



EXECUTIVE SUMMARY

UNDERSTANDING THE PUBLIC'S PERCEPTIONS OF INCARCERATION, REHABILITATION, EDUCATION, RE-ENTRY, & OTHER ISSUES: RECOMMENDATIONS FOR THE SUNSET ADVISORY COMMISSION

ABSTRACT

The Texas Criminal Justice Coalition (TCJC) recently developed an anonymous on-line survey to measure Texans' perceptions of key aspects of the Texas Department of Criminal Justice (TDCJ). This survey has allowed TCJC to determine how the public perceives the purpose of Texas' prison systems, as well as the range of services provided for prisoners during and after their incarceration. Over 4,000 Texans of various socioeconomic, racial, and generational backgrounds responded to the survey within a two week period. They answered questions relating to prisoner mail, prisoner visitation, prisoner family assistance, prisoner recreation, services for children of the incarcerated, the purpose of TDCJ, prevention of drug re-offense, public safety, education, criminal justice spending, criminal justice budgeting, re-entry, and hiring of former offenders.

TCJC has developed this document to provide the Sunset Advisory Commission and the public with socially relevant findings to consider during its audit of TDCJ, including during its observations of public hearings, review of testimony, and examination of other expert recommendations regarding the manner in which TDCJ should administer its prisons, its parole and probation systems, and its treatment programs.

OVERVIEW OF FINDINGS

Demographics of Survey Respondents

The 4,000-plus individuals that participated in the survey were as follows:

- 56% were female and 44% were male
- 72% were born after 1960
- 82% were from families that had lived in the United States for at least two generations
- 59% lived in households that made \$45,000 or less annually
- 59% were White and 41% were Non-White

Professions Represented:

- Enrolled College Students ~ 37%
- Research and Education ~13%
- Government ~ 6%
- Technology ~ 6%
- Non-Profit ~ 4%
- Legal ~ 4%
- Health ~ 4%

- Human Services ~ 3%
- Religious Services ~ 3%
- Law Enforcement ~ 2%
- Food Services ~ 1%
- Arts and Culture ~ 1%
- Environment ~ 0.4%
- Hospitality ~ 0.4%

Educational Levels Represented:

- Some College ~ 34%
- Bachelor Degree ~ 29%
- Master Degree ~ 18%
- Doctoral Degree ~ 5%
- Associate Degree ~ 5%
- High School Diploma ~ 3%
- Professional Degree ~ 3%
- K-8th Grade ~ 0.1%
- Some High School ~ 0.4%

Exposure to the Prison System:

- No exposure ~ 33%
- Have or have had a family member or friend in prison ~ 27%

Summary

The majority of our diverse pool of survey respondents believe the following:

- ◆ The primary purpose TDCJ is reintegrating offenders into society through rehabilitation (35%), compared to punishment of a person through confinement (9%).
- ◆ Non-violent drug users should be put in programs outside of prison walls to prevent them from committing a drug-related crime again (96%).
- ◆ Dollars currently spent on incarcerating non-violent offenders should be redirected towards treatment, with the savings used in other ways, such as education and treatment (95%).
- ◆ Probation, parole, and treatment programs should be allocated more criminal justice budget dollars than they are currently getting (94%).
- ◆ Parole and probation officers' job pay raises and promotions should hinge on the successful re-entry of the individuals they oversee (68%).
- ◆ TDCJ should notify families of the incarcerated prior to visitation of the potential unavailability of the prisoner (80%), and should provide more family counseling services (66%).

- ◆ TDCJ should provide counseling for children with incarcerated parent(s) to better prevent these youth from entering prison (87%), should provide children with incarcerated parent(s) access to tutoring programs to increase their educational success (75%), and should allow for additional parent-child contact through increased visitation time (51%).
- ◆ Texas should spend more money on increasing high school graduation rates in order to reduce the number of people entering prison (87%).
- ◆ TDCJ should change its policies related to visitation (57%), with families and friends having increased visitation privileges.
- ◆ TDCJ should change its policies related to what prisoners should have direct access to through the mail (65%), especially with regards to books, newspapers, and magazines.
- ◆ TDCJ should uphold its policies related to prisoners' access to ball games and weightlifting (56%), and its policies related to prisoners' access to television sets (50%).
- ◆ TDCJ should change its policies related to amenities (69%), with prisoners having more access to table games, reading, artwork, and leatherwork.
- ◆ Respondents would be more willing to employ individuals convicted for drug possession than drug distribution and especially violent crime.

Comparisons Between Groups

Five Subgroups Surveyed:

- (1) Gender
- (2) Race
- (3) Income
- (4) Education
- (5) Relationship to the incarcerated

Females vs. Males

- ◆ Females were more likely to believe that prisoners should have more access to basketball, handball, volleyball, and weightlifting in gymnasiums or outdoor recreation yards.
- ◆ Males were more likely than females to believe that there would be no impact on the number of people entering prison if Texas increased the amount of funding directed towards high school graduation rates.
- ◆ Both ranked as their first priority the spending of additional funds for treatment programs outside of prison walls and as their last priority the spending of funds for the construction of more prisons.
- ◆ Males were more likely than females to be 'very willing' to hire an adult with a felony conviction for drug distribution.

Non-Whites vs. Whites

- ◆ Non-Whites were more likely to express that families and friends should have increased opportunities to visit prisoners and that more family members and friends should be allowed during these visitations.
- ◆ Both ranked as their first priority the spending of additional funds for educational programs for prisoners and as their last priority the spending of funds for the construction of more prisons.

