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In-Person Visitation in Jails and Prisons

Travis County Commissioners Court – Public Hearing on Tax Rate

Budget Solutions to Restore in-Person Visitation in Travis County Jails & Improve Public Safety Outcomes

WHY RESTORE IN-PERSON VISITATION

- ***In-Person Visitation Decreases Re-Offending:*** One study looked at over 16,000 incarcerated individuals and examined in-person visitation over their entire sentences, finding that just one visit reduced re-offending by 13 percent for new crimes and by 25 percent for technical violations.¹
- ***In-Person Visitation Preserves the Parent-Child Bond:*** Family support is crucial to maintaining the relationships between those incarcerated and those who love them, especially as it pertains to developing and maintaining bonds between parents and children. Visitation, as one paper points out, “substantially decreases the negative impacts of incarceration by preserving the child’s relationship with the parent.”² Maximizing visitation opportunities is especially critical when the incarcerated parent was active in the child’s life prior to incarceration.³

BUDGET STRATEGIES TO RESTORE IN-PERSON VISITATION VIA COST-SAVINGS & IMPROVE PUBLIC SAFETY OUTCOMES

According to estimates provided by the Travis County Clerk’s Office, the equivalent of 16 FTE’s will be required to restore in-person visitation for all individuals in Travis County jail facilities.⁴ As a general principle, cost savings should not be achieved at the expense of programming or services that decrease re-offending and promote family reunification. Given the benefits of in-person visitation, the Texas Criminal Justice Coalition recommends shifting to budget strategies that achieve better public safety outcomes at a decreased cost. **The following recommendations will help Travis County free up dollars that it can devote to in-person visitation, while achieving additional smart-on-crime outcomes.**

Increased Use of Personal Recognizance (PR) Bonds

Studies have indicated that, when counties expand the use of PR bonds based on a validated assessment of risk conducted by qualified personnel, it achieves improved public safety outcomes while saving substantial amounts on county jail expenditures.

- » Across all pretrial risk categories, low to high, those who were released on an assessment-based PR bond were less likely to commit a new crime during the pretrial period than those who received a secured bond.
- » People released on assessment-based PR bonds were as likely to show up for their court appearance as those who received a secured bond.
- » Further, the economic benefit of instituting an unsecured bond system is significant. **Those released on PR bonds are able to maintain employment and housing as well as engage in treatment services, thereby decreasing the likelihood of incarceration.**

As of August 1, 2015, there were 1,913 people in Travis County Jails awaiting trial on felony, state jail felony, or misdemeanor charges.⁵ This represents 77 percent of the 2,499 individuals in Travis County custody on that day, which is far greater than the state average of 61 percent of individuals in county jails awaiting trial.⁶ If Travis County were to increase the use of PR bonds based on a risk assessment, it could achieve substantial savings through safe population reductions. Jail standards require one staff person for every 48 people in custody.

Merely bringing the percentage of pretrial defendants held in custody down to the state average through greater use of PR bonds would free eight FTE's and produce significant savings in food and other jail expenses; again, these savings could be put towards a restoration of in-person visitation for those who do remain incarcerated. Moreover, expanding the use of PR bonds would promote housing and employment stability among pretrial defendants, which would improve their likelihood of success on community supervision or in diversion courts, and prevent them from returning to the Travis County Jail.

Pre-Booking Diversion

Pre-booking diversion programs are intended to address low-level violations through referrals to community services, rather than through arrests. Programs like Law Enforcement Assisted Diversion (LEAD) in Seattle, through which specially trained officers divert targeted individuals into programs and services, have been shown to decrease crime rates while healing relationships between the police and the community.⁷

The principles of pre-booking diversion can apply to a host of nonviolent offenses. For example, Harris County implemented its First Chance Intervention Program in late 2014, and in the first six months the program diverted over 1,000 people charged with first-time Class B misdemeanor marijuana possession. Along with the individuals spared the consequences of a criminal record, the county has saved hundreds of thousands of dollars associated with booking, incarcerating, and prosecuting these cases.

The Texas Criminal Justice Coalition especially recommends pre-booking diversion for nonviolent individuals with mental illness, as well as those with substance abuse issues. Early interactions with police that lead to service linkage instead of jail reduce the likelihood of future arrest and costly incarceration in the Travis County Jail.

In July, there were 192 new drug possession cases and 1,133 on the Travis County District Court docket.⁸ A sizeable number of these cases were for low-level possession, sometimes for very low amounts of controlled substances. Developing partnerships between law enforcement and the judicial system to divert those suspected of low-level drug or nonviolent offenses to community organizations [before the booking process] could lead to decreased jail expenditures – with savings reinvested in in-person visitation for those who are incarcerated – while also reducing the financial and human costs associated with re-offending.

CONCLUSION

Travis County already achieves impressive criminal justice outcomes through its investments in diversion courts and other policies. The recommendations provided above are offered with great respect for various accomplishments by Travis County, the District Attorney, the City of Austin, and the Sheriff's Office. We thank you for considering additional recommendations to build on these accomplishments. We believe continued movement toward these policies will yield impressive savings and even better public-safety outcomes.

Citations

¹ Minnesota Department of Corrections, *The effects of prison visitation on offender recidivism*, 2011, <http://www.doc.state.mn.us/PAGES/files/large-files/Publications/11-11MNPPrisonVisitationStudy.pdf>.

² University of New Mexico, *Child Protection Best Practices Bulletin: Connecting Children with Incarcerated Parents*, 2011, <http://childlaw.unm.edu/docs/BEST-PRACTICES/Connecting%20Children%20with%20Incarcerated%20Parents%20%282011%29.pdf>.

³ Susan D. Phillips, *Video Visits for Children Whose Parents are Incarcerated*, The Sentencing Project, 2012, 5, http://sentencingproject.org/doc/publications/cc_Video_Visitation_White_Paper.pdf.

⁴ Dana Debeauvoir, Travis County Clerk, FY 2016 Budget Agenda Worksheet for Markup on September 9.

⁵ Texas Commission on Jail Standards, *Abbreviated Population Report for 8/1/2015*, <http://www.tcjs.state.tx.us/docs/AbbreRptCurrent.pdf>.

⁶ Ibid.

⁷ Becket, Katherine, "Seattle's Law Enforcement Assisted Diversion Program: Lessons Learned from the First Two Years," University of Washington, Law, Societies & Justice Program and Department of Sociology, March 21, 2014, 7, <http://static1.1.sqspcdn.com/static/f/1185392/24777541/1398287318543/2014-Lead-Process-Evaluation.pdf?token=mfSTbqU4kVzh5F5zMJkInNIPrec%3D>.

⁸ Office of Court Administration, Court Reporting and Directory Service.