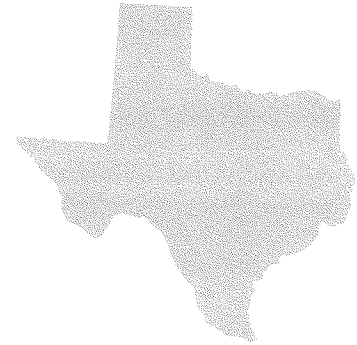


Texas Justice Reinvestment Scenarios



Under the leadership of three key lawmakers, policymakers in Texas are reviewing policies in the state to find ways to increase public safety and to manage corrections spending and growth in the prison population. In 2006, Senator John Whitmire (D, Chair, Criminal Justice Committee), Representative Jerry Madden (R, Chair, Corrections Committee), and Senator Kim Brimer (R, Chair, Sunset Advisory Commission) each convened hearings and commissioned reviews to improve their understanding of why the prison population continues to grow and what is contributing to high rates of failure among people released from prison to the community and people sentenced to probation.

This policy brief, prepared at the direction of Senator Whitmire and Representative Madden, reviews aspects of two possible justice reinvestment scenarios in which policymakers enact policies to address the projected shortfall of over 17,000 prison beds in Texas by 2012.¹ In the first scenario,

policymakers increase tools available to the Parole Board to enhance the use of parole guidelines in the state. In the second scenario, policymakers increase the capacity of treatment-oriented facilities and the availability of substance abuse and mental health services. Although the scenarios each include distinct strategies, there is also some overlap between the two, so the scenarios cannot be combined simply to double the impact on prison beds or on corrections spending.

The fiscal impact projected for each scenario is based upon assumptions regarding cost, timing, and diversion that have been used in prior research. Both these assumptions and the projections described in this brief were developed with the help and approval of Legislative Budget Board staff. Savings were calculated by comparing the cost of each scenario with the status quo (i.e., the budget presented by TDCJ in the General Appropriations Bill, As Introduced, Eightieth Legislative Regular Session, 2007.)²

SCENARIO ONE:

Increase Tools Available to Parole Board to Enhance Use of Parole

Overview

1. Make available the following resources to the Parole Board:

- An additional 1,000 bed unit, with 500 beds dedicated to DWI treatment and 500 beds dedicated to in-prison therapeutic substance abuse treatment (operational September 1, 2008)
- 150 additional parole halfway house beds (operational January 1, 2008).

2. Maintain the prison population at its current levels by increasing the overall parole release from an average of 26% in FY 2006 to 29% in 2012 and by increasing the Discretionary Mandatory Supervision Release (DMS) from an average of 52% in FY 2006 to an average of 57% in FY 2012.

EXPLANATION: The Sunset Advisory Commission found that the Texas Board of Pardons and Paroles has not adhered in recent years to its parole guidelines, which are based on risk factors and crime severity.³ Had the Parole Board followed its guidelines, there would have been considerably less growth in the prison population over the past five years. In 2005 alone, an additional 2,252 non-violent offenders would have been released.⁴

To help the Parole Board work within its guidelines, policymakers must ensure that people with substance abuse problems and mental illness who are incarcerated receive the treatment they need. Furthermore, policymakers should reduce the number of people who have been cleared for parole release, but remain incarcerated because appropriate community-based housing and treatment services are not available.

Projected Impact on Prison Population

151,817

compared to 168,166 under the baseline projection

EXPLANATION: Under this scenario, there would be an average 1,705 additional parole releases for each year of the projection. In addition, there would be an average of 1,567 DMS releases for each year of the projection. As a result, in 2012, TDCJ would be operating at capacity—without a shortage of beds.

These releases are primarily nonviolent offenders, and they are only those offenders whose score reflects low severity of crime and low risk to public safety, according to the Parole Board’s guidelines.

Projected Fiscal Impact

\$99.8 million

for the 2008–09
biennium

\$543 million

for the five-year period
of 2008–2012

EXPLANATION: These projections do not include \$377.7 million in savings that would be associated with avoided construction costs, which were included in TDCJ’s proposed budget (as an “exceptional item” in the introduced bill).

