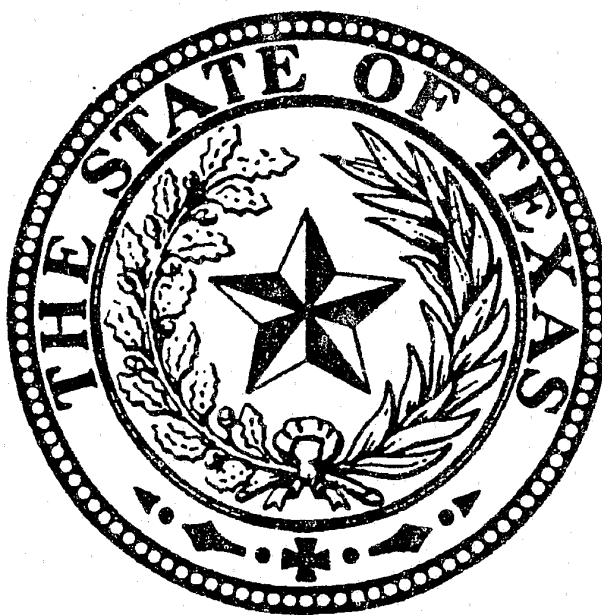


An Overview of Prison Sentences and Time Served in Texas

Special Report



July 20, 1992

Criminal Justice Policy Council
P.O. Box 13332
Austin, Texas 78711
(512) 463-1810

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Note From the Director

This is a Special Report by the Criminal Justice Policy Council examining sentence length and time served for offenders sentenced to prison in Texas. Admission figures include inmates admitted to jail but not to prison because they were released on Parole in Absentia during fiscal year 1991. Jail time served by state inmates released from county jails on Parole in Absentia is included for the 1991 time served calculations. For simplicity, all state inmates released from prison or jails are referred to as inmates released from state custody. Data from the Texas Department of Criminal Justice (Institutional Division/Pardons and Parole Division) and the Criminal Justice Policy Council are used for the analysis.

