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HOUSE BILL 1477

Dear Members of the Committee,

Thank you for the opportunity to present testimony regarding House Bill 1477. The Texas Criminal Justice Coalition is in favor of this bill because it not only saves taxpayers money, it addresses both state prison and county jail overcrowding while addressing inefficiencies in the criminal justice system.

AVOID OVERCROWDING BY ALLOWING INDIVIDUALS WITH A TECHNICAL PAROLE VIOLATION TO APPLY CREDIT FOR "STREET TIME" TOWARDS THEIR SENTENCE

PROBLEM

Texas prisons and jails will be operating at 99.7% internal operating capacity by the end of FY 2011, and they will exceed capacity by .2% at the end of FY 2012.¹ This course is unsustainable.

In FY 2010 alone, Texas prisons received 6,678 individuals due to parole revocations. Of those new receives, 1,062 had committed a technical violation of a condition of parole.² Examples of a technical violation might include checking in late with a parole officer or missing one meeting. Revoking an individual's parole for purely administrative violations and sending him or her back to prison without credit for the time spent successfully on supervision places a costly burden on the state and contributes to prison overcrowding, without any real effect on public safety. H.B. 1477 removes restrictions on a judge's ability to grant street time credit, and it requires street time for parolees revoked on technical violations at least one year after the date of their release to parole supervision.

FACTS

- Since FY 2006, approximately 50% of parole revocations to Texas prisons have been for technical violations.³
- Incarcerating an individual in prison costs the state \$50.79⁴ per day, as opposed to \$3.74 to keep him or her on parole.⁵
- In FY 2010, TDCJ received a total of 1,062 individuals who were sent back to prison on a technical violation. The cost to incarcerate them totaled \$53,939 per day, as opposed to \$3,972 per day to keep them on parole.
- Street time credit will function as a cost-saving mechanism to defray incarceration costs associated with technical violations of parole conditions. Granting street time under H.B. 1477 will save the state at least \$18,538.35 annually per person impacted by this bill.
- **Street time credit will only apply to nonviolent individuals with low-level offenses**, in order to mitigate any potential increased risk to public safety.

SOLUTION

- **Support H.B. 1477.** The high cost of maintaining overcrowded prison and jail systems in Texas makes the current course of incarceration unsustainable. Supporting an initiative to grant street time credit for technical violations is a practical and responsible measure to help ease the strain that the criminal justice system places on the state budget while providing relief to an overburdened system.

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Endnotes

¹ Legislative Budget Board, *Adult and Juvenile Correctional Population Projections: Fiscal Years 2011-2016*, (January 2011), 10, http://www.lbb.state.tx.us/PubSafety_CrimJustice/3_Reports/Projections_Reports_2011.pdf.

² Texas Department of Criminal Justice, *Statistical Report: Fiscal Year 2010*, 18, <http://www.tdcj.state.tx.us/publications/executive/FY2010StatisticalReportFiscalYear2010.pdf>.

³ LBB, *Statewide Criminal Justice Recidivism and Revocation Rates*, (January 2011), 10, http://www.lbb.state.tx.us/PubSafety_CrimJustice/3_Reports/Recidivism_Report_2011.pdf.

⁴ LBB, *Criminal Justice Uniform Cost Report: Fiscal Years 2008-2010* (January 2011), 3, http://www.lbb.state.tx.us/PubSafety_CrimJustice/3_Reports/Uniform_Cost_Report_0111.pdf.

⁵ *Ibid*, 6.