

State should take a look at high cost of corrections

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As state agencies are asked to prune 2.5 percent of their budgets, lawmakers must take a hard look at Texas' corrections budget during this legislative session. Our state's prison population has grown from 50,000 in 1990 to more than 157,000 today, while our incarceration rate is the nation's second highest.

Fortunately, this means there are plenty of opportunities for savings.

First, Texas incarcerates 20,000 offenders for drug possession. Sixty percent of them have not been convicted of another felony. These nonviolent offenders who simply have a substance abuse problem could be redirected into treatment at a significant savings to taxpayers.

Legislation to divert from prison those whose only offense is possessing less than four grams of a controlled substance is estimated by the Legislative Budget Board to save \$500 million over five years.

Offenders would be required to pay for their own treatment, although this estimate assumes the state would wind up paying half of the treatment costs.

Judges could refer offenders for residential or outpatient treatment at any licensed provider, including faith-based providers.

Under this legislation, judges could also still order to prison any offenders who they determine would pose a threat to public safety or not benefit from treatment.

Even without any finding, judges could sentence offenders to confinement at intermediate sanctions facilities and community corrections facilities. Each of these lockups provides shorter-term confinement, usually about 90 days, resulting in savings to taxpayers.

In 2007, lawmakers increased funding for these alternatives to prison. The expansion of these facilities and other changes were successful in avoiding the projected need for 17,000 new prison beds, which would have cost \$1 billion to build and operate over five years. Now, however, the state needs to scale back on existing prisons to ensure a balanced budget.

Arizona implemented a similar initiative to divert low-level drug offenders from prison more than a decade ago. It has not only produced savings but also curtailed addiction. A study by that state's Supreme Court found that 77 percent of participating offenders successfully kicked their drug habit as a result of the treatment regimen.

Another area where Texas can save on correctional costs is technical revocations to prison.

In 2008, there were 12,788 probationers revoked

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to prison for technical violations.

These probationers did not commit new offenses; they merely violated a term of probation. Of these technical revocations, 22 percent were for absconding.

Rather than revoke probationers who do not show up but have not committed another crime, the state could provide funding for probation departments to use electronic monitoring to track these offenders to ensure they comply with the terms of their probation.

For offenders who cannot pay for the monitor themselves, it costs \$8 to \$10 a day, less than one-fifth the price tag of prison.

A study of more than 75,000 Florida offenders found that electronic monitoring was highly successful in preventing absconding.

Moreover, monitored offenders were 89 percent less likely to be revoked for a new offense. Electronic monitoring not only makes sure offenders show up for appointments, but also verifies that they attend work and any court-required treatment program.

Finally, Texas taxpayers can save by privatizing existing prison facilities. Private prisons cost \$36.10 per day, compared to \$47.50 for state prisons. Neither figure includes an additional \$7.65 per day in health care costs. Private prisons in Texas are contractually required to provide the same conditions of confinement and programming as state-run prisons so the cost savings come without any penalty.

Taken together, there are significant opportunities to reduce corrections costs to the state without compromising public safety.

Levin is the director of the Center for Effective Justice at the Texas Public Policy Foundation, a non-profit, free-market research institute based in Austin.

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