The number of offenders admitted to prison in Texas since 1985 has almost doubled, from 25,635 in 1985 to 44,593 in 1991. This increase has been fueled mostly by the four-fold increase in the sentencing of drug offenders. In 1991, there were 12,404 drug offenders sentenced to prison compared to 2,921 in 1985. During this period the median prison sentence increased by 20%, from 5 years in 1985 to 6 years in 1991. This increase has occurred in the seven largest counties and for all major offense categories.

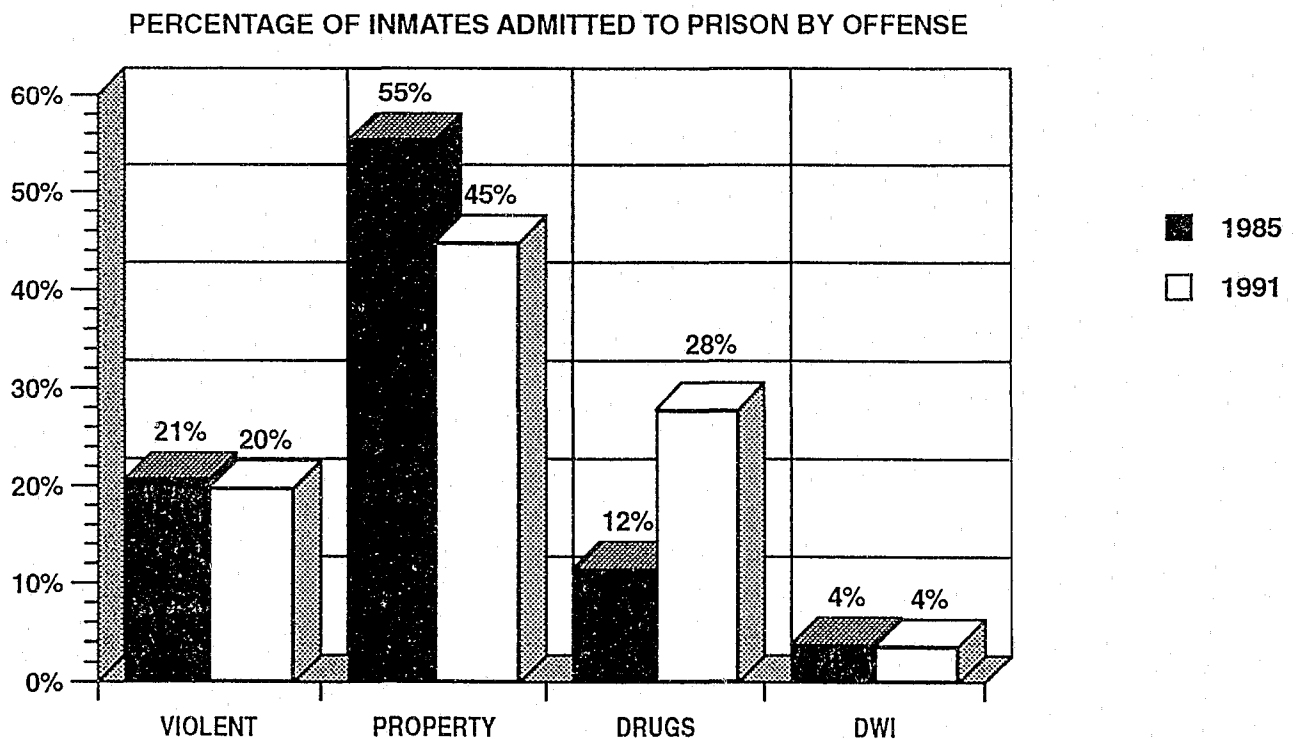
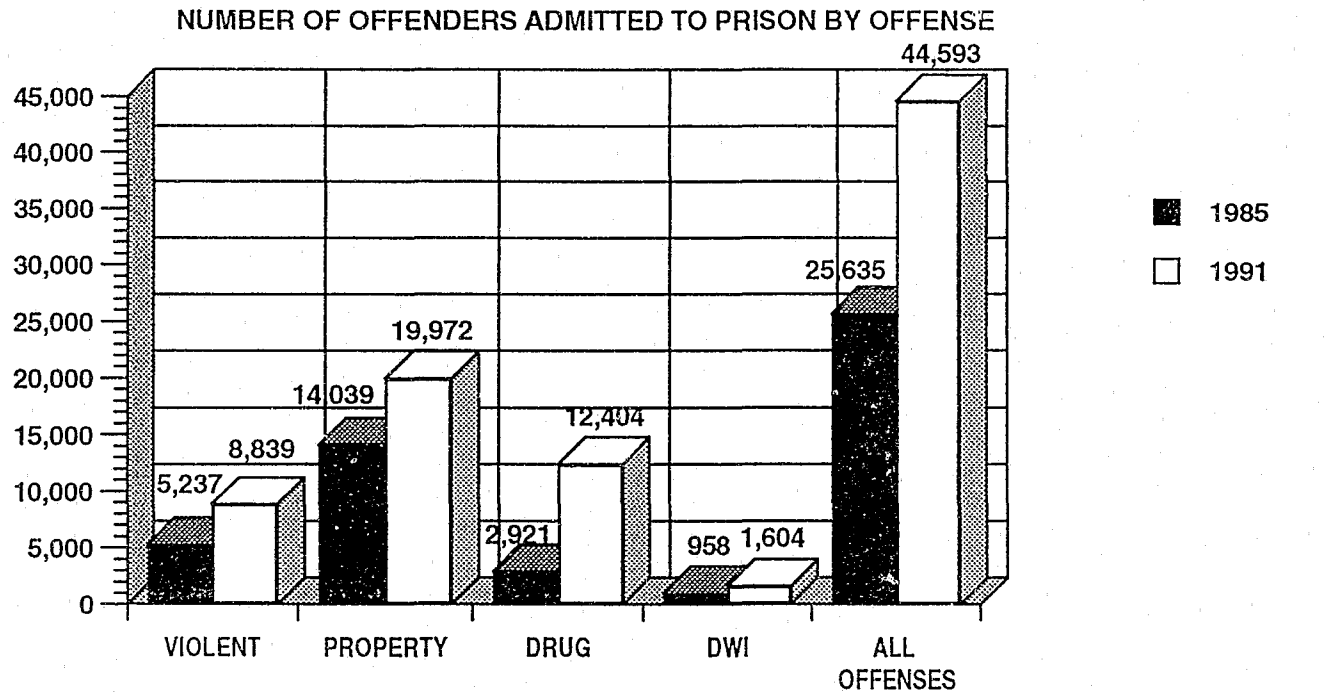
Median time served by state offenders released from state custody has decreased by 27% during the same period. In 1991, state inmates served a median of 11.2 months in state custody or 13% of their sentence. For every year of sentence, violent offenders served a median of 95 days, property offenders served 44 days, and drug offenders served 40 days under state custody. Only aggravated violent offenders have experienced an increase in both median sentence and time served during this period.

