



WRITTEN TESTIMONY

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REGARDING HOUSE BILL 2611

SENATE COMMITTEE ON CRIMINAL JUSTICE

MAY 8, 2007

Dear Members of the Committee,

My name is Ana Yáñez-Correa. I am the Executive Director of the Texas Criminal Justice Coalition. Thank you for allowing me this opportunity to present testimony regarding House Bill 2611 by Chairman Madden.

H.B. 2611 will help to address problems posed by the growing population of elderly inmates requiring expensive healthcare. By paroling an additional number of non-dangerous elderly offenders, the state can shift healthcare costs to sources external to the Texas Department of Criminal Justice (TDCJ) while also addressing prison overcrowding.

WHAT DOES H.B. 2611 DO?

H.B. 2611 would expand the allowance of medically supervised release to include certain 3g and sex offenders who no longer pose a threat to society. 3g offenders would have to be elderly, physically disabled, mentally ill, terminally ill, or mentally retarded or having a condition requiring long-term care, and registered sex offenders would have to be in a comatose or near-vegetative state.

ELDERLY INMATES ARE A RAPIDLY GROWING SEGMENT OF TDCJ'S PRISON POPULATION.

There are currently 4,110 individuals over the age of 60 under institutional supervision in TDCJ, comprising just 2.7% of the total population.¹ However, these individuals are the fastest growing segment of the prison population: the number of inmates 55 or older is increasing at a rate of 11% annually, versus 1% for the general population.²

THESE INMATES REPRESENT THE LOWEST THREAT TO PUBLIC SAFETY IF RELEASED.

Inmates over 50 years of age were 3.7 times less likely to recidivate than those under 21, according to a U.S. Sentencing Commission study in 2004.³ Arrest rates for violent crime among individuals over 50 are lower than those of 10-12 year olds, at less than 1%; arrest rates for individuals 17-19 were up to 12 times as much.⁴

THESE INMATES ARE PROVIDED STATE-OF-THE-ART HEALTHCARE AT ENORMOUS COST TO TAXPAYING TEXANS.

Inmates' physiological age is approximately 10 years older than their chronological age (that is, their health is generally equal to the health of an individual who is ten years older than them),⁵ resulting in a high demand for expensive geriatric care.

Inmates over 55 spend approximately \$22 per capita per day in healthcare costs, compared to an average cost of \$7.66 for the general prison population. These inmates cost the state nearly \$80 million each year.⁶

EXPANDING MEDICALLY SUPERVISED PAROLE IS A STRONG ALTERNATIVE TO EXPANDING PRISON GERIATRIC PROGRAMS.

By increasing the institutional capacity to provide geriatric healthcare, the state would be inviting the burden of caring for an influx of elderly inmates. By releasing non-dangerous individuals onto

medically supervised parole, the state can save money on prison healthcare costs while also making room for younger, more dangerous offenders. Medically paroled offenders would be able to seek healthcare from federal or private sources, resulting in a positive fiscal impact on the state budget.

A last financial benefit of medically supervised parole: providing electronic monitoring devices for inmates on medically-recommended parole would cost the state between \$5 to \$25 per offender per day,⁷ while providing incarceration and healthcare to these inmates costs \$66 per day.

Thank you for the opportunity to testify before this committee and to offer our organization's ideas about this important issue. I commend Rep. Madden for his efforts to reduce prison over-crowding while saving Texas money. We hope that this committee will approve his bill.

¹ TDCJ Statistical Report 2006.

² Trevino, Ron. "High costs of seniors serving time in Texas prisons." KHOU.com, December 15, 2005.

http://www.khou.com/news/local/stories/khou051214_gj_elderlyinmates.df1c82f.html

³ *Measuring Recidivism: The Criminal History Computation of the Federal Sentencing Guidelines*. United States Sentencing Commission, May 2004. http://www.ussc.gov/publicat/Recidivism_General.pdf

⁴ Ezell, Michael E and Lawrence E. Cohen. *Desisting from Crime: Continuity and Change in Long-Term Crime patterns in Serious Chronic Offenders*. Oxford University Press, New York. 2005

⁵ Turley, Jonathan. "Release Elderly Inmates." *Los Angeles Times*, October 7, 2006.

<http://www.latimes.com/news/opinion/la-oe-turley7oct07,0,7788538.story?track=tohtml>

⁶ Wilcox, Lindsay. "State of the Art Care for Prisoners, at Your Expense." KLTN.com, February 13, 2007.

<http://www.kltv.com/Global/story.asp?S=6083531>

⁷ *Keeping Track of Electronic Monitoring*. National Law Enforcement Corrections Technology Center, October 1999.

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