



From left, Justin Wood, director of the Texas Senate Committee on Criminal Justice; Dallas Police Assistant Chief Paul Stokes; Dallas Councilman Adam McGough; TDCJ Director Bryan Collier; State Rep. James White; and moderator Jason Whitely. (Photo by Matt Goodman)

CRIMINAL JUSTICE

A Look at How the Texas Legislature May Address Criminal Justice Reform

State and local leaders—politicians, a Dallas police assistant chief, the head of the state's prison system—gathered Friday morning and gave a glimpse at what we might expect.



In the Texas Legislature, criminal justice reform is among the last Big Issue Kumbayahs that Democrats and Republicans have left. Which means that it's one of the few that you'll likely see some movement on in each legislative session. Like, despite the population growth the state's incurring, the Texas Department of Criminal Justice has closed eight units, four of which shuttered amid last session's steep budget cuts. A rare win for budget hawks and criminal justice reform advocates alike.

On Friday morning, a room of about 200 or so people gathered at the Belo Mansion for a day-long symposium organized by Unlocking DOORS, a Dallas-based nonprofit that helps ex-convicts re-integrate in society. Kicking off the event was a speech from Brody Burks, Gov. Greg Abbott's top criminal justice policy advisor. Burks was an assistant district attorney in mostly rural parts of Texas for the better part of a decade.

"I had no idea how many people I incarcerated," he said. "But with the exception of one or two or three, they're all coming out. As they should be."

So what do we do with them? How do we best set them up for success, to limit the risk of recidivism? This message led us into the first panel of the day, which was packed with officials who offered local and statewide perspective about what to do with our incarcerated both before and after they enter the system.

Newly-crowned superstar moderator Jason Whitely, the longtime Channel 8 reporter, presided over a discussion between East Texas state Rep. James White, a Republican who chairs the House Corrections Committee; Justin Wood, a former prosecutor and the director of the Texas Senate Committee on Criminal Justice; Lake Highlands-area Councilman Adam McGough, the chair of the city's Public Safety and Criminal Justice Committee; Assistant Chief Paul Stokes, the Dallas Police Department's head of investigations and tactical support who subbed in for Chief U. René Hall, who was dealing with a family emergency; and Bryan Collier, the executive director of the Texas Department of Criminal Justice.

It didn't make much news—nobody *really* took Whitely's bait when he asked about what specific laws need to be changed or struck down in the upcoming session. (Although it appears everyone, including Gov. Abbott, is aligned in re-thinking punishments for possessing small amounts of marijuana and other non-violent, ticky-tack misdemeanors.) But it did provide some insight into what larger-scale topics these folks are eyeing.

White spoke again and again about providing resources to counties large and small, so magistrates and sheriff's departments and police officers can better grasp each individual situation. White seems to view the state's role as offering as many tools as possible to help inform the decisions people in power make every day in this state—whether that's incentivizing probation as opposed to a jail sentence (daily cost for a person on probation is about \$4, whereas an inmate costs the state an average of \$61 daily), or taking into account an individual's ability to post bail, or whether the person who is mentally ill should be arrested in the first place.

There was talk of diversion courts and treatment programs, both of which typically get decided by a judge. And it came back again and again to the mantra that being angry with someone isn't a reason to keep them in jail; the people who should be jailed are the ones who are a threat to public safety.

This dovetailed into a discussion about bail reform and the challenges against policies in Harris and Dallas County. White said this was a simple fix—just follow the state statutes, which calls for magistrates to make a decision based on the individual and not a set bail schedule. He called for making the arraignment process open to the public, something that, in Dallas County, has not been. The federal judges who have been striking down what activists classify as an assembly line of justice have simply been re-stating the state's existing statute, White maintains. As many as 70 percent of the 5,000 people held in the Dallas County Jail are there because they cannot afford their bail.

“What should not happen is our county jails be filled with people who are there on low-level, non-violent offenses,” Wood said. “Bail should not be used as a punishment or something punitive for someone we’re mad at and not scared of.”

Collier brought up the treatment programs available in state jails, noting that each prisoner receives an individualized treatment program. He mentioned the state’s education opportunities in its prisons, noting that nearly 70,000 inmates have gone through a GED program. But in many of these cases, the real work begins before the people enter the system. As McGough notes, there is a deep scarcity of mental health services south of Interstate 30. Jail becomes the largest provider of said services. There is a multi-million dollar clinic going up near the University of North Texas at Dallas, in the heart of the city’s south side, that will serve these patients. The type of care is meant to de-stigmatize mental health services. “You check your blood pressure the same way you check your mental issues,” McGough said.

Stokes mentioned the department’s Ride Care Program pilot in the South Central Patrol Division, which pairs an officer with a paramedic and a mental health professional. The program started in January with two officers and another 10 undergoing training; he hopes to expand the program into other parts of the city next year.

But there are challenges that remain. During the question and answer session, a woman shared her story. She was convicted for manslaughter after defending herself from an abuser. She served eight years, and she urged the panel to research and provide for the female victims of violence who wind up in the system themselves. Another man asked about how the state could address sex offenders—they wind up with a Scarlet Letter for life, he said, unable to find work and a place to live. And, indeed, in Texas, many offenses—from the minor to the most serious—make it incredibly difficult for ex-cons to escape their past, even if they’ve been rehabilitated and served their time.

“It seems every offense in Texas, from a Class C traffic fine to capital murder, is a life sentence,” White said, calling for easing expungements and non-disclosures.

The folks on stage have their work cut out for them.