Crowding neutralizes the effect of any change in incarceration and sentencing patterns in Texas. As the number of offenders sentenced to prison has doubled, the number of state inmates released from prison or jails has kept pace. With the advent of the War on Drugs the number of drug offenders sentenced to prison between 1985 and 1991 has increased four-fold. This increase, however, has been balanced by a five-fold increase in the number of state drug offenders released from prison or jails. Therefore, almost one-third of the offenders convicted of drug possession who were released from prison in 1991 served six months or less under state custody. A significant percentage of property offenders released in 1991 also served six months or less under state custody.

Any new policies to increase time served in prison would further aggravate prison crowding. Increasing the time served in prison can only occur if balanced by a significant increase in community corrections diversions for offenders presently sentenced to prison or a significant increase in prison capacity. Implementation of rehabilitation and drug treatment programs to reduce recidivism should also be considered as a critical long-term policy to reduce incarceration.

Tony Fabelo, Ph.D.
Executive Director

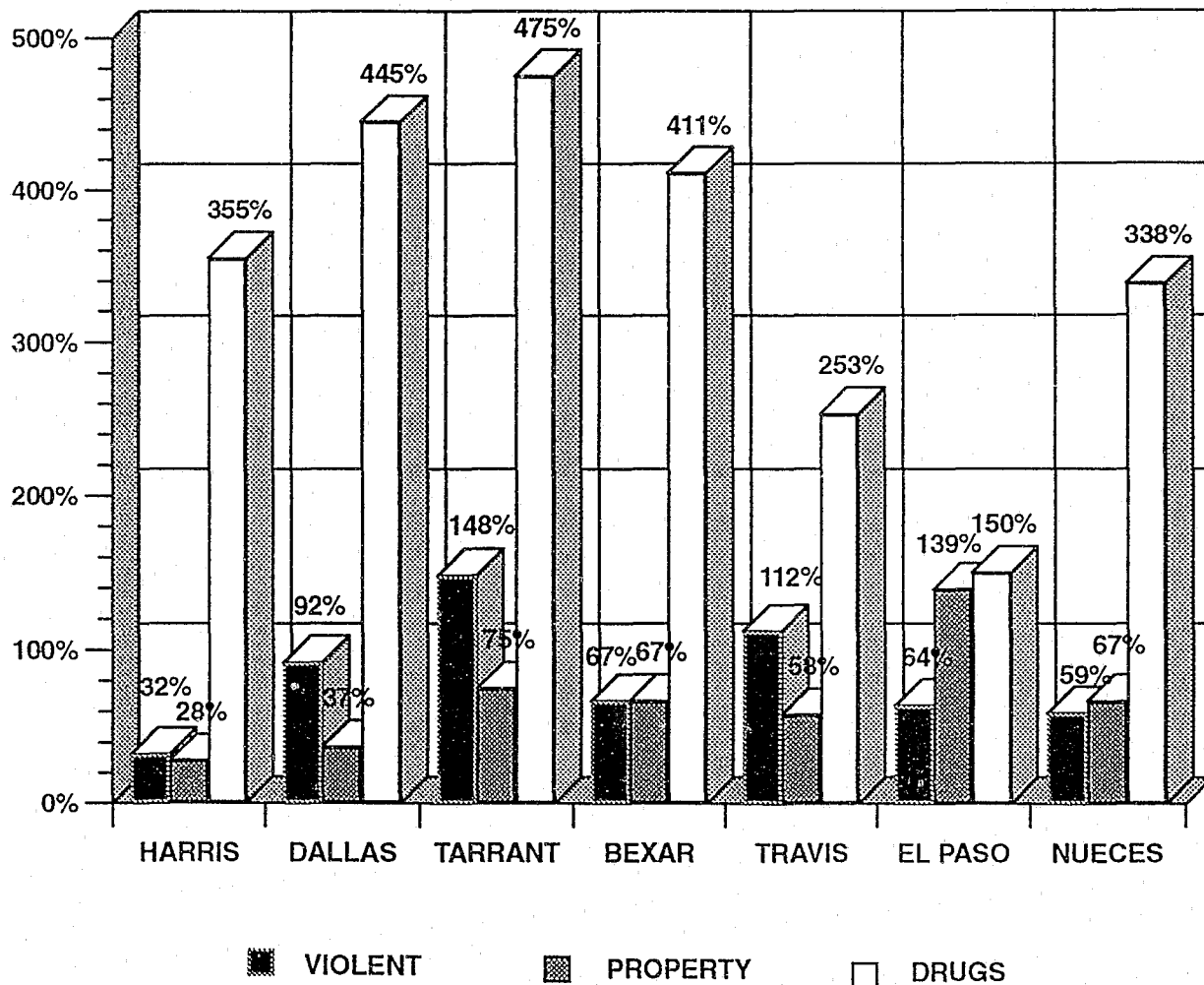
THE NUMBER OF OFFENDERS ADMITTED TO PRISON IS GROWING ACROSS ALL OFFENSE CATEGORIES



OFFENSE DISTRIBUTION OF OFFENDERS ADMITTED TO PRISON IN THE SEVEN LARGEST COUNTIES IN TEXAS

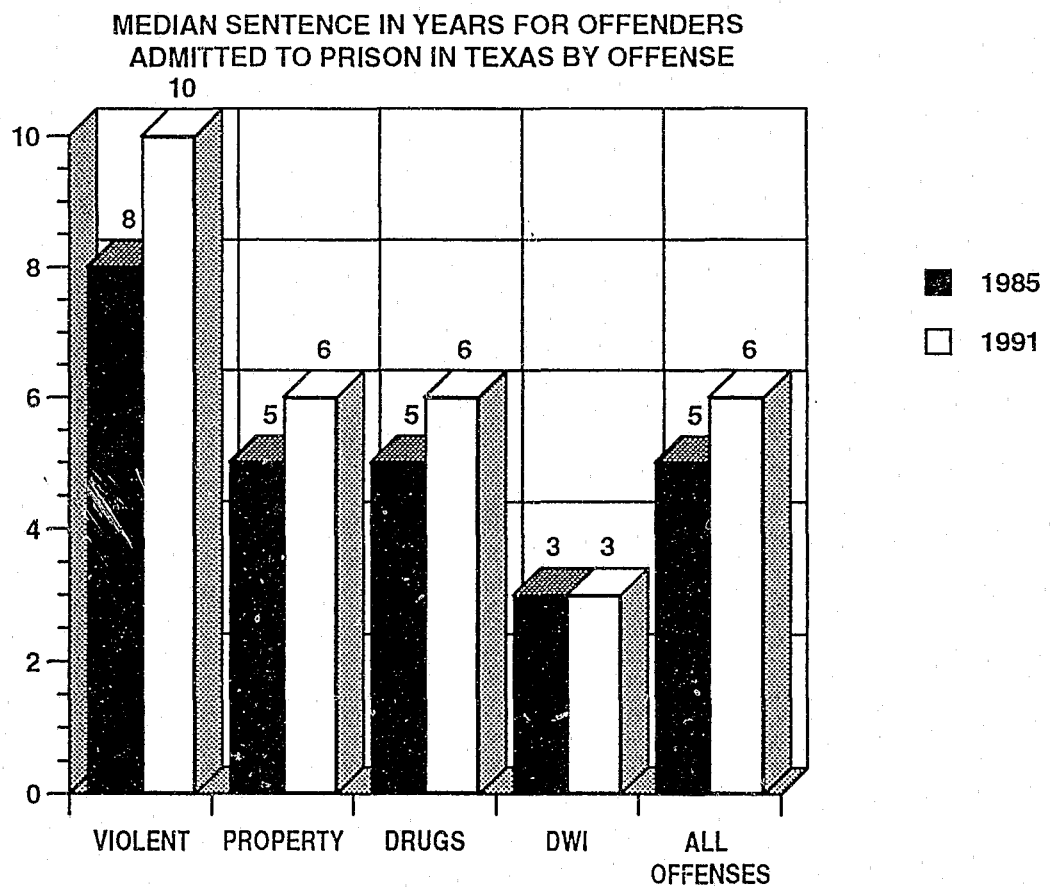
- The seven largest counties have experienced increases in the number of offenders admitted to prison in each of the major offense categories with sentences for drug offenders showing the most drastic increases

PERCENTAGE INCREASE IN OFFENDERS ADMITTED TO PRISON BY OFFENSE
CATEGORY BETWEEN FY 1985 AND 1991



MEDIAN PRISON SENTENCE LENGTH IS INCREASING

- The median prison sentence length for all offenders has increased by 20% since 1985
 - The median prison sentence for violent offenders has increased by two years, a 25% increase since 1985
 - The median prison sentence for property and drug offenders has increased by one year, a 20% increase since 1985

