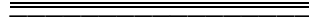


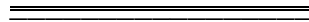
**The Bill Blackwood
Law Enforcement Management Institute of Texas**



Benefit of Inmate Work Crews



**A Leadership White Paper
Submitted in Partial Fulfillment
Required for Graduation from the
Leadership Command College**



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ABSTRACT

Inmate work crew programs are significant to county jails because they reduce sustained housing costs incurred by the county, they lessen the need for outside contract labor for basic building maintenance, and they decrease the cost of staff employment by performing menial tasks that are not related to the security of the facility. Inmate work crew programs have also been shown to help in the reduction of recidivism rates by allowing inmates the opportunity to learn a skill or trade, which increases their employability upon release from the correctional institution. This study should establish that through the implementation of inmate work programs, county governments can reduce incurred expenditures in many areas. This study should also establish that inmates who participate in the inmate work crew programs while incarcerated have a lower rate of recidivism than those who do not.

The methods of research utilized in this study include the research of articles from professional journals, the utilization of jail records from the Brazos County Sheriff's Office, figures from the Brazos County Auditor, average state wage information gathered from the Texas Workforce Commission, and the use of various websites for employment information data gathering. This study will provide federal, state, and local agencies with information about the estimation of cost savings by implementing inmate work crew programs. This study will also focus on inmate rehabilitation and the effects that inmate work crew programs have on recidivism rates and reentry into the community.

All the information gathered showed the recidivism rate improving because they are learning skills and responsibilities and the values of a hard day's work. According to

the Texas Commission on Jail Standards (2010), the population escalates every year, the cost to house inmates is increasing, and new jails have to be built to ease the overpopulation. Preventing inmates' return to jail and giving the good guidance and hard work is what they need to improve their chances remaining free after being released from jail.

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INTRODUCTION

The cost incurred to house inmates is ever increasing, creating a greater tax liability for taxpayers throughout individual counties. By assigning inmates to work both inside and outside of the jail, counties could save the taxpayers the expense of hiring full time employees or contracting with service providers to perform tasks like laundry services, food services, janitorial services, car wash services, landscaping services, and manual labor services for county road repairs. Allowing inmates to perform such tasks should save the county thousands per year in salaries and wages, helping to offset the cost of housing inmates.

This research should show that counties will decrease the tax liability to its citizens by implementing inmate work programs. By participating in the work program, inmate rehabilitation should increase. Inmates who participate in the work program could learn how to become a more responsible member of society, learn teamwork, build their self-esteem, or learn a trade. This research should show that participation in the work program will not only benefit the county and taxpayers but should assist incarcerated inmates who participate with their transition back into the community.

In 2001, The Texas Commission on Jail Standards conducted a study on how managers rated their perceived importance of inmate work programs (as cited in Kellar, 2001). The Texas Commission on Jail Standards allowed for one of four classifications: High Importance, Some Importance, Little Importance, or No Importance. A total of 139 respondents completed this survey, and the results were as follows: 84, or 60.4%, of the respondents rated inmate work programs as high importance; 50, or 36%, of the group respondents rated work programs as some importance; and five managers, or

3.6%, classed work programs as little importance. None of the respondents rated inmate work programs as no importance (as cited in Kellar, 2001).

This research will attempt to determine the average cost per year savings to employ personnel or service contractors to perform the before listed functions versus the cost of incarceration for inmates assigned to a work project. It will also attempt to determine whether work programs within the correctional systems reduce the recidivism rates of inmates. This study will attempt to determine an appropriate figure and show the monetary benefits of the inmate work programs versus the cost of inmate incarceration. The research will find the average cost per year to have these services provided and compare them to the cost of inmate labor. This study will also consider a reduction in recidivism and its monetary results for local and state governments.

POSITION

This study should establish that through the use of inmate labor crews, counties can reduce the cost of housing incarcerated inmates. It should also establish that inmates assigned to a work detail while incarcerated have a lower rate of recidivism than those who do not participate in inmate work programs. Inmates assigned to a work program reduce tax liability to the citizens of their county, and inmates who participate in jail work programs recidivate less than those who do not. This research shows that inmates who participate in work programs while incarcerated are utilized for many different functions. While all inmate work programs appear to have the same primary function, overall community enhancement, many counties have inmates assigned to specific work details. Some citizens express concern when dealing with inmate workers who are outside of the secure facility. Their primary areas of concerns are the chance

that an inmate will escape and whether inmates assigned to work crews outside of the facility are safe to be around. When examining inmate work programs, it is important to understand how inmates are chosen to participate in them.

