

Follow us on



Print/Digital Subscriptions | Customer Care

Sign In | Register

Hi, (not you?) | Member Center | Sign Out

Sign In | Register



Real Austin. Real News.

Search input field with Search button

Site Web

Web Search by YAHOO!

Posted: 12:00 a.m. Sunday, Dec. 16, 2012

# Moll: Jail reform necessary to keep Texans safe

By Jeanette Moll

A basic tenet of Texas criminal justice is corrections: punishing a lawbreaker and redressing his or her wrongs. It is not supposed to be rather keep Texas streets safe.

So when Texas criminals prefer to spend time in a state jail rather than at home on probation, as corrections officials across the state prefer preference should serve as a red flag that our tax dollars, to the tune of hundreds of millions, are not being wisely spent on state jails.

The state jail system was created in 1993 when lawmakers reclassified certain nonviolent Class A misdemeanors and third degree felonies to ensure sufficient prison beds were available for violent and serious offenders in Texas, and increase rehabilitation for low-level offenders.

The 1993 Legislature was quite prescient: using state jails in this way would have been akin to swift and sure sanctions, which today are used to reduce drug use, and break the cycle of criminality among low-level offenders. This works because offenders are forced to accept immediate consequences for their misbehavior while on probation, such as increased reporting, electronic monitoring, drug treatment, or even spending the weekend in county jail.

State jails, as a part of the community supervision system, would have filled the same role. With either "up-front" time in a state jail, or as punishment for probation violations, state jails would have been the stick that made probation work for state jail offenders.

Unfortunately, Texas never was able to realize the fruits of this visionary system. Before the first state jail even opened its doors, later Legislatures removed the requirement of community supervision from state jail sentences and greatly reduced rehabilitative programming within the state jails.

With these changes, state jail offenders are now directly sentenced to a term of six to 24 months in a state jail, with little or no focus on rehabilitating them away from a life of crime and no supervision upon reentering society.

More than a decade later, we are faced with the results of this decision. State jail felons now prefer state jail over probation since it is "easier." Probation entails years of rules, meetings, drug tests, and living crime-free. State jails carry no such requirements upon release. In addition, state jails, intended to be a cheaper alternative to prison, now cost just a dollar or two less per day than prisons.

But worse yet are recidivism rates for state jail offenders, which are actually worse than in Texas prisons. Fully 22 percent more state jail felons are re-incarcerated after three years than those released from prison, and 32 percent more of those released from a state jail were rearrested than those coming out of prison.

Texas taxpayers should find these results to be unacceptable. With hundreds of millions of dollars spent each year on state jails, and outcomes worse than prison, state jails are in dire need of reform.

The 1993 Legislature had the right idea: make state jails part of the community supervision system, and use the state jails as a punishment for probation violations, while strongly emphasizing rehabilitation. State jail felony offenders who are career criminals or have prior, more serious felonies would remain subject to prison, not jail, as under current law. However, by reforming the sentencing statutes to require community supervision, state jails can be reinvigorated as a tool to break the cycle of criminality in low-risk offenders.

Fewer state jail offenders spending full terms in a state jail will result in substantial fiscal advantages; but far more importantly, fewer state jail offenders recidivating will mean Texas streets are safer than ever before. This session, the Legislature should prioritize state jail reform to keep Texas citizens safe.

## More News

### More on statesman.com

- Man testifies he found friend dead with gunshot wound
- Cancer agency's credentials being reviewed
- Two killed in early morning crash
- Couple sexually assaulted runaway girl, police say
- Harsin's out, Major's in, Horns reshuffle their staff
- Three dead in separate overnight accidents

### From Around the Web

- Stunning Picture Of Sandra Bullock (StyleBistro)
- Woman's Dead Husband Divorced Her 8 Years Ago -- And She Had No Idea (CafeMom)
- Presidential politics could use a dose of the facts (ExxonMobil's Perspectives Blog)
- Behind The Scenes: 20 Photos That Prove That Barack Obama Is A Good Guy And A Really Cool President (Bossip)
- Affluent Households Brace for Tax Increases (Millionaire Club)
- U.S. Air Force sticking to plans to buy 1,763 F-35 jets (Fox Business)



[?]

## Comments

If you would like to post a comment please Sign in or Register

Cancel

Edit comment

1 Comment(s)

Comment(s) 1-1 of 1



- Posted by TominAustin at 11:38 a.m. Dec. 16, 2012
- Report Abuse

Good points, but don't expect much of anything from the politicos.

1 Comment(s)

Comment(s) 1-1 of 1

---