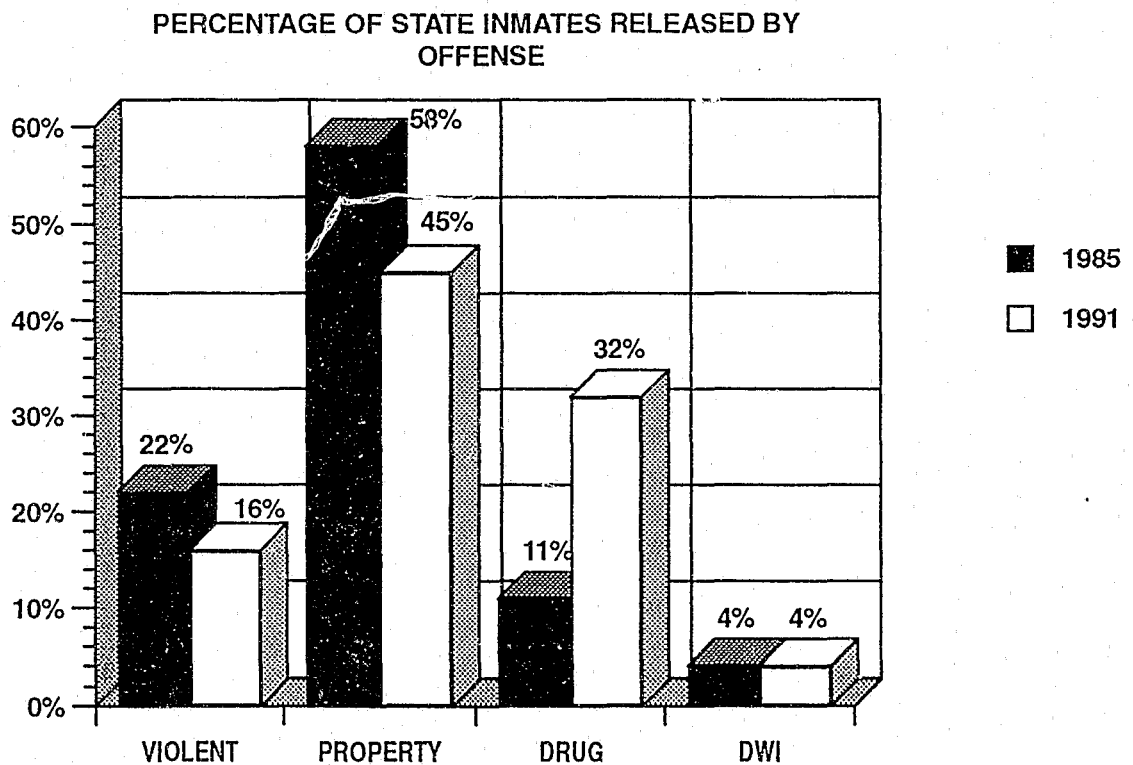
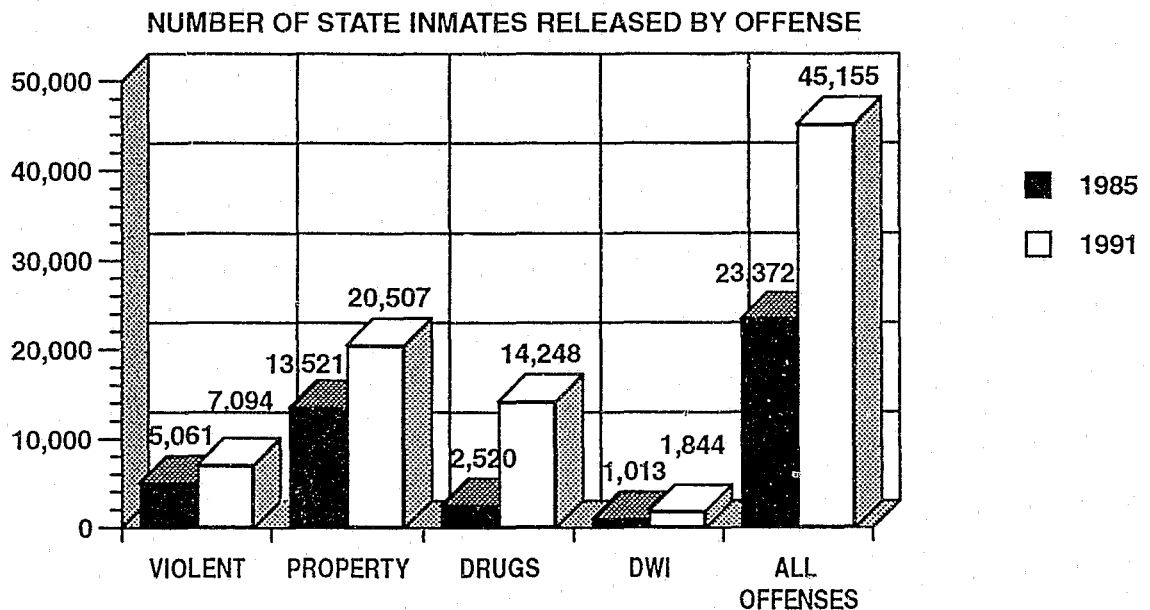


