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# SMART SENTENCING

THE RIGHT STRATEGY FOR ADDRESSING  
SUBSTANCE USE IN TEXAS





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# EXECUTIVE SUMMARY

State Jails were created in 1993 as a way to reduce the burden on the rapidly growing prison system. The purpose was to send people to facilities that were closer to community support, offer rehabilitation and educational programming, and keep this population separated from people incarcerated for more serious crimes.

Shortly after the creation of the state jail system a budget shortfall led to cuts in rehabilitative programming. Today, these facilities are just warehouses – largely for people experiencing addiction.

One thing is certain, incarceration isn't the best method for addressing substance use. Research shows that incarceration is less effective and more costly than community supervision and treatment for low-level drug offenses. In Texas, the average daily cost to the state for incarceration is \$62.34 compared to \$5.38 for community supervision – and for the lowest level of drug possession, the cost is more than \$105 million annually.

For all this expense, the public is no safer. Savings from public health alternatives to incarceration like community supervision and treatment could be reinvested in other programs like crime prevention and substance abuse treatment and would allow law enforcement to allocate their limited resources to address more serious offenses.

If the purpose of punishment is deterrence, incapacitation, rehabilitation, or retribution, it simply does not work on this population. Research shows no relationship between prison terms and drug misuse. This suggests that imprisonment isn't an effective drug control and prevention strategy.

Findings show no significant relationship between drug imprisonment rates and the three indicators

**Research shows that incarceration is less effective and more costly than community supervision and treatment for low-level drug offenses.**

of drug problems (self-reported drug use, drug overdose deaths, and drug arrests). What we see in Texas, is despite the massive financial costs, nearly two-thirds of prisoners incarcerated for drug possession will be re-arrested within three years of release.

Another cost to the state's economy is the negative effects of imprisonment on an individual's ability to obtain employment. Incarceration takes people out of the workforce, decreases post-incarceration employment, which limits individuals' ability to pay taxes and contribute to the Texas economy. The Texas Department of Criminal Justice reports that in 2019, there were 6,560 people received in the state jail system, with an average age of 35. That is a lot of people out of the workforce, not paying taxes, and not contributing to the economy of the state.

The cost to the state's economy is just one cost, the other cost is the collateral damage incarceration does to families and communities. Incarceration means children are more likely to need public assistance. Incarceration also reduces the taxes people pay over their lifetime. With a parent in prison, children experience greater social and academic problems and their chances of being incarcerated increases.

Finally, public health alternatives to incarceration often have built-in programs to help someone become more personally responsible and accountable for their actions. Putting people in prison for drug offenses may serve as punishment, but it doesn't promote accountability.

*So, what can be done? The Texas Smart on Crime Coalition has developed the following recommendations to address the critical issues that come with incarcerating individuals for their drug addiction.*

### RECOMMENDATION #1



**Pass legislation that reduces penalties for a range of state jail felony offenses, including drug possession.** Voters consistently show they support alternatives to incarceration for drug use and possession.

### RECOMMENDATION #2



**Close unnecessary facilities.** Closing facilities would save the state needed funds.

### RECOMMENDATION #3



**Invest in solutions.** Reducing penalties allows the state to reduce prison capacity, thereby creating savings that can be invested in the community. A smart re-allocation to treatment alternatives to incarceration will ensure that local probation departments expand access to treatment.

### RECOMMENDATION #4



**Clear Court Backlogs.** Diverting certain drug-related cases and reducing penalties would reduce the burden on courts and help address the increasing population of already overcrowded jails.

Untreated mental health and substance use disorder costs are estimated to be over a trillion dollars annually for our nation. These costs are in addition to the devastation to people's lives in terms of a loss of productivity, disability, unemployment, healthcare, and criminal justice costs. These burdens are expected to increase with the added stresses of COVID-19. It is imperative that we act now and invest our resources wisely to prevent and treat substance use disorder on the front end where our funds are used more effectively and provide the highest return on investment.

## MEET DAVID J.



### MASTERPIECE UNDER CONSTRUCTION.

I believe that unaddressed trauma and mistreated behavioral illness is what led me to substance use. I did not have access to treatment or services before incarceration. Once, after three trips to prison and almost 50-arrests, I was offered a spot in a dual-diagnosis rehabilitation program that, while vacant of any dedicated response addressing the physiological facets of substance misuse, did introduce me to the concepts of cognitive behavioral therapy which provided part of the foundation on which my recovery is built. I just don't think that I should have had to wade through 20 years of arrests to be seen as deserving of wellness.

