

## **Punishment Standards Commission**

*By Bill Hobby*

In October of last year, 23 people in Killeen were shot to death in a cafeteria.

Less than two months later, four teenage girls were found dead in the back room of an Austin yogurt shop. Their hands were bound and they had been shot in the head, execution style.

Texas violent crime has risen 22 percent over the last 10 years. Texas has responded by building more prisons--at staggering cost.

A 2,250 bed maximum-security unit costs over \$76 million. Annual operating costs range from \$16,000 to \$21,500 per inmate, or \$20 million for each prison unit.

When prisons now under construction are complete, roughly 79,600 prison and treatment beds will have been added since 1979. Criminal justice spending jumped to \$1.13 billion in 1991, a 175% increase since 1978--and that's after adjusting for inflation.

Despite the new prisons, the Texas crime rate continues to rise and prisons are still filled beyond capacity. The state owes Texas counties millions of dollars for holding state-ready prisoners in county jails. These millions will soon become billions if the prisoner backlog is not reduced. According to the numbers of state-ready inmates in Harris County jails on October 1, 1991, the state expense could be as much as \$120,000 per day for Harris County alone.

Building more prisons has not made the public feel any safer. Eighty-six percent of citizens from this region feel there is more crime now than there was a year ago. How can this be when we're filling these prisons with violent criminals? The answer is simple: we're not.

Only 20 percent of new admissions are classified by the prison system as violent criminals. Burglaries, thefts, and drug offenses make up most of the remaining admissions. For every new admission into prison, an offender leaves prison. Many violent offenders are granted parole in order to make room for non-violent offenders.

Texas has effective and relatively inexpensive alternatives to prison. Electronic monitoring, restitution centers, intensive supervision probation, and boot camps are just a few of the promising options out there. Unfortunately, these programs are not available statewide and are not used by enough judges to divert would-be inmates to cheaper programs where they are available.

Last year the legislature decided to revamp the system by examining and revising current sentencing practices. It gave that job to the Punishment Standards Commission. The commission's charge is to study the current state of criminal sentencing practices, corrections resources, jail and prison overcrowding, parole practices, and the penal code. The commission will revise punishments for criminals to establish truth in sentencing in order to put--and keep--the most dangerous offenders behind bars.

One of Governor Richards' appointees to the commission is Ellen Halbert, a victim of violent crime. Halbert suffered a violent and brutal attack by a man the press dubbed the "Ninja rapist." Raped, bludgeoned, and left for dead after her attacker drove a knife into her skull with a hammer, Halbert is surprisingly no advocate of "locking all criminals up and throwing away the key." She, like other commissioners, supports smarter approaches to crime control: using community corrections strategies on many offenders, while reserving expensive prison space for truly violent, predatory, and career criminals so they will no longer pose a threat to society.

The Commission is chaired by two legislators with law enforcement backgrounds. Senator Ted Lyon was a police officer in Mesquite for five years and has chaired the Senate Criminal Justice Committee and the Interim Task Force on State and Local Drug Control. Representative Allen Hightower was an adult probation officer for several years and chaired the House Corrections Committee for the past three sessions.

Texas finally has a shot at affecting real crime control while curbing the cycle of prison overcrowding and construction. Let's hope the Commission can do the job. At least it is a new approach.

*Written January 1992.*