MEDIAN PRISON SENTENCES ARE INCREASING STATEWIDE

MEDIAN PRISON SENTENCES FOR OFFENDERS FROM THE SEVEN LARGEST COUNTIES IN TEXAS BY OFFENSE, FY 1985/1991

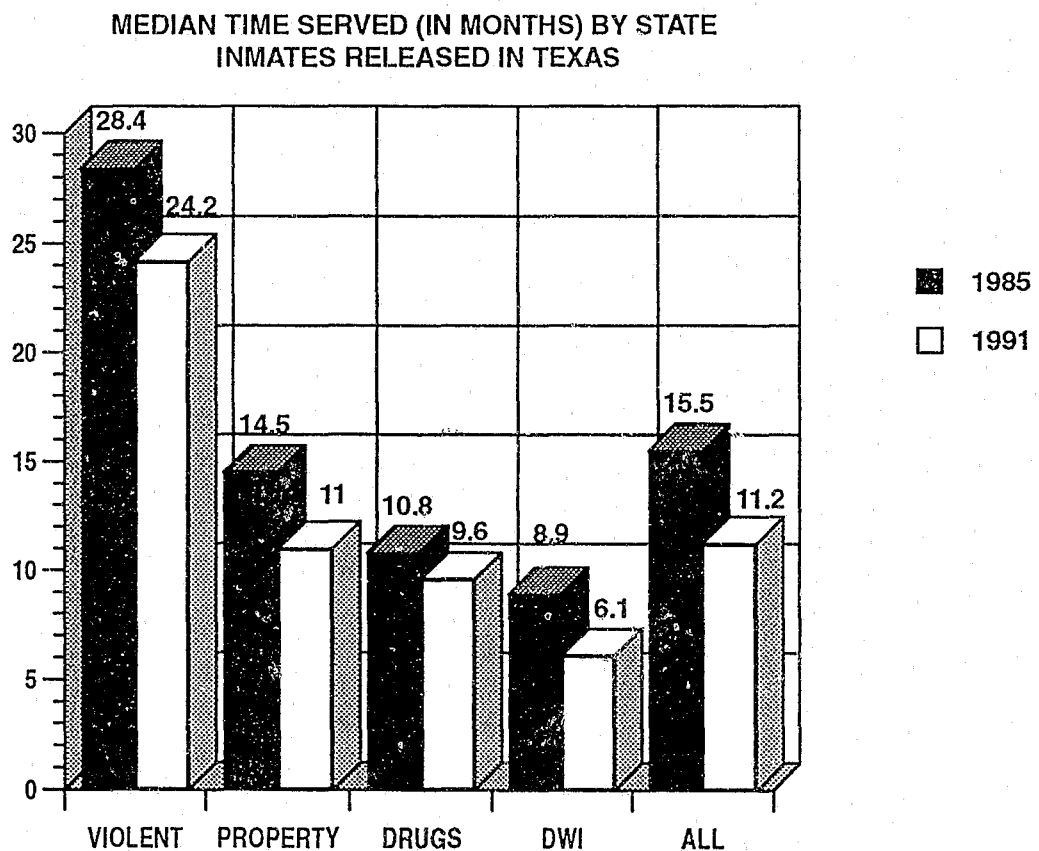
	VIO.		PROP.		DRUG		DWI	
	'85	'91	'85	'91	'85	'91	'85	'91
HARRIS	7	10	4	5	4	5	2	3
DALLAS	7	10	4	6	4	6	3	3
TARRANT	6	8	4	6	5	5	3	3
BEXAR	8	10	5	8	7	10	3	3
TRAVIS	10	8	5	5	5	5	3	4
EL PASO	8	8	6	7	6	8	3.5	4
NUECES	7	10	5	7	6	6	3.5	3.5
ALL OTHER	8	10	5	7	5	8	3	4

THE NUMBER OF STATE INMATES RELEASED FROM PRISONS AND JAILS REFLECTS CHANGES IN ADMISSIONS PATTERNS



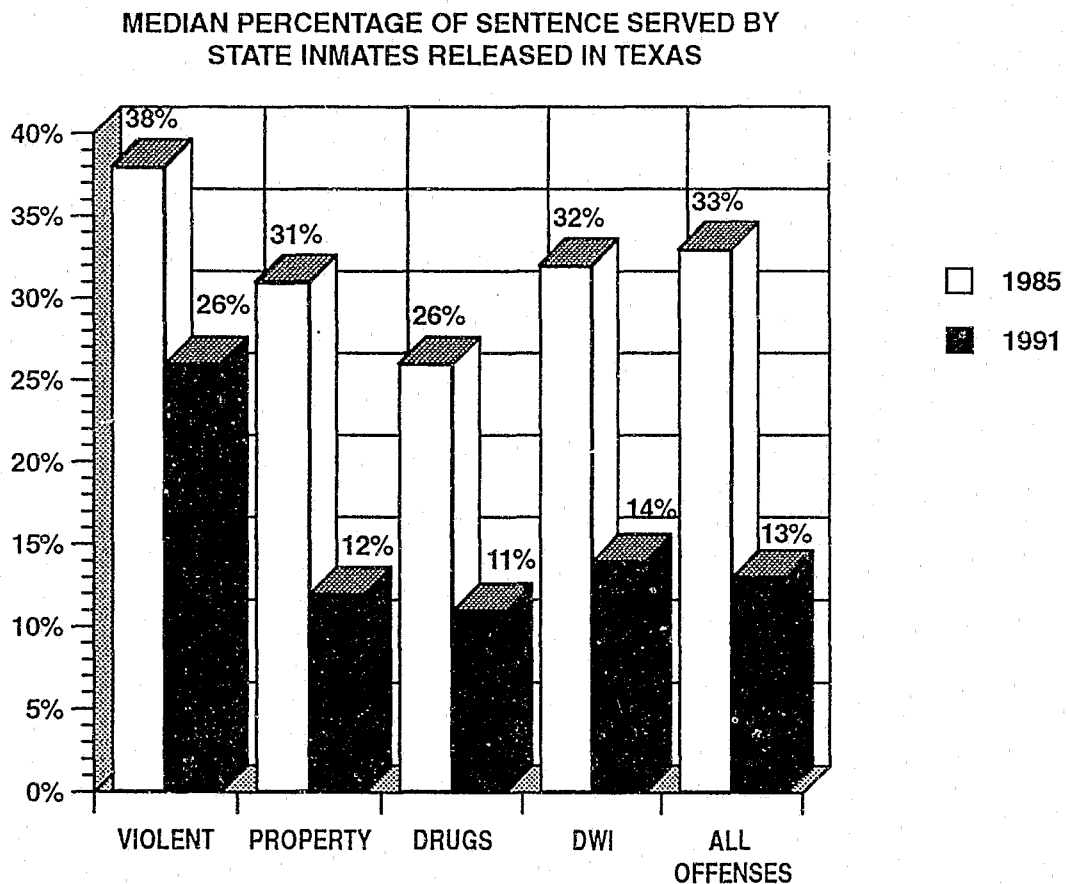
MEDIAN TIME SERVED BY STATE INMATES IS DECREASING