I attribute my success to my introduction to the spectrum of recovery and harm reduction. Learning how to interrupt my self-destructive patterns was the key to developing better ones. As a Black man, my access to the spectrum of recovery was almost nonexistent, and that is still the case today for many like me. It should not be.

I face barriers to employment outside of my current profession. I face barriers accessing housing. I face licensing barriers that limit my career options. I face barriers every time I am stopped by law enforcement and asked to permit a search due to my criminal history.

# KEY FINDINGS

## KEY FINDING #1

### **Incarceration for substance use is less effective and more costly than a public health response.**

Despite improvements in treatment options and diversion over the past decade, Texas sends thousands to prison for drug possession. About 10 percent of those in Texas prisons – nearly 14,000 people on any given day – are locked up for drug possession.<sup>[1]</sup>

Incarceration is less effective and more costly than community supervision and treatment for low-level drug offenses. The average daily cost to the state for incarceration is \$62.34 compared to \$5.38 for community supervision.<sup>[2]</sup> Even for the lowest level of drug possession, the cost of incarceration is more than \$105 million annually; yet this expense has not made the public any safer.

Self-reported drug use and drug availability continues to increase in Texas, while drug-related deaths are on the rise. Despite the financial costs, roughly two-thirds of prisoners incarcerated for drug possession will be re-arrested or “recidivate” within three years of release.<sup>[3]</sup>

Whereas community supervision in Texas often includes a treatment component, state jails do not. As a result, state jails have higher rates of recidivism than community supervision. Texas currently has a recidivism rate (marked as a new arrest for the commission of a new offense within three years of release) of 62.8 percent for those incarcerated in a state jail facility compared to lower rates in other facilities. This is ineffective by any standard.

In fact, if imprisonment worked to deter drug use, the counties that send a lot of people to prison for drug possession would see the lowest rates of

overdose and reported use. That is not the case. In counties of all sizes there is no correlation between sending more people to prison and lower rates of use or overdose.

## KEY FINDING #2

### **When people are incarcerated, they aren’t productive members of society.**

Research shows that any imprisonment can have negative effects on an individual’s ability to obtain employment and housing, both crucial elements of a successful transition to being a productive, self-sufficient member of society. Incarceration takes individuals out of the workforce, decreases post-incarceration employment, and limits individuals’ ability to pay taxes and contribute to the Texas economy. Some 77 percent of people in Texas prisons are between 21-49 years old – in the prime of their working life.<sup>[4]</sup>

Even a small brush with law enforcement sets off a cascade of devastating effects on a person’s life. Those negative effects increase with every moment a person spends in the system. Conviction and imprisonment experienced early in life lowers individuals’ annual earnings. As an example:

- People who have spent time in prison suffer the greatest losses, with their annual earnings reduced by an average of 52 percent.
- People convicted of a felony and placed on community supervision, see their annual earnings reduced by an average of 22 percent.
- People convicted of a misdemeanor see their annual earnings reduced by an average of 16 percent.<sup>[5]</sup>

Stigma and legal barriers to work, such as occupational licensing, are challenges faced by anyone with a criminal record. People returning from prison or prolonged jail incarceration encounter more hurdles. For one, time spent means time out of the workforce and time not spent learning the skills to find or succeed in a job.

Those effects stack up over time. Each year of imprisonment reduces the likelihood that a person will find post-release employment by four percent. Removing working-age people from the labor market also lowers the quality of our workforce.<sup>[6]</sup> It imposes rehiring and retraining costs on businesses, reduces consumer spending, and slows economic activity.

Meting out a more appropriate measure of supervision and support allows people the opportunity to be productive members of our community, care for themselves and their families, and contribute to the community.

### KEY FINDING #3

#### **Businesses, families and children pay a high price for Texas' ineffective approach to drug use.**

The cost to taxpayers of incarcerating people for drug possession represents just a fraction of the overall cost. The collateral consequences – for prisoners, their employers, their families, their communities, and their children – are significant and far-reaching.