The Texas Commission on Jail Standards, Chapter 271.1, has set regulations regarding the selection process for inmates assigned to work crew programs. A major criterion of these regulations is the classification of the inmate assigned to the work crew (Public Safety and Corrections, 2009). To further assist agency administrators in the development of departmental classification programs, The Department of Justice and the National Institute of Corrections (1998) provided a guide to assist in the creation of objective jail classification systems. They address two different classification systems, the point additive system, and the decision tree system (as cited in Austin, 1998).

The point additive system assigns numeric values for identified characteristics. Numerical scores are given based on the inmate's current charge for incarceration, their criminal history, any disciplinary actions that might occur while incarcerated, prior felony convictions, prior escape history, and for drug and alcohol abuse. Credits are given to lower the score based on stability factors of the person who has been incarcerated. Once a numeric score has been assigned to the incarcerated inmate, it is then translated into one of three categories: minimum, medium, and maximum risk. These scores determine where the incarcerated inmate is housed and if they are eligible to participate in the inmate work programs. The second method used for classification of inmates is the decision tree system. This system is designed to recognize like characteristics between incarcerated persons. Utilizing this system will result in the

automatic placement of incoming inmates with inmates who display the same general characteristics and behaviors as the newly incarcerated inmate (Austin, 1998).

According to regulations set by The Texas Commission on Jail Standards Work Assignments, Chapter 289, Rule 289, inmates chosen to participate in the work crew program may not have any current charges or previous convictions for any of the following offenses: assault, evading arrest, resisting arrest, escape, attempted escape, any type of aggravated charge, or anything that would lead one to believe that the inmate in question poses a flight risk or an endangerment to the public. Inmates assigned to the work crew program must also pass a medical background check (Public Safety and Corrections, 2009). This check is done to ensure that inmates assigned to the program are physically sound enough to safely participate in the work program and to limit the liability of the county.

Once an inmate has met the basic criteria to participate in the work crew program, they may be utilized in a variety of work assignments. Some examples of work that an inmate might be assigned to perform would include: laundry detail, kitchen detail, lawn maintenance and landscape, road improvement/repair, event set up/tear down of different events, roadside trash pickup, assist nonprofit organizations, auto maintenance, and general maintenance for county properties. Many jails have a process whereby they determine if the inmate has any previous work experience outside of the jail facility. This is usually accomplished in a pre-assignment interview with the inmate. This information allows officers assigned the task of inmate management to more readily identify skills that the inmate may possess, and they can, therefore, make a more informed decision when placing them in their work assignment.

Chapter 289, Rule 289.3 and Rule 289.4 of the The Texas Commission on Jail Standards addresses utilizing inmate workers assigned to work programs. Rule 289.4 requires that inmates assigned to work programs be classified as minimum security. According to rule 289.3, inmate workers assigned to the program should not be required to work more than 48 hours per week with an exception being granted to emergency situations and disasters. Inmates assigned to these programs cannot, under any circumstances, work on any other inmate records or any devices related to the security of the facility (Public Safety and Corrections, 2009).

Many departments across the state have further regulated their inmate work programs. For example at the Brazos County Sheriff's Office, when inmates are assigned to a work detail inside of the secured facility, they are required to be supervised by employees of the facility. When inmates are assigned to a work detail outside of the secured facility, most are required to be supervised by a certified peace officer. These extra measures were put in place to ensure that inmates assigned to the work crew program do not flee or cause harm to the public. A Texas Commission on Jail Standards (n.d.) open records request stated that from January 1, 2005 through January 1, 2010, there had been 42 inmates who escaped while assigned to a work crew program outside of the secure facility. During that same time period, Texas jails saw another 165 inmates escape from inside of the secure facility. Of the 42 inmates that escaped while assigned to a work crew program, all but six were recaptured.

Many departments provide incentives to inmates involved in the work crew programs. These incentives vary from agency to agency but may include good time credit, contact visitation, extra privileges, and monetary gain. Many agencies allow good

time credit as it reduces the amount of time they are required to incarcerate the inmates, thus reducing costs incurred to the county. Agencies normally allow inmates to receive up to a three to one credit for time they serve on their sentences while they are participating in the program. Some departments grant contact visits for inmates assigned to a work crew program. Inmates see this as an incentive as they are allowed to have more interaction with their family. Many departments grant extra privileges such as cable TV, extended or free telephone usage, and extra foods from the kitchen. Some counties even offer monetary gains to those assigned to work details by adding funds to their commissary accounts.