FIGURE 1: General Revenue Related Funds, Five-Year Fiscal Impact of Scenario One (“Increase Tools Available to Parole Board to Enhance Use of Parole”)

FY	Probable Net Positive Impact to General Revenue Funds
2008	\$34,677,271
2009	\$65,197,659
Subtotal 2008–09	\$99,874,930
2010	\$109,203,535
2011	\$143,714,570
2012	\$190,268,872
Total 2008–12	\$543,061,907

SCENARIO TWO:

Increase Availability of Substance Abuse and Mental Health Treatment-Oriented Facilities and Services

Overview

Provide funding to increase the capacity of the following facilities and services: Intermediate Sanction Facilities (ISF) for probation and parole, Probation Residential Treatment (PRT) facilities, In-Prison Therapeutic Community (IPTC), Substance Abuse Felony Punishment (SAFP), DWI treatment beds and halfway houses.⁵

EXPLANATION: The Sunset Advisory Commission and other legislative reviews found a significant shortage of programs for people in prison and people who have violated conditions of release. According to the Sunset Advisory Commission's report, 59% of prisoners (about 90,000) are chemically dependent, but only 5% of potential program participants are admitted to substance abuse programs each year. Less than 10% of the \$2.5 billion budget for the Texas Department of Criminal Justice "supported offender treatment programs."⁶

Of the 187,054 offenders on probation whose alcohol and/or substance abuse played a role in their crime, only 9% received residential substance abuse treatment and 19% received outpatient treatment.⁷

FIGURE 2: Proposed Increases to Substance Abuse and Mental Health Treatment-Oriented Facilities and Services

Proposed Increases to Capacity	Timetable
2,400 beds in ISF facilities, state operated, available for probation and parole	1,200 in Sept. 1, 2008 1,200 in Sept. 1, 2009
1,600 beds in Probation Residential Treatment (PRT) facilities	800 in Sept. 1, 2009 800 in Sept. 1, 2010
200 IPTC beds	Jan. 1, 2008 with 100 TTC beds support
500 SAFP beds	Jan. 1, 2008 with 250 TTC beds support
500 DWI treatment beds	Sept. 1, 2009
150 halfway houses	Jan. 1, 2008
Transfer to TDCJ of TYC San Saba and Marlin Units*	600 beds each for total of 1,200 beds by Sept. 1 2008

*This scenario also assumes the transfer of two Texas Youth Commission (TYC) facilities to TDCJ, which is already being considered by state leaders for reasons other than those described in the brief. These facilities were previously adult units that had been converted to juvenile facilities.

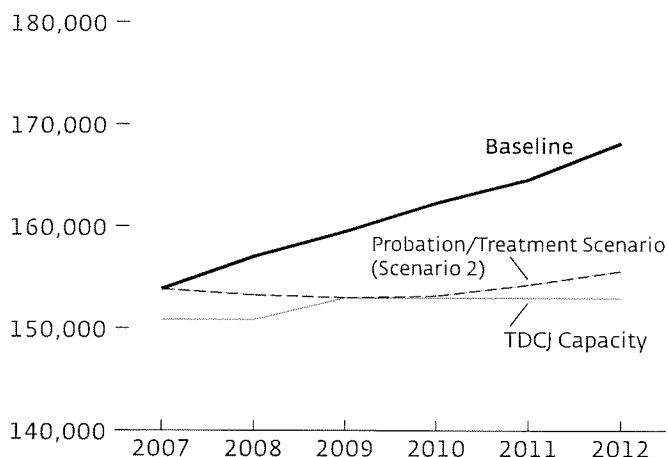
Projected Impact on Prison Population

155,616

compared to 168,166 under the baseline projection

EXPLANATION: The LBB analyzed three possible diversion scenarios for this option. The different scenarios assumed that the increases in treatment-oriented facilities would divert from prison 100%, 75% or 50% of the offenders. Prior research has shown that about 75% diversion can be the expected baseline, and this is assumption used here.⁸ The increase in beds and services described in this scenario would translate into 16 percent fewer prison admissions in 2012 than the baseline projection reflects.