Incarceration reduces an individual's ability to support their families. It makes them and their children more likely to need public assistance and reduces the taxes they pay over their lifetime. It also lowers the amount of their social security earnings, leaving them at higher risk as they age. Having a parent in prison not only doubles the chance of a child experiencing social and academic problems but it also increases their chances of being incarcerated.<sup>[7]</sup>

Children of incarcerated parents are, on average, six times more likely to become incarcerated themselves. Texas' approach isn't treating substance

## MEET COLETTE P.



DEPENDABLE. DETERMINED. THANKFUL.

I started using substances socially. I did not have access to treatment prior to my incarceration but if I had I would like to think that I could have turned my life around.

Today I am a recovered productive member of society and I attribute my success to the volunteer program that I encountered during my incarceration, "Truth Be Told." I did not have access to treatment during my incarceration, but I participated in the Truth Be Told Behind Bars programs and am a part of the Beyond Bars program now. I have been out of prison for eight years and have been drug-free as well. Truth Be Told had a life impacting effect on my ability to live a productive life.

I still face some barriers. I still cannot get certain jobs.

What I want people to know about addiction and recovery is that addiction is a very lonely place. Recovery requires a strong community. I also want them to know that everyone deserves an opportunity to succeed. When a person puts in the work and changes their lives—that is an opportunity they have earned.

use. We have a revolving door that harms children. Substance use disorders are the leading contributor to children entering the Child Protective Services system in Texas.

The practical barriers created by having a criminal record, along with being removed from the community and associated stigma, deprives incarcerated individuals of the opportunity to develop the type of relationships that might allow them to thrive. Treating drug use in the community is more effective, less expensive, and allows individuals to get on a path to productive, self-sufficient behavior.

## KEY FINDING #4

### **Treatment and community supervision instead of incarceration results in safer communities and better outcomes.**

Alternatives to incarceration are found to lower recidivism rates and costs. In fact, increasing the use of public health alternatives to address substance abuse issues would allow law enforcement to allocate resources to address more serious offenses.<sup>[8]</sup>

Law Enforcement Assisted Diversion (LEAD) is an alternative to incarceration that helps redirect people from jails and prisons to community-based substance abuse and mental health services. People work with a case manager to address the behaviors that lead to involvement with the criminal justice system. Studies have shown these programs have decreased recidivism in their communities.<sup>[9]</sup>

The initial daily cost of Law Enforcement Assisted Diversion Programs is \$30 a day. As efficiencies are met, the cost drops to \$18 a day.<sup>[10]</sup> Twice as many people could be served in the community with more robust services at approximately half the rate it cost to incarcerate someone. That is more people served and more people able to maintain or obtain employment and community and family connection. Both are a fraction of the cost of incarcerating people in the state jail for drug possession.

Trauma Recovery Centers are another community-based service that increase community health and safety. Survivors of violent crime face many barriers to healing along their journey to recovery. Experiencing interpersonal violence, such as a physical or sexual assault, or a gunshot wound or stabbing, can cause devastating, lifelong psychological and/or physical consequences, especially if the survivor does not receive timely and effective support services. Unaddressed trauma can lead to chronic emotional distress, relationship problems, and self-medicating through increased alcohol or drug use, all of which can lead to challenges with maintaining employment or housing. Lives frequently begin to unravel. Untreated trauma has costly consequences for the survivor, their family, and the larger community.<sup>[11]</sup>

In a representative poll, fewer than 1 in 5 Texas crime survivors felt “very supported” by the criminal justice system.<sup>[12]</sup> Nationally, only about 1 in 10 victims of violent crime access victim services.<sup>[13]</sup> Given these unique challenges survivors face, access to mental health services and support in their communities is critical. To help address this safety gap, the Alliance for Safety and Justice (ASJ) has been a leader in implementing Trauma Recovery Centers (TRC) across the country.

Services offered by TRCs include trauma-informed clinical case management; evidence-based individual, group and family psychotherapy; crisis intervention; medication management; legal advocacy and assistance in filing police reports and accessing victim compensation funds; and are offered at no cost to the patient. The average cost for a TRC is \$1 million annually and it serves hundreds of people a year.<sup>[14]</sup>

Texas could invest in TRCs, which could provide these essential mental health services to hundreds of crime survivors at the local level each year. Findings from a four-year randomized clinical trial and subsequent research have demonstrated TRCs are both treatment focused and cost-effective.<sup>[15]</sup> The data show that someone served by a TRC is more likely to see improvements in mental health and



quality of life, apply for victim compensation, return to work, cooperate with law enforcement to solve crimes, and receive more comprehensive services, delivered in a more cost-effective way.