Another concern that is posed by many citizens is how much money is spent on these programs and whether it costs them or saves them on their yearly tax bill. A study of the work program for inmates at the Brazos County Sheriff's Office revealed that inmates worked approximately 111,680 man hours in 2009 (Moore, 2009). Information was gathered from the Brazos County Human Resource Department and the Texas Workforce Commission to determine a rate for the services that were rendered should the county have paid a person to complete the tasks that inmates assigned to the work program performed. Based on the figures gathered, it was determined that the inmate work program saved Brazos County taxpayers \$1,012,476.00, amounting to \$9.06 per man hour of inmate labor. These figures did not reflect the involvement of the inmates assigned to the work program in area nonprofit events (Brazos County Budget Officer, 2009; Texas Industry Profiles, n.d.).

Research conducted by Ortiz (2007) showed that the Comal County Sheriff's Office estimated a savings to the taxpayers of Comal County of approximately \$56,238

annually. The numbers reported were based on six inmates working five days per week, seven hours per day at \$5.15 per hour. According to the annual report issued by the Mecklenburg County Sheriff's Office in North Carolina, inmates assigned to the work crew program have saved the county over 1.7 millions dollars since 1994 (Mecklenburg County Sheriff's Office, 2008). Examples of work performed by the inmates assigned to this work program were park rehabilitation, roadside trash pickup, clean up of local waterways, and overall community enhancement. According to a 2009 inmate work crew report from The Mississippi Department of Corrections (n.d.), inmates assigned to work programs in Hinds, Rankin, and Greene counties provided 92,576.5 man hours of labor, saving the taxpayers of these communities \$671,179.61. These work programs included many community enhancement projects, such as roadside trash pick-up and road work enhancement.

According to a report issued by Governor Joe Manchin of West Virginia, inmates have contributed more than 200,000 man hours of labor in the state. The governor's report compared the man hours gained through the inmate work program as being equivalent to the hours contributed by 100 full-time employees. Governor Manchin is quoted as saying "They're keeping our roadways clean and saving taxpayer money" (Manchin, 2008, para. 6). He stated that the jails and prisons in West Virginia are adding more of these types of work programs as they realize that inmate labor is beneficial to the detainees that are housed and save taxpayers hundreds of thousands per year (Manchin, 2008).

Another area of focus within the work crew program is how it affects the overcrowding of jails in Texas as well as the recidivism rates of inmates who participate

in these programs. Inmate work programs positively affect the overcrowding problem in Texas jails. According to the Code of Criminal Procedures, Chapter 42.032, the sheriff of a county may grant extra or good time credit to inmates who participate in programs such as the inmate work program (as cited in Justia.com, n.d.). This not only reduces the amount of time that an offender will spend in the county jails but lessens the tax burden to citizens of the community. As it relates to recidivism, it is widely believed that work programs within the facility greatly reduce recidivism rates. According to Attorney General Eric Holder (2009), "Inmates that work in prison industries are 24% less likely to commit crimes again compared to inmates who have not participated in such programs which operate at no cost to the tax payers" (para. 11). By participating in work programs, inmates learn responsibility and valuable life skills. It allows them the opportunity to feel a sense of accomplishment, many of which have never really had this positive learning experience, and leaves them with the desire to learn and do more.

In Brazos County, a study was done using 400 program inmates. This study was taken over a two year period and showed the recidivism rate among inmates who participated in the work program was 6.8% (as cited in Moore, 2009). According to the Federal Bureau of Prisons (2008), UNICOR, the federal prison industries vocational training program, found that inmates that work in the federal inmate work programs are 24% less likely to recidivate and 14% more likely to be employed after incarceration. According to Skorackyj (2000), a 1998 study conducted by the Virginia Department of Corrections showed that out of 173 prisoners who participated in the work program, 79% completed the program, and of that 79%, 20% returned on parole violations and only 10% recidivated with new charges.

