

Editorial

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Prison break

State Sen. John Whitmire and Rep. Jerry Madden propose a plan to end the prison building binge.

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The evidence has built for years. Judges see the same low-level suspects over and over; nonviolent offenders languish behind bars while predators are freed; Texas spends \$2.5 billion annually on the nation's second-largest prison system — one already out of beds.

Texas' frenzy of prison building, combined with a dysfunctional parole and probation system, has bled the state economy without significantly improving public safety. Last week, in two fiery hearings reviewing the figures, key Republican and Democratic leaders proposed a saner way. They're right, and deserve the support of every Texan who respects facts.

"This is not a Republican or Democratic issue," state Rep. Jerry Madden, House Corrections Committee chair, said. "I look at it as being one that's smart for Texas." That's an understatement. Following the plan state Sen. John Whitmire has proposed could save Texas \$442 million and thousands of lives — those lost to violent criminals, and those wasted in the limbo of addiction and recurrent petty crime.

Whitmire, chair of the Senate Criminal Justice Committee, is calling for more substance abuse treatment, more rational parole and probation decisions, and effective crime deterrents such as halfway houses and treatment programs for nonviolent addicts.

According to an exhaustive new study, these steps could avert the need to spend \$377 million more on new prisons. The strategy could also save \$65 million by cutting the number of offenders who are convicted again. Madden, a Republican, also supports the plan, which was recommended by distinguished criminal justice expert Tony Fabelo. In concert with researchers at the State Council of Governments Justice Center, Fabelo found that the state must either rethink its prison system or spend tens of millions on still more prison beds.

According to Fabelo, as many as 12,500 nonviolent inmates could leave the system if probation weren't revoked for technical lapses such as inability to pay fees and if low-level, nonviolent offenders got treatment that ended their addiction and criminal behavior.

Halfway houses and shorter-term facilities for nonviolent offenders could reduce the recidivism that keeps prisons jammed. The lesser offenders' absence from prison also means true predators would stay locked up as they should be.

Fabelo's report echoed similar conclusions by the Texas Public Policy Foundation, which promotes limited government. The findings elaborated on those of the Sunset Advisory Commission, a state agency that in November declared Texas' prison expansion policy economically unsustainable.

The bipartisan demand to rethink that policy is a historic sea change, Ana Yanez-Correa, head of the Texas Criminal Justice Coalition, said. "A lot of it has to do with the amount of money that taxpayers are spending on a product that is not reducing criminal activity." As Whitmire and Madden make clear, neither Republicans nor Democrats can afford to close their eyes to the prison binge's cost.

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