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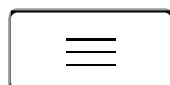
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 Tuesday, December 10, 2013

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## CRIMINAL JUSTICE: ALTERNATIVES TO PRISON

### Poll: Texans support treatment, rehab programs

Results show Texans of all political flavors want low-level offenders to pay their debt out of prison

Posted: 6:54 p.m. Monday, Dec. 9, 2013

BY [MIKE WARD](#) - AMERICAN-STATESMAN STAFF

Texans by a wide margin support more treatment and rehabilitation programs for non-violent lawbreakers instead of prison time, a new poll showed Monday, the latest indication of a significant about-face by voters on the issue in recent years.

The poll commissioned by the Texas Public Policy Foundation, a conservative think tank that supports prison reforms, showed 84 percent of all likely voters contacted favor alternative-to-prison programs for non-violent drug offenders – including 81 percent who identified themselves as Republican, 89 percent as Democrat and 86 percent as independent.

Support was nearly as high among likely voters for putting more low-level offenders on strict probation programs, for allowing them the “opportunity to rehabilitate their behavior,” even for letting them pay restitution to their victims for non-violent offenses – all before they are sent to prison.

Twelve percent of all likely voters who were polled said they opposed sending more offenders to drug-treatment programs instead of prison, a much lower number than similar previous polls.

The group surveyed 1,001 likely voters in Texas and said the findings had a 3.1 percent margin of error.

“Texans support this across the spectrum if it works and if it reduces the rate of people re-offending,” said Chuck DeVore, the foundation’s vice president for policy. “Treatment is less expensive and more effective than long-term incarceration.”

Added Bill Hammond, president of the Texas Association of Business, a powerful lobby group that previously has supported such reforms: “The people are ahead of the politicians on this.”

State Sen. John Whitmire, a Houston Democrat and veteran chairman of the Senate’s Criminal Justice Committee who is a longtime proponent of treatment and rehabilitation programs, said the state has saved well over \$100 million by closing three prisons in recent years and ramping up probation and rehabilitation programs.

“Some politicians and judges still refuse to take the political risk of not sending everyone to prison,” Whitmire said. “And while some who go into these programs will re-offend, yes, the vast majority will have good outcomes.”

While the foundation and business groups said Monday they hope the poll will bring support for sentencing reforms, already being shopped for the 2015 legislative session, Texas legislators have been less than enthusiastic for some of those changes in recent years – even as they have embraced a series of reforms stressing more treatment and rehabilitation that have become national models in the past six years.

Earlier this year, bills that would have reduced and restructured prison sentences for low-level drug offenders did not pass, amid opposition from prosecutors, judges and police who said drug dealers who need to be in prison sometimes plead to a lesser offense. In some instances, both Republicans and Democrats have opposed more treatment and rehabilitation for offenders for fear of looking soft on crime at election time.

Hammond, a former House Republican, said the poll shows Texans’ opinions have changed.

“This should fortify legislators to do the right thing,” said DeVore, a former California lawmaker. “They should know they have public support and it won’t be held against them at the polls.”

Marc Levin, director of the foundation’s Center for Effective Justice, said the more non-violent offenders who can be successfully rehabilitated without prison, the fewer prison bunks will be needed to house them. And

the savings from sentencing more offenders to less costly probation and treatment programs – the costs of probation are \$3 a day, compared to more than \$50 a day for prison – the less that taxpayers will spend for better outcomes.

Two years ago, prison officials estimated as many as 8,000 convicts were serving time for low-level drug offenses. Levin said the savings from putting more of them in probation-level treatment and rehabilitation, instead of prison, could be used to expand the community-based programs to accommodate them.

If anything, Monday's poll highlights the shift in public opinion regarding criminal justice in the past two decades. Back then, politicians in Texas and most other states were stoking strong public sentiment to punish lawbreakers of all ilks with prison time, especially those convicted of violent or drug crimes.

Texas led the nation in expanding its prison system to accommodate more criminals, tripling the size of its state-run system of lockups in just five years in the 1990s – what at the time was billed as the biggest prison-building program ever in the free world.

At one point, Texas prisons were the largest state system in the nation, holding more than 166,000 convicts – just under half of them behind bars for non-violent offenses. On Monday, the state's prisons held about 151,000.

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