



TEXAS CRIMINAL
JUSTICE COALITION

Celebrating 20 Years

Building stronger families,
safer communities, and a
brighter future for Texas.

Eliminate the State Jail Felony System And Support Opportunities that Help People Succeed and Stay Safe

IT'S TIME TO FINALLY END THE FAILED STATE JAIL SYSTEM

Nearly 16,000 people are sent to Texas' state jail system each year,¹ predominantly for nonviolent property or drug offenses, like possession of less than a gram of a controlled substance (the equivalent of a sugar packet).

Alarmingly, people released from state jails have the highest rearrest rate of any state correctional population; specifically, 63 percent of people released from state jail are rearrested within three years of release, compared to 46 percent of people released from prison.² **This high recidivism rate costs the state hundreds of millions of dollars each year without improving public safety outcomes.**³

In large part, the failures of the state jail system can be attributed to limited interventions for people housed in state jail facilities, and the fact that people are often released to the same circumstances from which they came.

This is especially heartbreaking when considering that the community supports necessary to prevent arrest and sentencing to state jail are challenging to access. Low-income people with substance use disorder must wait more than two weeks for intensive residential treatment, four weeks for outpatient treatment, and almost five weeks for Medication-Assisted Treatment.⁴

Prioritizing incarceration over community-based treatment and other supports creates a costly, destructive cycle that keeps people from getting back on their feet and becoming contributing, productive members of our communities.

COST-SAVING AND PUBLIC SAFETY-DRIVEN SOLUTION: SUPPORT HB 1086 BY REPRESENTATIVE MOODY

HB 1086 eliminates the state jail felony and creates a fourth-degree felony, allowing individuals to become eligible for parole, which in turn will help reduce the incarcerated population while also helping people transition back into the community with designated support.

Further, HB 1086 lowers penalties for certain offenses to Class A misdemeanors, which will create more proportionality with the offense; remove the long-term barriers to housing, education, employment, and military service created by a felony record; and save the state millions of dollars that can be invested in front-end rehabilitative programming.

Citations on reverse.

Citations

¹ Texas Department of Criminal Justice, *FY 2019 Statistical Report*, 2,

https://www.tdcj.texas.gov/documents/Statistical_Report_FY2019.pdf. Receives into state jail totaled 15,362.

² Legislative Budget Boards, *Statewide Criminal and Juvenile Justice Recidivism and Revocation Rates*, January 2019, https://www.lbb.state.tx.us/Documents/Publications/Policy_Report/4914_Recidivism_Revocation_Rates_Jan2019.pdf.

³ Legislative Budget Board, *Criminal and Juvenile Justice Uniform Cost Report: Fiscal Years 2019 and 2020*, January 2021, 5, https://www.lbb.state.tx.us/Documents/Publications/Policy_Report/6292_CJDA_Uniform_Cost.pdf.

Calculated by taking the total receives, 15,362 (per Note 1), and multiplying by the FY 2019 cost per day (\$55.40) at an average number of days served of 194 (per TDCJ's *Statistical Report*, people serve on average 10.8 months in state jail, minus time in county jail).

⁴ Texas Health and Human Services Commission, Behavioral Health Services, Office of Decision Support, Data request and analysis prepared by Texas Criminal Justice Coalition, September 2017.