



Texas' State Jail System Is Ineffective and Expensive

State jails were created in 1993 to handle Texas' lowest-level felony offenses, but the state jail system has become ineffective and expensive. Too many people convicted of nonviolent offenses, like drug possession, are choosing to go to state jail instead of seeking treatment while on probation. At this point, two-thirds of people in state jails have a substance use disorder, but state jails provide little to no treatment, and no post-release supervision. As a result, people leaving state jails have the highest recidivism rates in Texas' state corrections system, with 62% re-arrested within three years – a rate much higher than people incarcerated for more serious crimes. Even worse, taxpayers are spending \$165 million per year on state jails, meaning Texas is spending as much money to lock up people convicted of minor drug possession offenses as those convicted of murder – and all while failing to address underlying causes of criminality. This is a terrible investment for Texas.

Recommendations

Use Existing Diversion Funds to Support Smart and Cost-Effective Community Supervision Programs. People who complete treatment are up to 60% less likely to relapse or commit another crime, and 40% more likely to find a job. Lawmakers should shift resources from facilities and programs that are failing to meet Texas' public safety goals, and instead should support effective, cost-efficient strategies through the use of existing Diversion program grants administered by the Community Justice Assistance Division. Pretrial diversion initiatives coupled with Basic Supervision can address underlying causes of criminal behavior, like substance use disorder, through the provision of treatment and accountability measures.

Encourage Evidence-Based Practices and Smart Spending in Community Supervision. Local probation departments must start focusing on treatment and other programs that reduce recidivism. Lawmakers should require smart spending by giving preference to grant programs that adopt strategies proven to encourage people to seek treatment – with the most important strategy being speedy case processing. When people haven't racked up county jail time before trial, they are more likely to accept pretrial diversion placements over a term in state jail. Lawmakers should also encourage local officials to increase pretrial diversion placements and deferred adjudication placements.

Make Funding Contingent on Success. Counties should only receive grant funding for programs that do the following:

- Demonstrate reductions in pretrial confinement in county jail;
- Reduce racial disparities in terms of length of county jail confinement and placement into treatment programming;
- Improve the rate of placement into diversion programming for all defendants charged with targeted offenses; and
- Increase the successful completion rate for people placed into pretrial diversion and community supervision.