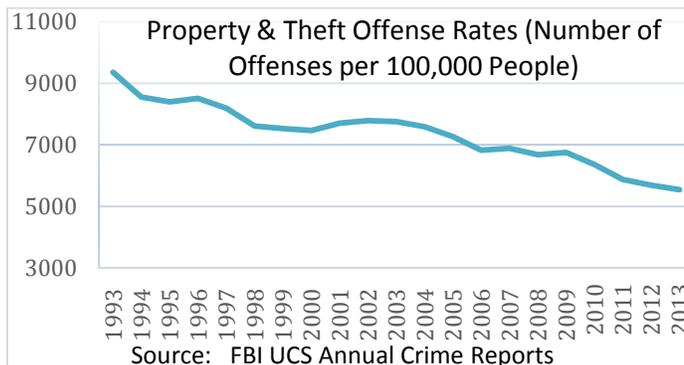


Dear Members of the Committee,

Thank you for the opportunity to testify in support of SB 393, which would adjust the property offense penalty thresholds to account for more than 22 years of inflation. This bill will ensure that penalties for property offenses coincide with the intention of the legislature.

- Consumer goods with a value of \$1,500 today were worth less than \$1,000 in 1993.¹ In other words, **what amounted to a Class A misdemeanor 20 years ago may now constitute a state jail felony—a de facto “criminal inflation” that was not intended by the authors of the 1993 legislation.**
- **Property crime rates in Texas have steadily fallen for the past 20 years.**² Not only have these rates fallen in relation to the growing population, but **the actual number of property crimes reported between 1993 and 2013 has dropped more than 13 percent.**³ Yet, **felony theft caseloads in district court have increased nearly 30 percent,**⁴ largely because of the increase in the general level of prices for the same goods and services.



- **Convictions based on these disproportionate offense thresholds can result in incarceration in county jail or state-level correctional facilities, all at a cost that can exceed \$50 per person per day.**⁵ More than 35 percent of state jail inmates were serving time for larceny or burglary.⁶ **Those individuals alone cost taxpayers nearly \$170,000 per day to incarcerate and almost \$62 million annually.**⁷
- **Incarcerating these individuals is costly to taxpayers, depletes resources that can be directed toward individuals who pose a high risk to public safety, and further burdens jails and prisons.**
- **SB 393 will save taxpayer dollars and increase fairness in the judicial system by updating the antiquated value thresholds upon which property offenses are based.** This will make penalties more proportional to the offenses committed and avoid wasting valuable resources on prosecution and incarceration for petty crimes. It will also more closely conform punishments to what was intended by the authors of the 1993 legislation.

Citations on reverse.

Citations

¹ Based on the United States Department of Labor's Consumer Price Index (CPI), goods that were valued at \$50 in 1993 are worth \$80.33 today, and goods valued at \$20,000 in 1993 are now worth \$32,133.70. See United States Department of Labor: Bureau of Labor Statistics, "Databases, Tables & Calculators by Subject," CPI Inflation Calculator, website last accessed 6 April 2013, available at http://www.bls.gov/data/inflation_calculator.htm.

² DisasterCenter.com, Texas Crime Rates 1960 - 2013, From the FBI UCS Annual Crime Reports, <http://www.disastercenter.com/crime/txcrime.htm>

³ Ibid.

⁴ Office of Court Administration, Annual Statistical Reports, 2003 – 2014, <http://www.txcourts.gov/statistics/annual-statistical-reports.aspx>

⁵ According to the Legislative Budget Board (LBB), per-day prison costs are as much as \$48.84 per person, while per-day state jail costs average \$42.90 per person; from LBB, "Criminal Justice Uniform Cost Report Fiscal Years 2010-2012," January 2013, p. 8. Also note: According to Brandon Wood, Director of the Texas Commission on Jail Standards (TCJS), per-day county jail costs average \$59 per bed; TCJS presentation at American Bar Association, Criminal Justice Section, Roundtable on Pretrial Detention in Texas, held in Austin, Texas, March 30, 2012.

⁶ Ibid, p. 11.

⁷ Based on LBB, *Uniform Cost Report*, *supra* note 3, at 8.