FIGURE 3: Projected Prison Population Impact of Scenario 2/75% Diversion ("Increase Availability of Substance Abuse and Mental Health Treatment-Oriented Facilities and Services")



Projected Fiscal Impact

\$65.1 million

net savings for the five-year period of 2008–2012

EXPLANATION: For the 2008–2009 fiscal year, the LBB projects no savings in General Revenue because of the \$78.9 million cost associated with increasing the number of treatment-oriented beds and services. For the three-year period of 2010–2012, however, the total projected savings is of \$144.1 million as the prison population is reduced from the projected baseline level. This results in a five-year net savings of \$65.1 million. This does not include avoided construction cost of \$377.7 for the construction of new prisons as was proposed by TDCJ as an “exceptional item” to the state appropriations bill.

1. Projections by the Legislative Budget Board, January 2007 as discussed in the Council of State Governments Justice Center bulletin entitled “Recent and Projected Growth of the Texas Prison Population,” January 2007.
2. Memorandum from John O’Brian, Director of the LBB to Senator John Whitmire, January 23, 2006.
3. The Sunset Advisory Commission is a 12-member body of legislators and public members appointed by the Lieutenant Governor and the Speaker of the House of Representatives to provide the legislature with assessments of an agency’s programs. The Commission convened a review of the Texas Department of Criminal Justice in 2006. In October 2006, the Commission published its staff report entitled “Sunset Advisory Commission: Texas Department of Criminal Justice, Board of Pardons and Paroles, Correctional Managed Health Care Committee Staff Report.”

FIGURE 4: General Revenue Related Funds, Five-Year Fiscal Impact of Scenario Two (“Increase Availability of Substance Abuse and Mental Health Treatment-Oriented Facilities and Services”)

FY	Probable Net Positive/(Negative) Impact to General Revenue Funds
2008	(\$58,899,220)
2009	(\$20,074,299)
Subtotal 2008–09	(\$78,973,519)
2010	\$19,672,192
2011	\$46,755,795
2012	\$77,679,739
Subtotal 2010–12	\$144,107,726
Total Net Savings 2008–12	\$65,134,207

4. Sunset Advisory Commission: Texas Department of Criminal Justice, Board of Pardons and Paroles, Correctional Managed Health Care Committee Staff Report, October 2006, page 13.
5. For a complete analysis, see The Council of State Governments Justice Center, “Policy Options to Increase Public Safety and to Manage the Growth of the Texas Prison Population,” January 2007.
6. Ibid, Sunset Advisory Commission Staff Report, page 11.
7. Ibid, page 13.
8. Council of State Governments Justice Center, “Policy Options to Increase Public Safety and to Manage the Growth of the Texas Prison Population,” January 2007.

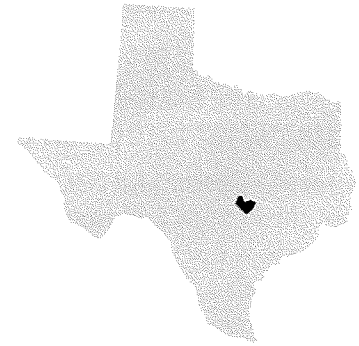
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Travis County Probation: A Mental Health Learning Site



I. What are learning sites?

With support from National Institute of Corrections (NIC), the Council of State Governments Justice Center (Justice Center) works with teams of corrections and mental health administrators in select jurisdictions across the country to accomplish the following:

- Improve public safety and public health outcomes for individuals with mental illnesses involved in the criminal justice system
- Increase collaboration and coordination among the different components of the criminal justice system (law enforcement, courts, and corrections) and community-based service providers
- Utilize data to inform quality improvement processes
- Make more efficient use of limited corrections and mental health services resources
- Translate lessons learned at the local level into comprehensive statewide initiatives

II. What are the goals of the Travis County learning site?

Travis County learning site representatives and Justice Center staff hope to achieve the following goals:

- Determine how various criminal justice/mental health initiatives relate to each other and identify existing overlap in their target populations to ensure that these initiatives are having an overall positive impact

