

EDITORIAL

Prison reform as method

EDITORIAL BOARD

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The Texas Legislature appears well on its way toward enacting significant and welcome change to meet society's obligation and need to punish lawbreakers without breaking the treasury and turning minor offenders into major criminals.

The session began with state officials proposing at least 12,000 more prison beds by 2012, at a cost of \$520 million to build three prisons and fund drug- and alcohol-treatment programs. Construction costs are only the first expense; prisons must have guards 24 hours a day, seven days a week; prisoners must be fed and clothed, and they must get medical care.

Such expenses must be borne when it means locking up murderers and other violent offenders who threaten the safety of law-abiding citizens, and when it means stopping robbers, thieves and con men who prey on the property of others.

But the prisons also have a lot of people whose primary offense is that they bought or sold drugs, even in relatively small amounts, or who cannot control their drinking and pose a danger with their driving.

State Rep. Jerry Madden, R-Richardson, chairman of the House Corrections Committee, and Sen. John Whitmire, D-Houston, chairman of the Senate Criminal Justice Committee, have led the charge to make Texas more sophisticated — and more effective — in dealing with non-violent offenders. The idea is simple: Focus more on providing treatment to low-risk offenders and getting them out of the system more quickly if they demonstrate progress.

To do so, the new legislation will add 8,000 prison beds over the next few years — but most of them for intensive drug treatment and rehabilitation programs. The key here will be providing sufficient funding for the treatment programs. A prisoner who undergoes treatment and shows progress is less likely to return to prison, at still more cost to taxpayers, than one who simply endures a particularly unpleasant form of "time out."

The legislation also will set up a process to release low-risk offenders from parole and probation early — if they do not commit new crimes. And the legislation also creates a new funding formula aimed at providing more intensive supervision and not keeping offenders on probation longer than necessary.

In fact, the House version of the bill would require a look at whether the prison system should keep locked up elderly inmates who would pose no threat to society, and cost less, if released. Rep. John Smithee, R-Amarillo, who proposed the study, said that unless the state does something about an elderly inmate population, "we're going to be running the largest nursing home in the country."

This is not a pass-it-and-forget-it bill, because it also would create a new joint legislative committee specifically charged with overseeing the changes and reporting back to lawmakers and the public.

The Senate already has approved the bill. The House has amended it, but it appears the Senate will concur. If it makes it to the governor's desk, we hope he'll sign it. Lawbreakers must be punished, but there are smart ways and dumb ways to do it. The Legislature has written a smarter way to punish — and rehabilitate.

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