Individuals with an annual income of \$45,000 or less vs. Individuals with an annual income of \$45,000 or more

- ◆ Individuals with an annual income greater than \$45,000 were more likely to believe that prisoners should have more access to table games (e.g., checkers and dominoes), reading, artwork, and leatherwork in the library and craft shops.
- ◆ Individuals with an annual income greater than \$45,000 were more likely to rank as their first priority the spending of additional funds for probation.
- ◆ Individuals with an annual income less than \$45,000 were more likely to rank as their first priority the spending of additional funds for educational programs for prisoners.

Individuals with less than a college degree vs. Individuals with at least a college degree

- ◆ Individuals with less than a college degree were more likely to rank as their first priority the spending of additional funds for training for prison staff members and administrators.
- ◆ Individuals with at least a college degree were more likely to rank as their first priority the spending of additional funds for more treatment programs outside of prison walls.
- ◆ Individuals with less than a college degree were more likely to be ‘not willing at all’ to hire an adult with a felony conviction for a violent crime.

Individuals who have had no exposure to the prison system vs. Individuals who have exposure to the prison systems due to their relationships with a family member or friend in prison

- ◆ Individuals with exposure to the prison system were more likely to assert that treatment programs would prevent a non-violent drug user from committing a drug-related crime again.
- ◆ Individuals without exposure to the prison system were more likely to assert that their regular reporting to a probation officer would prevent a non-violent drug user from committing a drug-related crime again.
- ◆ Both ranked as their first priority the spending of additional funds for educational programs for prisoners, but individuals without exposure to the prison system were statistically more likely than their counterparts to rank this as their first priority.

RECOMMENDATIONS

Most respondents of TCJC's online survey view rehabilitation as the primary purpose of TDCJ. The vast majority also feels that non-violent drug offenders would best be benefited by programs outside of prison walls rather than by prison, and they agree that additional funding should be directed towards such rehabilitation and probation programs.

Based on these findings, the Texas Criminal Justice Coalition makes the following major recommendations to the Sunset Advisory Commission, the Texas Legislature, and organizations that focus their work on issues related to Texas' incarcerated population:

- (1) Assess Evidence-Based Treatment Programs.** Given the readiness of Texans to fund alternatives to incarceration, it is necessary to begin a comprehensive search, review, and analysis of proven treatment programs that yield the best results, in coordination with an analysis of how probation differs from drug rehabilitation.
 - **Focus on Programs that Reduce Crime.** Evidence-based treatment programs are an effective means for reducing crime. According to a study by the state's Texas Criminal Justice Policy Council, offenders who receive appropriate treatment are four times less likely to return to prison than those who do not. Moreover, a study by the United States Department of Justice's National Corrections Institute found that "tough on crime" penalties actually result in a slight *increase* in an individual's inclination toward criminal activity. On the other hand, treatment and programs, such as cognitive skills training, result in a 15–29% decrease in an individual's criminal behavior.¹
 - **View Probation and Drug Treatment Separately.** Oftentimes, an individual's addiction to drugs causes their criminal activity (such as theft), as they require funds to feed their addiction. This individual's problems can be addressed in two ways: (1) through drug treatment, or (2) through probation. Drug treatment will best get to the root of the criminal activity because it will address the physiological impact of the substance on the addict and help in putting an end to the need for criminal activity spurred by the addiction. Probation will help determine if the drug treatment program is truly working for that individual. For instance, if an offender on probation produces a urine analysis that tests positive for a particular drug, his/her probation officer will be able to verify that the offender's particular treatment program is not working. This should not be a cause for probation revocation (as committing another crime, like theft, would be). Not all treatment programs work for every type of addiction, and on average, an addict relapses three times before proper treatment. If an individual is punished with probation revocation for failure to stop his/her illness, s/he will ultimately reenter society with the continuing need to make poor and illegal life decisions. Judges should be given tools besides revocations to deal with probationers poor decisions that fall short of new crimes, and instead reserve prison space for those who are a real threat to public safety.
 - **Invest in Programs that will Yield Real Returns.** Texas' community supervision resources are stretched to the limit. The stress created by overburdening probation officers with non-violent offenders can ultimately allow higher risk probationers to slip through the cracks. This is something that we cannot afford – from both a financial and a public safety perspective. Texas should change this ongoing practice by investing in programs (such as

¹ Department of Justice, National Institute of Corrections; reported by Minnesota Judge and scholar Dennis Challeen.

drug treatment programs, as mentioned above) that could pull as many as half of our probationers out of the criminal justice system and put them on the road to becoming productive citizens.

(2) Aid Families of the Incarcerated. Both TDCJ and the Texas Legislature should make policy changes that recognize the importance of family in the rehabilitative and reentry process.

- **Assess Family Impact.** Quantitative and qualitative research on the impact of parental incarceration on children and on other members of the immediate family is needed. This research should address the effect of the geographic distance between the child and parent in prison, especially with regards to family visitation, when prisons are located in remote, rural locations.
- **Change TDCJ Policy.** TDCJ should review its regulations in regards to mail, phone calls, and visitation to ensure that they are family-friendly and do not have a negative impact on incarcerated parents' efforts to maintain family relationships and to retain custody of their children. TDCJ should also implement parent-child visiting programs that will allow parents to spend an extended amount of time with their child on site at the prison. Lastly, TDCJ should re-train corrections administrators to sensitize them to family issues.
- **Change State Policy.** Texas should provide mentoring programs for children of the incarcerated to boost their educational level and help prevent criminal activity and entry into the system, as well as provide support groups for caregivers of incarcerated children, and for the children and incarcerated parents themselves.

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Although the cost of the development of more treatment and education programs are perhaps the greatest difficulties of actualizing survey respondents' collective recommendations, the potential benefits of gaining greater public support based on faith in an evolving Texas criminal justice system should be of chief consideration.

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