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TESTIMONY 2015

SB 380 by Rodríguez, Burton, Hinojosa & Perry

Dear Members of the Committee,

Thank you for allowing me this opportunity to present testimony in favor of SB 380, which will allow the Texas Department of Criminal Justice (TDCJ) to issue a summons rather than a warrant to individuals with certain minor parole violations. Most low-level violations, including nonviolent Class C or B misdemeanors, are handled through a modification of parole conditions rather than revocation to prison. Issuing a summons allows those who are suspected of violating parole conditions to remain in the community, keeping their jobs and rental housing, while the Board of Pardons and Paroles determines the appropriate response. This will promote stability and prevent recidivism, while relieving the costly strain on county resources.

INCARCERATING PAROLEES ACCUSED OF CERTAIN MISDEMEANORS UNNECESSARILY BURDENS COUNTIES

- In FY 2013, the 10 most populous Texas county jails together paid almost **\$98,000 per day** to house individuals who were incarcerated as the result of warrants issued by the Parole Division of TDCJ.
- In FY 2013, the Board of Pardons and Paroles held 20,662 parole violation hearings.¹ **Ultimately, the Board kept half, or 10,777, of those individuals in the community,² yet each one of these individuals spent, on average, 34 days in the county jail.**
- The 10 Texas county jails with the largest populations on November 1, 2014, housed 1,585 individuals who were being held on blue warrants for new charges.³ **At an average aggregate daily cost of \$97,808, these 10 counties spent approximately \$36 million in fiscal year 2013 to house individuals on blue warrants for new charges, half of whom were ultimately released back into their communities.**

UTILIZING A SUMMONS INSTEAD OF WARRANT PROMOTES STABILITY AND PREVENTS RECIDIVISM

- Individuals with criminal records who are seeking employment are offered half as many positions as job seekers with identical qualifications but no record.⁴ When individuals with records find stable employment, it is crucial that they face as few obstacles as possible to keeping that employment, or risk recidivating.
- It is exceptionally difficult for paroled individuals to find rental housing; an estimated four out of five landlords employ background checks to help them screen out prospective tenants with criminal records.⁵

COST-SAVING AND PUBLIC SAFETY-DRIVEN SOLUTION: SUPPORT SB 380

- **SB 380 will allow the TDCJ Parole Division to issue a summons, rather than a blue warrant, for certain individuals accused of violating their terms of release or committing a new crime.**
- SB 380 will **save counties millions of dollars**, allowing them to devote funds to other local endeavors that will increase community prosperity and contribute to public safety.
- SB 380 will allow individuals who have committed minor crimes but have demonstrated long-term stability to **keep their housing and employment** while they await the decision of the Board of Pardons and Paroles.

Citations on reverse.

Citations

¹ Texas Board of Pardons and Paroles, *Annual Statistical Report, Fiscal Year 2013*, 18, <http://www.tdcj.state.tx.us/bpp/publications/BPP%20StatisticalReport%20FY%202014.pdf>.

² *Ibid.*, 22.

³ Texas Commission on Jail Standards, *Abbreviated Population Report for 11/1/2014*, <http://www.tcjs.state.tx.us/docs/AbbreRptCurrent.pdf> (To arrive at cost per day, access “Immigration Detainer Report,” <http://www.tcjs.state.tx.us/docs/ImmigrationDetainerReportCurrent.pdf> and divide total cost to county by number of inmate days).

⁴ Pew Charitable Trusts, *Collateral Costs: Incarceration’s Effect on Economic Mobility*, 2010, 22, http://www.pewtrusts.org/~media/legacy/uploadedfiles/pcs_assets/2010/CollateralCosts1pdf.pdf.

⁵ Rebecca Vallas and Sharon Dietrich, “One strike and you’re out: How we can eliminate barriers to economic security and mobility for people with criminal records,” *Center for American Progress*, 19, <https://cdn.americanprogress.org/wp-content/uploads/2014/12/VallasCriminalRecordsReport.pdf>.