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New Study Finds Tens of Thousands of Texans Booked into Jail Unnecessarily Each Year

Changes to law necessary to ensure jails only used for dangerous individuals

AUSTIN, Texas — Most jail bookings in large Texas counties are for misdemeanor offenses, and low-level, nonviolent offenses are among the most common charges leading to jail booking, a new study from Texas Appleseed reveals.

The report, [*An Analysis of Texas Jail Bookings: How Texas Counties Could Save Millions of Dollars by Safely Diverting People From Jail*](#), examines the charges leading to jail booking and how long people are staying once they are there. Based on an analysis of only 12 Texas counties' jail booking records, the report finds that tens of thousands of people are booked into jail each year charged with the lowest-level misdemeanors.

“Given how damaging and destabilizing even a short jail stay can be on a person’s life, we need to ensure our jails are only used to detain people who pose a true threat to public safety,” said Mary Mergler, Criminal Justice Project Director at Texas Appleseed. “Booking low-risk people in jail ultimately makes our communities less safe, so we should do everything possible to divert people from jail who do not need to be there.”

Key Findings

- Nonviolent misdemeanors eligible for citation in lieu of arrest under current law are among the most common charges leading to jail booking in the counties analyzed;

- More than 30,000 people were booked into Texas jails for a Class C misdemeanor and no more serious charge in a single year, despite the fact that these offenses were intended to be punished by fine alone;
- More than 24,000 people charged with either a Class B or C misdemeanor and nothing more serious spent more than 3 days in jail over the course of a single year in just 11 counties. Research shows that after three days many negative consequences associated with jail stays, including risk of future rearrest, start to increase.

The report recommends that the Texas Legislature should:

- End arrests for offenses intended to be punished by fines only
- Expand offenses eligible for citation in lieu of arrest
- Create procedures for quick release on personal bond for most people booked into jail.

In addition, the report recommended local officials and law enforcement agencies:

- Implement policies to use citation in lieu of arrest for eligible offenses
- Analyze their local data to determine ways to divert people from jail and into community-based services, reduce racial disparities and curb the growth of women in jail.

Read the Report Here: [*An Analysis of Texas Jail Bookings: How Texas Counties Could Save Millions of Dollars by Safely Diverting People From Jail*](#)

About Texas Appleseed

Texas Appleseed is a public interest justice center that works to change unjust laws and policies that prevent Texans from realizing their full potential. Our nonprofit conducts data-driven research that uncovers inequity in laws and policies and identifies solutions for lasting, concrete change. For more information, visit www.TexasAppleseed.org.

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