- Standardize the procedures used to screen and assess individuals with mental illnesses when they are admitted to jail, appear before courts, and are accepted to probation
- Evaluate the capacity and effectiveness of current court and public defender mental health initiatives to inform the design of future court-based efforts in Travis County
- Measure the impact of current probation/mental health efforts in Travis County

III. What has the Travis County learning site accomplished thus far?

Key representatives from the Travis County jail, courts, prosecutor's office, defense bar, adult probation department, community mental health service provider, and advocacy community have formed a workgroup that has met since October, 2006. In this short time, the group has:

- Prioritized a target population on which to focus initial learning site activity
- Developed flowcharts of jail intake and probation caseload assignment processes
- Agreed on a standard assessment instrument that jail staff and community-based mental health service providers will both use, and conducted cross-trainings between staff at these agencies on the use of the instrument

- Developed a plan to collect and analyze data on the target population as it moves from the jail, through the court system, and onto specialized probation caseloads

IV. How are learning sites selected and what issues do they tackle?

The Justice Center and NIC identify jurisdictions where corrections and mental health system leaders have made it a priority to increase collaboration between their systems. These sites were selected not because they are “models,” but rather because they have demonstrated a history of innovation, have focused on a specific issue area around which they would benefit from technical assistance, and expressed a willingness to share their successes and setbacks with other jurisdictions. To date, the states of Rhode Island and Kansas, and the counties of Philadelphia, Pennsylvania and Orange County, Florida, have served as learning sites.

In Orange County, Florida, county leaders and jail and mental health officials designed a variety of initiatives to divert people with mental illnesses from jail to the community, but they lacked data to measure the impact of these initiatives and to determine how these programs could be improved. The Justice Center worked with the Orange County learning site to realize the following goals:

- Assess the effectiveness of a pre-trial jail release program, resulting in an expansion of the number of people served and the community services they received
- Leverage the lessons learned at the county level to inform a comprehensive statewide strategy to improve the response to people with mental illnesses in county jails

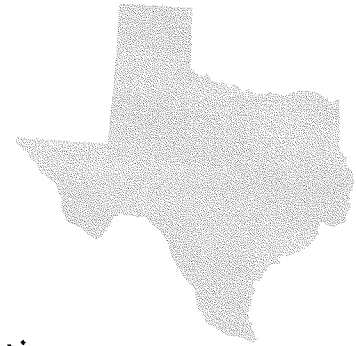
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To learn more about the Mental Health Court Learning Sites, visit
<http://consensusproject.org/mhcp>

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Recent and Projected Growth of the Texas Prison Population



I. Bipartisan Leadership to Increase Public Safety and to Manage State Spending on Corrections

Under the leadership of three key lawmakers, policymakers in Texas are reviewing policies in the state to find ways to increase public safety and to manage corrections spending and growth in the prison population. In 2006, Senator John Whitmire (D, Chair, Criminal Justice Committee), Representative Jerry Madden (R, Chair, Corrections Committee), and Senator Kim Brimer (R, Chair, Sunset Advisory Commission) each convened hearings and commissioned reviews to improve their understanding of why the prison population continues to grow and what is contributing to high rates of failure among people released from prison to the community and people sentenced to probation.

This policy brief, prepared at the request of Senator Whitmire and Representative Madden, summarizes increases in the prison population (and corresponding increases in spending on the corrections system) over the past several years, reviews the most recent prison population projections for the state, and explains factors that have contributed to recent and projected growth of the prison population.

