

[2017 Session] Create an Early Release Educational & Vocational Pilot Program for Individuals with Certain State Jail Offenses

Policy Background:

Texas' state jail system, created in 1993, was originally intended to divert certain individuals from crowded prisons and provide them rehabilitative assistance. However, people sentenced to state jail facilities have extremely limited access to treatment and programming options, and typically have no post-release supervision. As a result, state jail releasees have the highest rates of re-arrest and re-incarceration among returning populations.

Texas policy-makers should authorize a pilot program in four locations throughout the state, allowing individuals with nonviolent offenses to be diverted from state jail to a 90-day early release educational/vocational program.

The Texas Department of Criminal Justice could identify eligible program participants among individuals who arrive at a state jail and who ultimately have served at least 3 months on a 270-day sentence. With a judge's approval and based on a risk assessment, these individuals could be released to 180 days of probation, during which time they would be required to complete 3 months of educational and vocational programming in a supervised setting (along with job placement), and then undergo 3 months of post-release supervision, where they must have gainful employment. If at any point someone fails a probation condition, standard revocation practices could apply.

The goals are to lower recidivism among people in state jail with the highest rates of re-offending, including by instilling vocational skills, while lowering costs to the state associated with state jail incarceration.

Key Facts:

- 30.7% of people released from a state jail in FY 2011 (measured through FY 2013) were re-incarcerated. By way of comparison, an average 15% of people on felony direct supervision (probation) were revoked from FY 2009 to FY 2014.¹

- As of August 2015, there were 9,400 people on hand in a state jail facility, 99% of whom were incarcerated for a nonviolent offense.²
- Incarcerating one person in state jail costs taxpayers \$47.30 per day. Incarcerating all 9,400 individuals costs \$445,000 per day – and would equate to more than \$162 million per year. This does not include costs associated with arrest, prosecution, and public defense.³

Relevant Bills:

- **Bill Number:** [HB 3130](#) [Parker, White, Rose, Zerwas, Dennis Bonnen; Sponsor: Huffman]
Bill Caption: Relating to the establishment of an educational and vocational training pilot program for certain state jail felony defendants.
House Hearing Notice: [Corrections, April 12, 2017](#)
TCJE House Action: [Cards in support](#)
Senate Hearing Notice: [Criminal Justice, May 16, 2017](#)
TCJE Senate Action: [Card in support](#)
Outcome: *Signed by the Governor; effective on 9/1/17*
- **Bill Number:** [SB 1011](#) [Huffman]
Bill Caption: Relating to the establishment of an educational and vocational training pilot program for certain state jail felony defendants.

¹ Legislative Budget Board, *Statewide Criminal and Juvenile Justice Recidivism and Revocation Rates*, February 2015, pp. 3, 7, 8, 16.

² Texas Department of Criminal Justice, *Statistical Report: Fiscal Year 2015*, p. 1.

³ Legislative Budget Board, *Criminal and Juvenile Justice Uniform Cost Report: Fiscal Years 2013 and 2014*, Submitted to the 84th Legislature, February 2015, p. 4.
 State-operated state jail facilities spent \$47.30 per day in FY 2014 to house people, while privately operated state jail facilities spent \$30.99 per day in 2014. There are 15 state-operated and 4 privately operated state jail facilities. The numbers above reflect the cost for state-operated facilities.