Investing in Trauma Recovery Centers in urban and rural counties across Texas will expand access to critical, evidence-based mental health services, proven to be both treatment focused and cost-effective. Access to care is crucial to stopping the cycle of crime and ensuring crime survivors in Texas are supported in their communities.

### KEY FINDING #5

**Texas wastes an enormous amount of money incarcerating people for drug offenses and fails to hold people accountable.**

Sentencing people to prison for drug offenses may serve as punishment, but that does not always mean they are being held accountable. Alternatives to incarceration often have built in programs to help someone become accountable. Addressing addiction as a disease does not remove the responsibility of the individual. Rather, it highlights the personal responsibility of the addicted person to seek and adhere to drug treatment and that of society to ensure that such treatment is available and based on scientific evidence.<sup>[16]</sup>

The Texas system of allowing, and in some cases, mandating incarceration for drug possession can actually enable people to avoid accountability. The system offers short sentences with no mandatory programming for incarceration as compared to long terms with rigorous conditions for community supervision. People looking to avoid true accountability or just limit the amount of time they are in the system often choose incarceration, and in doing so, avoid true accountability.

True accountability means learning from one's past behavior and working to not repeat the same choices.<sup>[17]</sup> Recidivism rates for state jails and prisons are an indication that incarceration does not equal accountability.

## MEET DANA G.



LOVING. COURAGEOUS. DETERMINED.

Drugs have been a part of my life since I was a little girl.

Today I am a child of God.

After being out of treatment three-and-a-half months, I still don't have proper ID and now funding for my sober living house has run out. I cannot get a job without my identification and most rental assistance places require state issued ID which I am having issues getting.

I want people to know that having an addiction does NOT make anyone a bad person. The underlying message is there is something wrong with people that have an addiction. Being supportive and helpful to someone with an addiction—teaching them they are valuable no matter what. Saying that we need to “become productive members of society” is just saying we are “nothing” that there is something wrong with us. The approach needs to change drastically. The views of an addiction need to change.



## KEY FINDING #6

### Texas needs to build infrastructure to address the needs of the community.

The Texas Smart on Crime Coalition hosted a series of forums to talk to people in small to midsize regions, including Victoria, Lubbock, Tarrant, Smith, and Montgomery Counties. We invited a broad spectrum of stakeholders that included law enforcement, district attorneys, local mental health and treatment providers, and people with lived experiences of addiction and incarceration. We brought these stakeholders together to consider how counties could reduce criminal justice involvement among people with substance use issues and to prevent overdoses. Participants talked to us about the services they have and the needs that exist in their communities.

When asked how to prevent criminal justice involvement among people with substance use disorder (SUD), all counties said that there are significant gaps in resources that contribute to the cycle of arrest and incarceration. Nearly all communities have difficulty helping people access treatment. Indigent individuals with SUD must wait weeks or months for services; and homelessness complicates the issue of getting people the services they need.

Beyond inpatient treatment, county stakeholders had a fairly clear understanding of the continuum of services that help people recover from SUD. Every group indicated that expanded access to recovery housing, such as Oxford Houses, would help to prevent relapse and provide a more effective transition from treatment. Most communities have a severe shortage of certified peer support and recovery community organizations, which can help people navigate a path to long-term recovery.

The Stakeholders agreed that the lack of a continuum of care for SUD increased criminal justice involvement, and these shortages contributed to unsuccessful community supervision outcomes. A jail administrator in one county noted that minor infractions of probation often lead to arrest. He explained that smaller counties have few services or volunteers for people in jail, so detention in the jail

does nothing to address the substance issues that precipitated arrest.

Moreover, people leaving jail lack transportation, employment opportunities, and recovery supports. One of the stakeholders who works within the court system said, “The only thing that works efficiently is our ability to arrest and prosecute offenders.”