II. Texas Corrections System: Under Stress

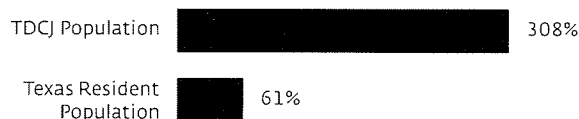
Between 1983 and 1997, Texas expanded its prison capacity by over 108,000 prison beds, at a cost of \$2.3 billion.¹ According to the U.S. Department of Justice Bureau of Justice Statistics, in 2005, Texas had the second highest incarceration rate in the country: 691 per 100,000 population.²

FIGURE 1: Texas Department of Criminal Justice (TDCJ) Population, 1985, 1990, 1995, 2000 and 2005



The exponential growth in the state's prison population has significantly outpaced the increase in the state's resident population. From 1985 to 2005, the correctional population increased 308 percent (37,281 to 152,217), a rate that vastly exceeds the 61 percent growth rate of the resident population between 1980 and 2005.³

FIGURE 2: Percentage Change in Texas Resident Population 1980–2005 and Percent Change in TDCJ Population 1985–2005



Approximately one year ago, the state once again found itself with its prison beds full and the prison population continuing to grow. Accordingly, the Texas Department of Criminal Justice (TDCJ) contracted with county jails to house 2,000 people sentenced to prison, at a cost of \$27.5 annually.

This most recent contract with the county jails, and the construction and use of private facilities in preceding years, has enabled, at least until recently, the TDCJ to operate under its maximum statutory capacity of 97.5 percent. As of December 2006 the TDCJ population was 152,671, which exceeds its statutory operational capacity of 150,834, in addition to the contracted capacity with counties of almost 2,000 beds.

III. Official State Projection: Prison Population Will Continue to Grow

The most recent prison population projection for the state, which the Legislative Budget Board (LBB) generated in January, 2007, reflects that if existing policies remain unchanged, the state's prison population will continue to grow: 14,317 prisoners will be added to the system by 2012, an increase of 9.3 percent.⁴

By fiscal year 2009, the annual cost to operate the prison system in Texas will be \$2.8 billion. This represents a 257 percent increase in the TDCJ operational budget since 1990 and a 26 percent increase since 1999.⁵

FIGURE 3: Legislative Budget Board Projections of Total Incarcerated Population in TDCJ FY 06-12

FY	Population	Capacity at 97.5%*	Number of Prisoners Above Capacity
2007	153,849	150,834	3,015
2008	157,029	150,834	6,195
2009	159,492	150,834	8,658
2010	162,298	150,834	11,464
2011	164,592	150,834	13,758
2012	168,166	150,834	17,332

* Statutory operational capacity

FIGURE 4: Operating Budget of Texas Department of Criminal Justice, FY 90, FY99 and Requested FY 09

IN MILLIONS OF DOLLARS



TDCJ's overall annual operating budget for the most recent fiscal year is over \$2.5 billion. For the upcoming 2008-2009 biennium, TDCJ has requested an additional \$899 million (additional operational funds plus the new construction dollars).⁶ The budget request includes new funding for the following expansions to the state system's capacity:

- \$440.6 million for three prison units totaling 5,080 beds
- \$173.9 million for 7,328 beds in temporary contracted facilities
- \$284.8 million for additional operations and carry over construction projects.⁷

The above requests may soon need to be revisited, however, because they were based upon the prison population projection that the LBB conducted in June, 2006 for 2007 through 2011. That June, 2006 projection showed a bed shortfall by 2011 that is 2,602 beds lower than the most recent projection conducted in January, 2007.

TDCJ's budget request also includes increased funding to expand treatment and probation alternative sanction facilities. This request attempts to address the backlog that has accumulated since 2003 among people in prison or on probation who need community-based substance abuse and/or mental health treatment to comply with conditions of release.

IV. Factors Driving the Increase in the Prison Population

Population Growth and Higher Conviction Rates

The state's resident population has increased, but, as explained earlier, this growth nowhere near matches the growth in the prison population. No portion of the increase in the Texas prison population can be attributed to an increase in crime: according to the most recent figures available, the crime rate in Texas declined by 1.9 percent between 2000 and 2005.⁸ Coinciding with this drop in crime was a 29 percent increase in the number of felony convictions in the state. That these two trends occurred at the same time is puzzling. No data exists that fully explains the increase in felony convictions, although one reason could be a judicial system that has become more efficient in processing criminal cases.⁹