- The median time served has decreased from 15.5 months for all state offenders released in 1985 to 11.2 months for all state offenders released in 1991, a decrease of 27%
- The percentage decrease in median time served for the major offense categories is: Drug 11%, DWI 34%, Property 24%, Violent 15%



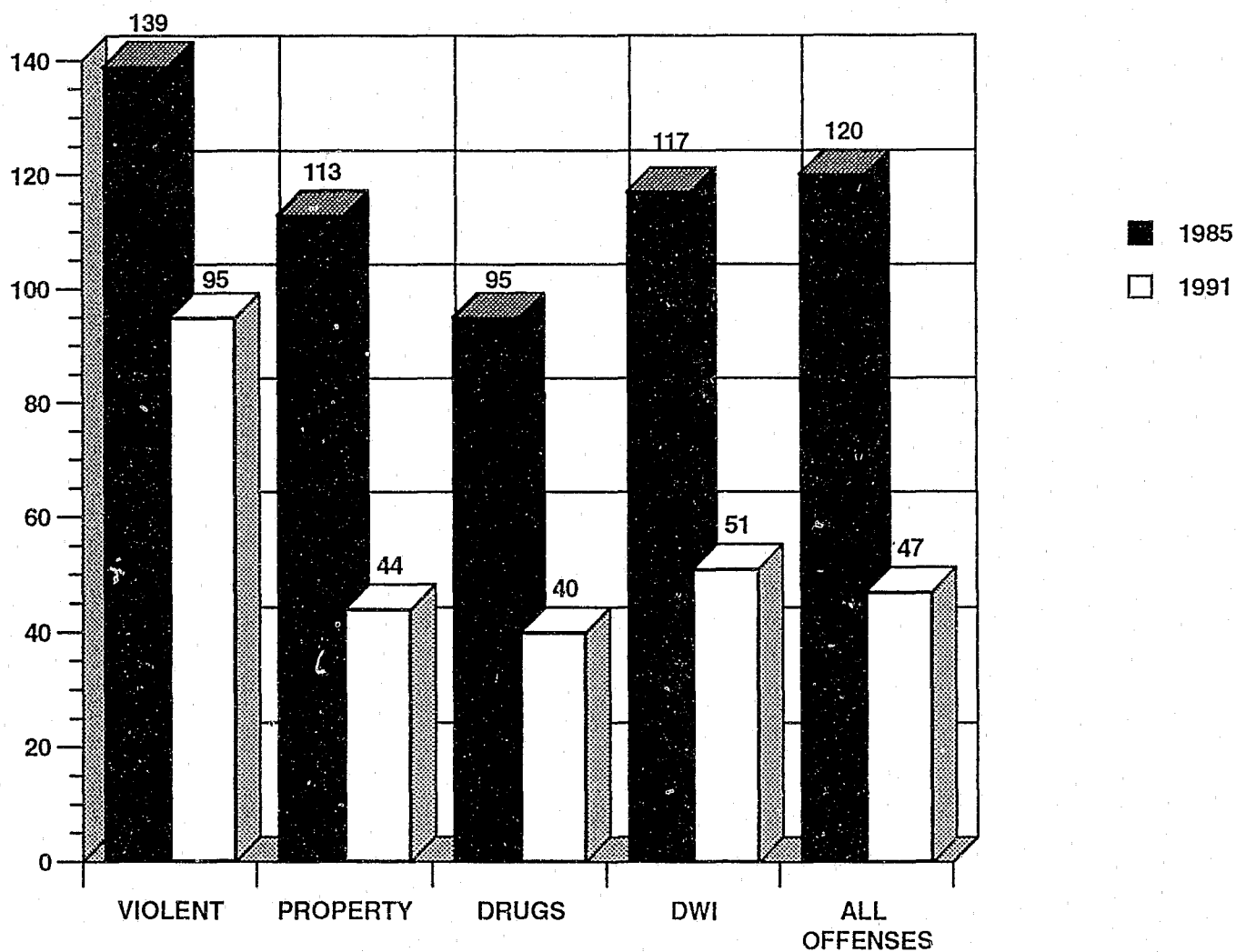
PERCENTAGE OF SENTENCE SERVED IS DECREASING

- The median percentage of sentence served by state inmates has decreased from 33% in 1985 to 13% in 1991, a percentage decrease of 61%
- Offenders in all offense categories released from state custody served a lower percentage of their sentence in 1991 than in 1985



DAYS SERVED PER SENTENCE YEAR IS DECREASING

MEDIAN DAYS SERVED PER SENTENCE YEAR BY OFFENSE



MEDIAN PRISON SENTENCE, TIME SERVED, AND PERCENTAGE OF SENTENCE SERVED FOR NON-AGGRAVATED OFFENDERS RELEASED FROM STATE CUSTODY, FY 1985/1991

	YEARS SENTENCED		MOS. SERVED		% SERVED	
	1985	1991	1985	1991	1985	1991
HOMICIDE	10	15	33.4	46.8	36.1	24.2
KIDNAPPING	5.5	7	23.6	19.7	38.2	27.0
SEX ASSAULT	8	10	38.3	27.6	38.2	27.6
ROBBERY	6	8	24.0	15.9	34.3	14.9
ASSAULT	4	5	14.4	12.1	39.6	19
ARSON	5	6	19.2	13.4	39.7	17.6
BURGLARY	5	8	16.5	12.2	29.6	12.1
LARCENY	4	5	13.6	9.2	32.7	12.4
STOLEN VEH.	3	5	13.0	9.6	34.2	11.5
FORGERY	4	5	12.9	9.5	30.9	12.3
FRAUD	3	5	11.9	8.4	32.5	13.5
POSSESS DRUG	4	5	10.4	7.9	25.7	10.9
SELL DRUG	9	8	32.6	11.8	23.4	10.7
SEX OFFENSE	5	7	17.1	19.2	38.5	26.7
DWI	3	3	8.9	6.1	31.5	13.9