Another factor that complicates efforts to reduce criminal justice involvement among those with SUD is that people are often more likely to get help if they are arrested first. A prosecutor in one county said that if someone is arrested, they have access to treatment available through probation, but the same individual will have a difficult time navigating probation in communities without adequate transportation or recovery support.

Because of the pandemic, people have a range of challenges to accessing services. People in jail are sitting there idle at a high risk of contracting COVID-19 as a possible death sentence as they wait for their case to wind through the backlogged court systems. People are experiencing more stress and mental health issues, causing increased use of substances to cope.

Major barriers to accessing services include lack of transportation, not knowing how to access services, and unequal access to services depending on whether you have insurance or not - which exacerbates the problems associated with SUD for people of color and low-income people. Texas could expand access to SUD treatments right away if more indigent people had access to Medicaid.

People see lowering drug penalties as both an opportunity to make more services available as well as a challenge to convincing people to get help. While stakeholders have differing views they recognize the need to address the underlying problems that in turn attract people into substance use- such as lack of employment, poverty, inadequate education, lack of access to health and mental health care, and unaddressed trauma. The state can take an important first step by bolstering a treatment and rehabilitation infrastructure to meet the needs of all persons with substance use disorder.

# RECOMMENDATIONS

## RECOMMENDATION #1

**Pass legislation that reduces penalties for a range of state jail felony offenses, including drug possession.**

Voters have consistently over time, been shown to overwhelmingly support alternatives to incarceration for substance use and drug possession. Diverting people out of jails and prisons coupled with building out local responses will relieve our overwhelmed criminal justice system, while restoring lives and families.

## RECOMMENDATION # 2

**Close unnecessary facilities.**

Since August of 2020 the population inside of TDCJ has had its most significant reduction of population in decades down by 16,000 people. This is the result of rapidly declining crime rates, decreased felony court activity due to the COVID-19 emergency declaration, and stalled transfer of individuals committed to state prison from county jail.

While this reduction in incarceration seems promising – and is saving the state approximately \$1 million per day – the numbers will likely rise again once the pandemic subsides. Yet without closing facilities, the state is unable to fully realize the cost savings seen by this significant and potentially temporary population reduction.

Unless the system is downsized and funding is shifted towards programs known to prevent crime, such as substance use recovery programs, Texas will be forced to increase funding every year for maintaining its 100+ units, many of which are more than a century old.<sup>[18]</sup>

Closing aging and understaffed facilities will save the state money and will help offset staffing shortages.

## RECOMMENDATION #3

**Invest in communities.**

Texas should redirect resources to community-based and community-led treatment alternatives, trauma recovery centers, recovery housing, peer support, vocational training for those impacted by the criminal justice system, and LEAD programs to stop the cycle of crime, reduce reliance on costly incarceration, and enable people to rebuild their lives in their communities.

Expanding access to recovery housing, such as Oxford Houses, would help to prevent relapse and provide a more effective transition from treatment, while certified peer support and recovery community organizations help people navigate a path to long-term recovery. Additionally, investing in Trauma Recovery Centers would provide essential mental health services to hundreds of crime survivors each year. Expanding access to treatment and healing for people who have experienced trauma is especially crucial when unaddressed trauma can lead to self-medicating through substance abuse.

## RECOMMENDATION #4

**Support Clearing Court Backlogs.**

*Local actors should enact diversion from State Jails.* Many jurisdictions have successfully diverted state jail felony cases, whether through a pre-trial diversion court like Harris County's Reintegration (RIC) court, or through traditional specialty courts or community supervision. This has been a natural outcome of the well-known failure of state jails

to produce positive results as well as a result of conditions created by COVID-19.

***Decreasing penalties would help reduce felony court backlogs.*** The number of new felony cases filed increased each year since 2014, and reached an all-time high in 2019, largely driven by growth in drug possession cases. Drug offenses accounted for one-third of new felony cases filed in 2019.<sup>[19]</sup>

With COVID-19 guidance from the Texas Supreme Court and the state effectively freezing many courts for most of the year, court backlogs are growing statewide. Empaneling juries has been a major challenge statewide and has led to local criminal case backlogs. For example, in Travis County, backlogs have left grand juries with 2,500 cases to review – significantly up from the normal hundreds of cases typically reviewed.<sup>[20]</sup> McLennan County District Attorney reported between 2,500 and 3,000 felony cases and double that number of misdemeanor cases pending in Waco.<sup>[21]</sup>

