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More prisons not answer, 2 Texas lawmakers insist

Whitmire and Madden press for higher parole rates and more money for drug programs

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AUSTIN — In what may indicate a pendulum shift in a state that's become almost synonymous with incarceration, two key Texas lawmakers, a Republican and a Democrat, are showing little appetite for more concrete walls and steel bars.

You read right. With Texas prisons again overflowing, they are stressing rehabilitation, treatment, even parole.

Sen. John Whitmire, D-Houston, and Rep. Jerry Madden, R-Plano, who head the criminal justice committees of their respective chambers, say building more prisons will only beget more prisoners.

"The bottom line is we have sufficient space now if we prioritize our needs," Whitmire said last week. "Prison should not be the first option for non-violent offenders."

Said Madden: "We have to be smart on crime. I think a lot of members agree with that, both Republicans and Democrats, conservatives and liberals."

Prisons out of beds again

The problem is this: Nearly two decades after Texas embarked on the biggest prison construction boom in U.S. history, it has run out of beds. In October, the population in state prisons and state jails reached more than 154,000, the highest in state history, and 166 above capacity.

So the state is renting close to 2,000 beds from private and county jails.

But things are expected to get worse, with the prison population growing by 11,000 within five years, if state projections prove accurate.

Cost-effective solutions

Officials with the Texas Department of Criminal Justice have proposed two new prisons, with a third constructed and run privately, to house a total of 5,000 prisoners. The price tag? Some \$440 million in building costs, plus some \$72 million a year to operate them.

"Without addressing population growth drivers such as recidivism, the state's investment will do little to ensure that a similar crisis will not occur again in the future," said a recent Texas Sunset Advisory Commission report.

Or to paraphrase the old adage: "Build more prisons and they will come."

Whitmire and Madden believe the answer lies in boosting parole rates for nonviolent offenders

and allocating more money for treatment programs.

Consider these figures: Last year, 59 percent of state prisoners were identified as chemically dependent. But long waits for substance abuse programs meant that only 5 percent of them received treatment.

"We have largely eliminated alcohol and drug treatment from prison systems," Whitmire said.

He said it is safer and more cost effective to segregate in minimum security the 5,500 repeat drunken drivers now incarcerated, for instance, and offer them treatment, rather than to house them with violent offenders without treatment.

Whitmire complained that nonviolent offenders who might otherwise be paroled often remain in prison because there's no room in the treatment programs they're required to enroll in.

Fears of 'revolving door'

The Texas Board of Pardons and Paroles recently came under fierce attack for denying parole to scores of low-risk offenders.

Talk about boosting parole rates worries Dianne Clements, of the Houston-based victim advocacy group, Justice for All. "These influential lawmakers seem to be leading us to where we were 15 years ago, when we had a prison population that was a revolving door because we didn't have enough prison beds and parole boards had no alternative but to release people," she said.

But Marc Levin, director of the Texas Public Policy Foundation's Center for Effective Justice, a conservative think tank, said the winds were shifting in Texas. "There's an alliance on both the right and the left. There's a consensus we need to do something besides build more prisons," he said.

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