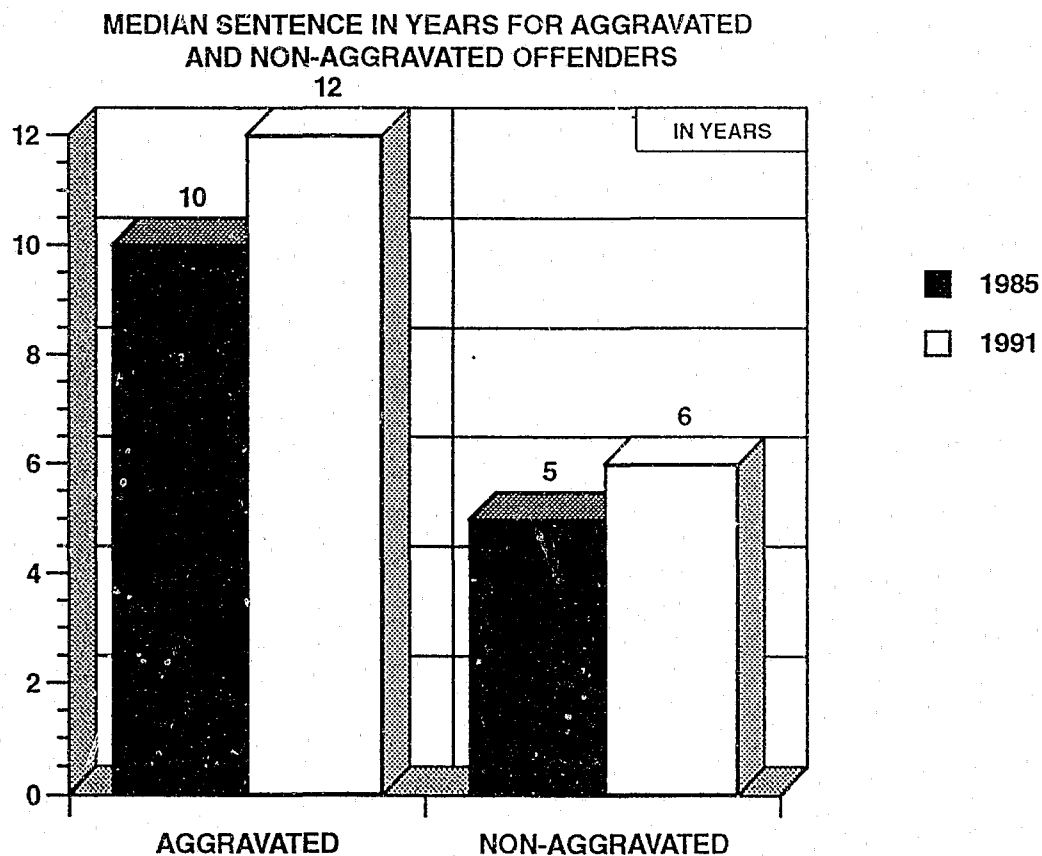
TIME SERVED DISTRIBUTION BY OFFENSE CATEGORIES FOR NON-AGGRAVATED OFFENDERS, FY 1991

- This table gives the percentage of offenders released from state custody in 1991 that is in each time served category

	0-6 MOS	7-12	13-18	19-24	25-36	37-48	49+
HOMICIDE	3.7%	10.2%	11.5%	6.9%	10.8%	7.4%	45.9%
KIDNAPPING	2.0	22.0	22.0	10.0	20.0	6.0	18.0
SEX ASSAULT	4.3	14.0	12.5	14.4	18.8	13.4	22.6
ROBBERY	8.6	26.6	20.0	12.3	14.8	6.7	10.9
ASSAULT	13.7	35.6	21.9	10.9	10.1	3.3	4.4
ARSON	13.4	31.8	16.7	11.7	12.1	9.6	4.6
BURGLARY	11.0	33.9	20.5	11.6	12.1	4.8	5.6
THEFT	21.8	42.1	18.4	7.1	6.7	2.0	1.5
STOLEN VEHICLE	22.7	38.1	17.3	8.7	8.6	2.6	1.5
FORGERY	22.2	39.2	19.0	7.8	7.0	2.5	2.2
FRAUD	29.3	38.4	15.9	5.8	7.6	1.4	1.4
POSSESS DRUG	31.5	37.5	15.8	7.6	5.3	1.1	.6
SELL DRUG	8.8	41.5	23.9	12.3	9.2	2.4	1.3
SEX OFFENSE	9.7	13.5	22.8	11.6	22.6	11.0	8.9
DWI	44.8	39.2	11.3	3.2	1.1	.2	.2