Increased probation revocations

Probation revocations to prison have become a significant factor driving the prison population growth. Between 1997 and 2006 the number of probation revocations to prison increased 18 percent, while the total number of felons under community supervision decreased three percent. There were 24,609 probation revocations to prison in 2004, the year with the highest number of revocations during the five-year period. This number decreased to 23,202 in 2006, in part due to

the impact of new funding that the Texas legislature appropriated to the probation system in 2005.¹⁰

Despite the recent reduction in probation revocations, there still were 12,440 probationers revoked to prison in 2006 for reasons other than a subsequent arrest and/or conviction ("technical violations").¹¹

Lack of treatment services and alternative sanctions

The growth in the prison population has coincided with reductions in funding for community-based substance abuse and mental health services. Waiting lists for people in prison or sentenced to probation who need drug treatment have lengthened considerably.

As of December 2006, the Transitional Treatment Centers (TTCs are used to reintegrate offenders in the community after in-prison substance abuse treatment) were short 500 beds to support the Substance Abuse Felony Punishment (SAFP) program. In addition, there were 823 offenders in county jails awaiting treatment space in a SAFP facility, and another 174 were in prison awaiting in-prison therapeutic treatment (a list potentially shorter than demand since the parole board is no longer referring offenders to this program due to the waiting list). Further, 1,206 therapeutic treatment beds in State Jails were previously eliminated, placing even more pressure on the system.¹²

Low parole grant rates

The parole grant rate is especially low—lower than the rates suggested by the Parole Guidelines—and that contributes to the increase in the prison population. For example, had the parole board adhered to its minimum approval rates for offenders with scores of 6 or 7, an additional 2,252 offenders would have been released from prison in 2005.¹³

Projections by the Legislative Budget Board show that Texas will be short **more than 17,000 beds by 2012** unless changes in policies are adopted.

-
1. TDCJ, "Closing of a Millennium, Reviewing the Past Decade", Financial Services Division, 2000.
 2. US Department of Justice, Bureau of Justice Statistics (BJS). Prisoners in 2005, November 2006. BJS counts in its report "sentenced prisoners under jurisdiction" and this count is higher than the population considered in Texas as the TDCJ population in prison, state jails or substance abuse treatment facilities. BJS counts prisoners in county jails on a bench warrant, prisoners in county jail awaiting transfer to prison, persons in parole intermediate sanction, pre-parole and halfway houses as offenders "under jurisdiction of the state". In Texas, state offenders in county jails are considered under the jurisdiction of jail authorities. Offenders in parole facilities are considered as parolees and not prisoners even if the offenders are housed in a parole intermediate sanction facility, pre-parole or halfway house facility operated by TDCJ. These facilities and their population are not part of the TDCJ institutional capacity that counts towards defining the statutory operational capacity of the prison system in Texas. The BJS "sentenced under jurisdiction" count for December 2005 was 159,255 compared to the TDCJ population count of 151,925.
 3. Legislative Budget Board, Historical Statistical tables for TDCJ Population and Capacity.
 4. LBB, "Adult and Juvenile Correctional Population Projections, FY 07-12." January 2007.

5. Ibid, endnotes 2 and 3.
6. Texas Department of Criminal Justice, "Fiscal Year 2007 Operating Budget and FY 08-09 Legislative Appropriations Request," August 18, 2007.
7. Ibid, endnote 2.
8. Texas Department of Public Safety, Crime in Texas, 2005.
9. Population figures from the US Census and convictions figures from the Texas Office of Court Administration.
10. This has been documented by the TDCJ, Community Justice Assistance Division (CJAD), in a recent report to the Governor and Legislature entitled "Monitoring of Community Supervision Diversion Funds," December 1, 2006.
11. Texas Department of Criminal Justice, Community Justice Assistance Division, Statistical Tables, December 2006.
12. Memorandum from Deanne Breckenridge, Texas Department of Criminal Justice, December 7, 2006.
13. Sunset Advisory Commission: Texas Department of Criminal Justice, Board of Pardons and Paroles, Correctional Managed Health Care Committee Staff Report, October 2006.

