



## Placement into Texas' In-Prison Therapeutic Community Should Be Based on Clinical Assessment Criteria

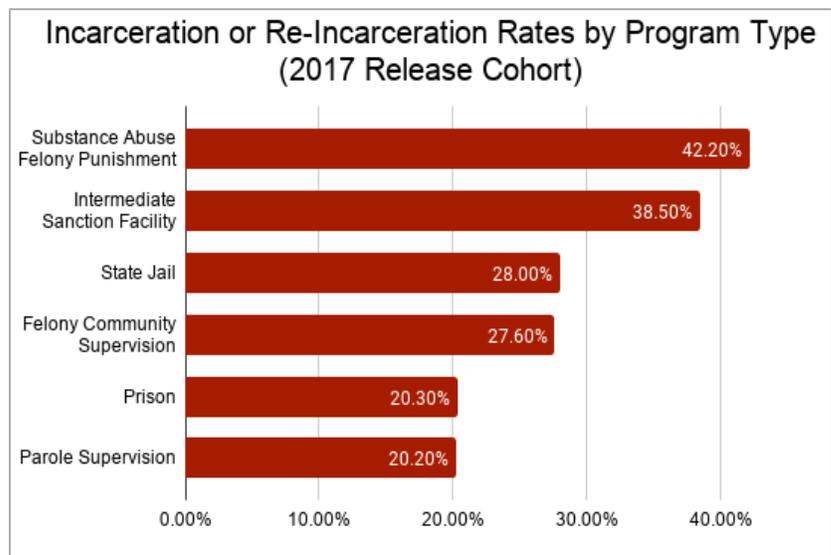
### PLACEMENT INTO THE SAFP PROGRAM VIA A PLEA AGREEMENT IS COSTLY AND INEFFECTIVE

Texas spends \$50 million per year on its Substance Abuse Felony Punishment (SAFP) program,<sup>1</sup> the state's in-prison substance use treatment program for people at risk of probation or parole revocation due to repeated drug or alcohol use. However, the SAFP program has a recidivism rate of 42.2% – higher than rates of (re)incarceration following other terms of supervision or incarceration.<sup>2</sup>

Currently, individuals can be placed into SAFP programming via a plea agreement. In other words, the program services individuals who have not been clinically assessed for alcohol or substance use disorder(s). The lack of a standardized screening and selection process prior to SAFP placement means that taxpayers are wasting money on resources for individuals who do not need this level or type of treatment.

### KEY FACTS

- **There is no clinical assessment required for placement into the SAFP program.** It is likely that its high recidivism rate is heightened by the placement of individuals who do not meet criteria for the type and level of treatment services being provided.
- The SAFP program takes an individual anywhere from **9 to 12 months to complete** (6 to 9 months for the in-prison portion, and 3 or more months for aftercare).<sup>3</sup> If individuals are not an appropriate fit for the program, it is unlikely they will successfully navigate this lengthy treatment process.
- A 2021 report by the state's Legislative Budget Board found that SAFP programming has the **highest percentage of individuals who are incarcerated or re-incarcerated within three years of release** compared to felony community supervision, prison, state jail, intermediate sanction facilities, and parole supervision.<sup>4</sup>



### COST-SAVING AND PUBLIC SAFETY-DRIVEN SOLUTION: SUPPORT HB 2791 BY REPRESENTATIVE JARVIS JOHNSON

**HB 2791 only permits SAFP program placement as part of a plea agreement if the judge finds that the person is a suitable candidate for treatment based on an established screening and assessment.** This policy change will reduce the rate of misplacement into the program, as well as the corresponding misallocation of resources towards unnecessary treatment, in turn saving taxpayer dollars.

*Citations on reverse.*

## Citations

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<sup>1</sup> General Appropriations Act for the 2020-21 Biennium, Department of Criminal Justice, Strategy C.2.4, [https://www.lbb.state.tx.us/Documents/GAA/General\\_Appropriations\\_Act\\_2020\\_2021.pdf](https://www.lbb.state.tx.us/Documents/GAA/General_Appropriations_Act_2020_2021.pdf).

<sup>2</sup> Legislative Budget Board (LBB), *Statewide Criminal and Juvenile Justice Recidivism and Revocation Rates*, January 2021, 6, [https://www.lbb.state.tx.us/Documents/Publications/Policy\\_Report/6293\\_CJDA\\_Recidivism-Revocation.pdf](https://www.lbb.state.tx.us/Documents/Publications/Policy_Report/6293_CJDA_Recidivism-Revocation.pdf).

<sup>3</sup> Texas Department of Criminal Justice, *Rehabilitation Programs Division: Substance Use Treatment Program*, [https://www.tdcj.texas.gov/divisions/rpd/substance\\_abuse.html](https://www.tdcj.texas.gov/divisions/rpd/substance_abuse.html).

<sup>4</sup> LBB, *Statewide Criminal and Juvenile Justice Recidivism and Revocation Rates*.