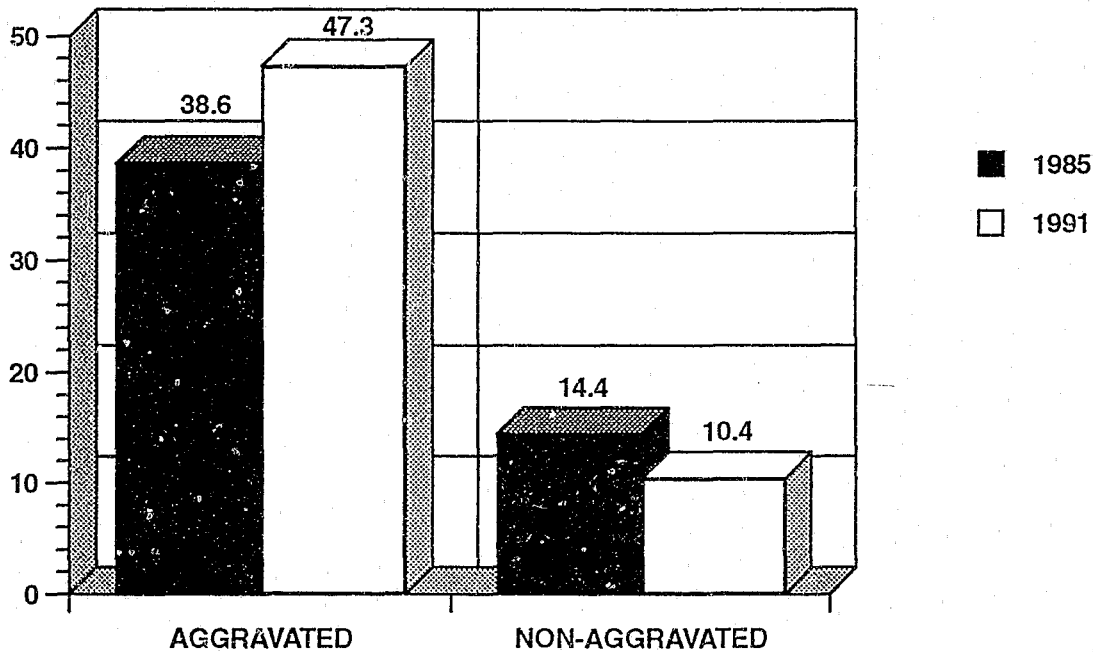
MEDIAN PRISON SENTENCE AND TIME SERVED HAVE INCREASED FOR OFFENDERS CONVICTED OF AGGRAVATED OFFENSES

- Between 1985 and 1991, the number of offenders sentenced to prison for aggravated offenses increased by 41%, from 2,363 to 3,325
 - During this same period, the median prison sentence of aggravated offenders has increased by 20%, the same percentage as that of non-aggravated offenders
 - In contrast to non-aggravated offenders, offenders convicted of aggravated offenses are serving more time in prison than in 1985 and their percentage of sentence served has decreased only slightly

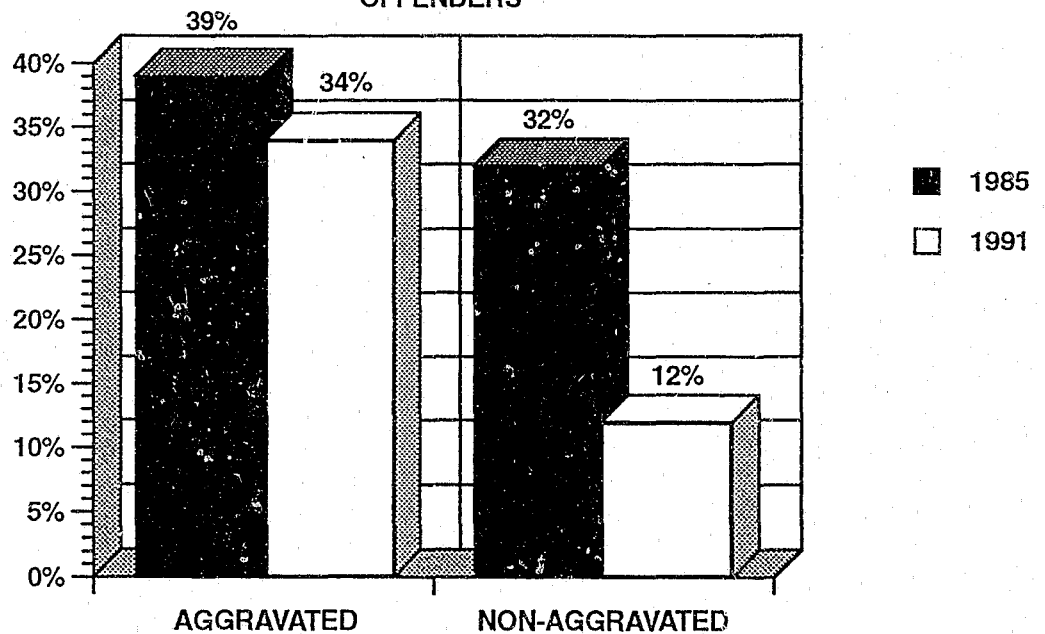


AGGRAVATED OFFENDERS (CONT.)

MEDIAN TIME SERVED IN MONTHS FOR AGGRAVATED AND NON-AGGRAVATED OFFENDERS



MEDIAN PERCENTAGE OF SENTENCE SERVED BY AGGRAVATED AND NON-AGGRAVATED OFFENDERS



AGGRAVATED OFFENDERS (CONT.)

**MEDIAN PRISON SENTENCE, TIME SERVED, AND PERCENTAGE OF SENTENCE SERVED FOR
AGGRAVATED OFFENDERS, FY 1985/1991**

	YEARS SENTENCED		MOS. SERVED		% SERVED	
	1985	1991	1985	1991	1985	1991
HOMICIDE	10	12	44.6	53.2	38.1	33.7
KIDNAPPING	8	12	37.2	50.1	38.1	35.6
SEX ASSAULT	8	12	42.8	49.7	39.6	35.0
ROBBERY	8	12	40.3	52.1	38.7	33.4
ASSAULT	4	5	19.2	24.2	40.4	40.1

**TIME SERVED DISTRIBUTION (IN MONTHS) BY OFFENSE
CATEGORIES FOR AGGRAVATED OFFENDERS, FY 1991**

	24-36 mos	37-48 mos	48+ mos
HOMICIDE	25.8%	16.0%	58.6%
KIDNAPPING	21.6%	23.5%	54.9%
SEX ASSAULT	23.8%	23.0%	53.3%
ROBBERY	29.4%	15.0%	55.6%
ASSAULT	76.2%	14.9%	8.9%