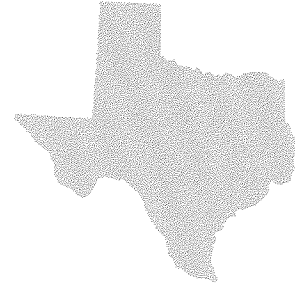
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Policy Options to Increase Public Safety and to Manage the Growth of the Prison Population



Under the leadership of three key lawmakers, policymakers in Texas are reviewing policies in the state to find ways to increase public safety and to manage corrections spending and growth in the prison population. In 2006, Senator John Whitmire (D, Chair, Criminal Justice Committee), Representative Jerry Madden (R, Chair, Corrections Committee), and Senator Kim Brimer (R, Chair, Sunset Advisory Commission) each convened hearings and commissioned reviews to improve their understanding of why the prison population continues to grow and what is contributing to high rates of failure among people released from prison to the community and people sentenced to probation.

This policy brief, prepared at the request of Senator Whitmire and Representative Madden and with assistance of staff from the Legislative Budget Board, provides policy options for policymakers interested in increasing public safety and averting

the current growth projected for the state's prison population. These options include descriptions of the impact that each policy would have on the prison population.

The projections provided in this policy brief, drawing on previous research conducted, assume that these treatment facilities will receive some people who would not have otherwise been incarcerated, and therefore contribute to some "net-widening." In addition, these projections assume that a significant number of people participating in these programs will fail and return to prison.¹ Funded at an appropriate level and administered effectively, however, these programs could engage in minimal net-widening and have low recidivism rates. Even taking into account net-widening and recidivism rates, however, enacting the options below, as the chart reflects, would divert a significant number of people from prison to community-based sanctions/treatment programs.

The Justice Center is providing intensive technical assistance to Texas and a limited number of other states that demonstrate a bipartisan interest in justice reinvestment—a data-driven strategy for policymakers to reduce spending on corrections, increase public safety, and improve conditions in the neighborhoods to which most people released from prison return.

1. The base of knowledge cited in this document is drawn from previous research conducted in the 1990s by the Criminal Justice Policy Council (CJPC). CJPC was the primary research agency for the state. Although CJPC is no longer operational, the agency's research supporting the diversionary impact calculation continues to be the best available research in this area. See March 1995, "Treatment Alternatives to Incarceration Program, An Analysis of Retention in Treatment and Outcome Evaluation;" April 1998, "Implementation of the TDCJ Rehabilitation Tier Treatment Program: Progress Report;" March 1999, "Three Year Recidivism Tracking of Offenders Participating in Substance Abuse Treatment Programs;" February 2001, "Evaluation of the Performance of the Texas Department of Criminal Justice Rehabilitation Tier Programs;" February 2001, "The Substance Abuse Felony Punishment Program: Evaluation and Recommendations;" May 2002, "Trends, Profile and Policy Issues Related to Felony Probation Revocations in Texas;" March 2002, "Report to Senate Criminal Justice Interim Committee: Recidivism Rates and Issues Related to TDCJ Substance Abuse Treatment Programs;"

February 2003, "The Second Biennial Report on the Performance of the Texas Department of Criminal Justice Rehabilitation Tier Programs." The aforementioned reports can be found on the LBB website under their Public Safety and Criminal Justice publications (www.lbb.state.tx.us).

2. The Council of State Governments Justice Center, Texas Justice Reinvestment Scenarios, January 2007.

3. ISFs are used extensively for parole and have a significant impact on diverting violators from prison. For example, in FY 2005, the parole board in Texas reviewed 30,868 violation allegations for administrative decisions. Of those allegations, 34 percent resulted in a revocation of parole to prison. However, 33 percent of the cases were recommended for an ISF in lieu of a prison revocation, which represented 10,043 diversions from prison. See Texas Board of Pardons and Paroles, Annual Report, FY 2005.

4. The present probation ISF capacity is 439 to sanction over 239,000 felons on probation supervision (1 bed per 544 probationers). Compared to parole, probation is short of ISF capacity. In

FY 2006 there were 12,440 technical probation revocations to prison that could have benefited from this alternative sanction.