***Decreasing penalties would address overcrowded jails.*** April and May 2020 saw a decrease in county jail populations as people were quarantined, arrests were reduced, and system players were more intentional about who was detained. However, as time passed and TDCJ stopped intakes from counties coupled with the slowing courts, the number of people in jails has steadily increased back to pre-COVID levels. The predicted backlog in the courts is going to come with disastrous consequences at the local and state level if swift actions are not taken now to prevent it. Reducing the penalty for low level possession of drugs would allow more people to be put on probation, where they can be held accountable while they receive services in the community, rather than waiting in a crowded jail for the court to get to your case or even just waiting for TDCJ to allow additional transfers to state prisons.

## MEET MARGIE O.



### DRIVEN. EDUCATED. PASSIONATE.

Today I am a substance abuse counselor who works with adolescent's court ordered to treatment. I have an associate degree, bachelor's degree and I am halfway through a master's degree. I was awarded the minority fellowship scholarship. I have graduated with honors in every step of my college career and am currently part of the honor society. I advocate for change in the criminal justice system. I attribute my success to God's calling on my life and the desire to have a better life.

I was sent to outpatient. The probation officer was upset it took me so long to complete but I was trying to maintain employment and the hours did not fit into the schedule. I was sent for an assessment and told I was not worth spending taxpayer's money on and the only place I belonged was in jail.

In the past I have faced barriers with getting housing and before my education, getting employment.

What I want people to know is that addiction with the help of the criminal justice system, left me homeless. Recovery helped me rebuild my life.



# ENDNOTES

- 1 Texas Department of Criminal Justice 2019 Statistical Report. [https://www.tdcj.texas.gov/documents/Statistical\\_Report\\_FY2019.pdf](https://www.tdcj.texas.gov/documents/Statistical_Report_FY2019.pdf). This figure does not include drug delivery or manufacture or drug-linked crimes like theft.
- 2 LBB (2019). Criminal and Juvenile Justice Uniform Cost Report, Fiscal Years 2017 and 2018
- 3 Explanatory note about 63% recidivism from those released from state jails with link to governor’s report showing recidivism rates.
- 4 Texas Department of Criminal Justice 2019 Statistical Report. [https://www.tdcj.texas.gov/documents/Statistical\\_Report\\_FY2019.pdf](https://www.tdcj.texas.gov/documents/Statistical_Report_FY2019.pdf)
- 5 Conviction, Imprisonment, and Lost Earnings: How Involvement with the Criminal Justice System Deepens Inequality. <https://www.brennancenter.org/our-work/research-reports/conviction-imprisonment-and-lost-earnings-how-involvement-criminal>
- 6 <http://www.jstor.org/stable/10.1086/210135>
- 7 <https://www.brennancenter.org/our-work/analysis-opinion/mass-incarceration-gets-attention-economic-issue-finally>
- 8 Urban Institute “Reclassified: State Drug Law Reforms to Reduce Felony Convictions and Increase Second Chances
- 9 Susan E. Collins\*, Heather S. Lonczak, Seema L. Clifasefi. Seattle’s Law Enforcement Assisted Diversion (LEAD): Program Effects on Recidivism Outcomes. Elsevier: Evaluation and Program Planning 2017. Received from [https://www.researchgate.net/publication/316863460\\_Seattle’s\\_Law\\_Enforcement\\_Assisted\\_Diversion\\_LEAD\\_Program\\_Effects\\_on\\_Recidivism\\_Outcomes](https://www.researchgate.net/publication/316863460_Seattle’s_Law_Enforcement_Assisted_Diversion_LEAD_Program_Effects_on_Recidivism_Outcomes)
- 10 Susan Collins, “Seattle’s Law Enforcement Assisted Diversion (LEAD):Program Effects on Criminal Justice and Legal System Utilization and Costs”, Journal of Experimental Criminology (2019). Retrieved at 15:201–211 <https://doi.org/10.1007/s11292-019-09352-7>
- 11 Rebecca Flores, KVUE ABC, “Austin’s New Budget Starts Oct. 1. What Does That Mean for APD?” October 1, 2020. Retrieved from <https://www.kvue.com/article/news/local/austin-police-budget-cuts-city-council/269-380a6db1-b07e-4396-8db5-aaa5d8ea2dbb>
- 12 Alliance for Safety and Justice (2019). Crime Survivors Speak: Texas Victims’ Experiences with Recovery and Views on Criminal Justice. Retrieved from <https://allianceforsafetyandjustice.org/wp-content/uploads/2019/04/201904-ASJ-Texas-Report-Full-FINAL.pdf>
- 13 Morgan, R.E. and Truman, J.L. (2020). Criminal Victimization, 2019. US Department of Justice, Bureau of Justice Statistics. Retrieved from <https://www.bjs.gov/content/pub/pdf/cv19.pdf>
- 14 National Alliance of Trauma Recovery Centers. TRAUMA RECOVERY CENTERS Addressing the Needs of Underserved Crime Survivors, January 2020. Retrieved from <https://allianceforsafetyandjustice.org/wp-content/uploads/2020/10/TRAUMA-RECOVERY-CENTERSAddressing-the-Needs-of-Underserved-Crime-Survivors.pdf>
- 15 Boccellari,A., Okin, RL, et al. State-Provided Crime Victim Services Do Not Meet the Mental Health Needs of California’s Disadvantaged Crime Victims. California Program on Access to Care (2007).
- 16 <https://jamanetwork.com/journals/jama/article-abstract/183208>
- 17 Urban Institute, “Features: A Matter of Time: The Causes and Consequences of Rising Time Served in America’s Prisons: Long Prison Terms Don’t Truly Hold People Accountable”. Retrieved at <https://apps.urban.org/features/long-prison-terms/reform.html>
- 18 RESPONSE TO INTERIM CHARGE 4TEXAS HOUSE COMMITTEE ON APPROPRIATIONS S/C ON ARTICLES I, IV, AND V.” 30 September 2020, <https://capitol.texas.gov/tlodocs/86R/handouts/C0132020080500001/df086cfe-9b4d-4246-abda-b3e379a6b2a5.PDF>
- 19 Texas Department of Criminal Justice 2019 Statistical Report. [https://www.tdcj.texas.gov/documents/Statistical\\_Report\\_FY2019.pdf](https://www.tdcj.texas.gov/documents/Statistical_Report_FY2019.pdf). This figure does not include drug delivery or manufacture or drug-linked crimes like theft.
- 20 <https://www.statesman.com/story/news/local/2020/11/15/travis-county-case-backlog-grows-as-courts-wait-for-jury-trials-to-resume/114958610>
- 21 [https://wacotrib.com/news/local/crime-and-courts/judge-strother-no-more-trials-in-2020-with-covid-19-rise/article\\_19b0e010-22ea-11eb-8de3-e76551c9eea5.html](https://wacotrib.com/news/local/crime-and-courts/judge-strother-no-more-trials-in-2020-with-covid-19-rise/article_19b0e010-22ea-11eb-8de3-e76551c9eea5.html)



# CONTRIBUTORS

This report is a project of the Smart on Crime Coalition which is made up of the following organizations: American Civil Liberties Union (ACLU) of Texas, Alliance for Safety and Justice, Christian Life Commission, Goodwill Central Texas, Prison Fellowship, R Street Institute, Texas Association of Business, Texas Association of Goodwills, Texas Catholic Conference of Bishops, Texas Criminal Justice Coalition, and Texas Public Policy Foundation.

We are very grateful to Doug Smith, Texas Criminal Justice Coalition; Terra Tucker, Alliance for Safety and Justice; Marc Levin, Texas Public Policy Foundation (*at the time of contribution*); Penny Rayfield, Texas Association of Business; and Lauren Johnson, ACLU of Texas; for their edits and feedback.

## ABOUT THE TEXAS SMART-ON-CRIME COALITION

The Texas Smart-On-Crime Coalition is the largest statewide effort working to make Texas' criminal justice system smarter, safer, and more cost effective.

Founded in 2014, the Coalition brings together businesses, faith organizations, nonprofit organizations, and the state's most prominent conservative and progressive organizations to pursue bipartisan plans to address, reduce, and prevent crime.

Texas Smart-On-Crime Coalition advocates for evidence-based reforms that provide just punishment, support crime victims, and provide a path to redemption for those convicted of non-violent crimes so they can get back to work and be productive members of society.