5. The number of probationers with substance abuse problems requiring residential treatment far exceeds current resources. Of the 187,054 offenders on probation with an alcohol and/or substance abuse addiction, only 9 percent received residential substance abuse treatment and 19 percent received outpatient treatment. See Sunset Advisory Commission: Texas Department of Criminal Justice, Board of Pardons and Paroles, Correctional Managed Health Care Committee Staff Report, October 2006, page 13.

6. Currently, DWI offenders in prison receive little treatment and the parole board is reluctant to release these offenders without treatment.

7. The present number of halfway house beds is inadequate to address the growing need for them, which consequently led to a current backlog of 600 offenders who cannot be released from prison without a suitable residence plan.

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Research and analysis described in this report has been funded by the Bureau of Justice Assistance, a division of the U.S. Department of Justice and The Pew Charitable Trusts. Through its Public Safety Performance Project, which assists select states that want better results from their sentencing and corrections systems, Pew's project provides nonpartisan research, analysis and expertise to help states identify data-driven, fiscally responsible options for protecting public safety, holding offenders accountable, and controlling corrections costs.

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Policy Options	Description	Proposed			Placements			Placements Taking into Account			Projected Returns to Prison	Net Diversions	Other Impacts
		Number of Beds	Turnover Per Year	Placements	Anticipated Net Widening	Projected Net Widening	Projected Returns to Prison	Net Diversions	Other Impacts				
Intermediate Sanction Facilities (ISF), Parole/ Probation	ISFs are secure facilities that serve as detention centers for offenders violating supervision conditions ("technical violations"). These facilities are used to sanction offenders in lieu of a revocation to prison. The average length of stay in a parole ISF is approximately 60 days. ³ The present capacity of ISFs is 1,793 beds for parole and 439 beds for probation. ⁴	2,332	6	13,992	3,498 (25%)	10,494	4,250 (40.5% Four Year Rate)	6,244	N/A				
Probation Residential Treatment	Residential treatment beds provide substance abuse treatment, counseling, and rehabilitation services. Programs range in length from 3 to 12 months. The present capacity of PRT facilities is 2,123 beds (1 bed per 88 probationer with substance problems). ⁵	1,600	2	3,200	800 (25%)	2,400	955 (39.8% Four Year Rate)	1,445	N/A				
In-Prison Therapeutic Community (IPTC)	The IPTC program provides intensive substance abuse treatment services to offenders in prison and post release. The 6 month in-prison phase is followed by 3 months in a Transitional Treatment Center (known as TTCs, a residential facility in the community), and 3 to 9 months of outpatient counseling. The present IPTC capacity is 537 beds with 174 inmates on a waiting list for the program as of December 2006.	200	2	400	N/A	N/A	48 (1.2% Four Year Rate)	48	200 additional yearly releases by shortening prison stay by six months				
Substance Abuse Felony Punishment (SAFP)	The SAFP program provides intensive substance abuse treatment services to offenders on probation who are violating supervision due to substance abuse problems. The program involves treatment in a secure facility for 6 months, followed by 3 months in a TTC, and 3 to 9 months of outpatient counseling. The present SAFP capacity is 3,250 beds with a waiting list of 823 offenders as of December 2006.	500	2	1,000	300 (30%)	700	336 (48% Four Year Rate)	364	Length of stay impact; 6 months in SAFP facility vs. 3 years in prison				
DWI Prison Treatment	A DWI facility would enhance parole prospects for offenders completing a DWI treatment program. The DWI treatment is expected to be a 6 month treatment program. ⁶	500	2	1,000	N/A	N/A	Four Year Rate Not Available	N/A	Elimination of treatment backlog; 160 yearly releases by shortening length of stay by 2 months				
Parole Halfway Houses	Halfway houses are utilized for offenders approved for parole or mandatory release contingent upon a suitable residence plan. Presently, there are 1,159 halfway house beds under contract through the Texas Department of Criminal Justice (TDCJ). The average length of stay in a halfway house is approximately 90 days. ⁷	150	3	600	N/A	N/A	Four Year Rate Not Available	N/A	600 additional prison releases due to elimination of backlog				