COUNTER POSITION

Most citizens want inmates to contribute and be responsible for the cost of their incarceration instead of them merely sitting in a jail cell receiving three meals and a warm or cool bed to sleep in. At the same time, these citizens are concerned about the escape of dangerous inmates and the hazard they pose to the community. With inmate work programs, escape is a possibility. Most escapes from inmate work programs usually occur by poor decisions or judgments made by the supervising officer or the offender. Inmates assigned to these work programs are required by state statute to classify as minimum custody. Should one of these inmates escape from their assigned work detail, the risk of them hurting someone in the community should be a rare occurrence. The State of Texas recognizes that inmates of all custody levels might attempt to escape custody and have addressed this in the Texas Penal Code (n.d.), Section 38.06, Escape from Custody. The state has set the punishment for escape as a third degree felony, with a sentence of two to ten years. The punishment is dependent on mitigating factors like how they escaped, what other charges they acquired during the escape, and injuries occurred to others during the escape. While this acts as a deterrent to prevent inmates from escaping, a report obtained from the Texas Commission on Jail Standards in February of 2010 showed that 42 inmates assigned to inmate work programs escaped incarceration (Texas Commission on Jail Standards, n.d.). All but six of these inmates were re-captured without incident. Of the six that still remain at large, there have been no reports of violence associated with their escape.

Another aspect to evaluate is that of the free labor market. While inmate work programs are beneficial to the bottom line of governmental communities, they are

essentially taking jobs that would have been generated to taxpaying citizens and eliminating those positions. According to a Federal Bureau of Prisons (2008) report, the federal prison industry, also known as UNICOR, operates at no cost to taxpayers and is an entirely self-sustaining entity that receives no appropriated funds from Congress. By state statute, jails in Texas cannot use inmate labor for industries that make a profit, but they can be utilized to perform public works for governmental entities and non-profit organizations that show a benefit to the community.

A 2009 budget report from Racine County, Milwaukee showed a reduction in tax revenue of 32% (as cited in McReynolds, 2010). In order for the county to meet their budget allotment, Racine County implemented an inmate work crew programs to perform tasks like cutting grass and picking up trash on state highways (McReynolds, 2010). A statement issued by Teamster Union President Wes Gable stated that they had to reduce their workforce by 40 employees because of the cuts made by Racine County (as cited in Rosoff, 2010). According to data gathered from the records of the Brazos County Sheriff's Office, Brazos County would have to hire 20 full time employees to perform the tasks that the inmate work program currently fills (as cited in Moore, 2009). Because of the current budget environment that counties face, the monies required to fund these positions is not there, and local officials are weary of raising taxes in the current economic environment.

The argument of economics can be viewed from many different angles, but the fact remains that the free labor provided by inmates well exceeds the income of taxes that would be generated by adding employees to the government's ever expanding payroll. While most of the focus has been placed on benefits to the governmental

entities, it should be noted that inmate work programs often work with non-profit organizations, which heavily rely on their assistance to meet their goals. A work crew program implemented by the Multnomah County Sheriff's Office offered inmates an incentive to participate in work programs for non-profits organizations. While the inmates only earned one dollar a day, they received good time credit, thus reducing their time in jail. They also learned life skills, learned a trade, and learned responsibility (Multnomah County Sheriff's Office, 2010).

According to Vigne, Thomson, Visher, Kachnowski, and Travis (2003), Ohio is implementing successful inmate work programs that yield great outcomes. States that are required by statute to implement plans allowing inmates access to rehabilitative programs, creating or improving inmate occupational skills, providing life skills training, and improving educational qualifications could essentially implement inmate work programs that satisfy many of these requirements while providing benefits to the citizens and communities within their state. Ohio provides an example of success with these types of programs. According to the Ohio Department of Rehabilitation and Correction, using inmate labor not only cuts operation costs, but it teaches job skills, and the recidivism rate of those in these programs is less than half of general population inmates' recidivism (as cited in Vigne, Thomson, Visher, Kachnowski, & Travis, 2003).

An analysis of two different studies, one by Langan and Levin (1994) and another by Beck and Shipley (n.d.), showed an increase in recidivism amongst inmates who had been released from prison and rearrested within three years of their release. This can be attributed to many different issues, including lack of employment, substandard

education, and lack of motivation; all of which inmate work programs should have a positive impact on.

According to Freeman (2003) many offenders have difficulty finding and landing good jobs. While many employers have positions that prohibit them from hiring convicted felons, a study conducted by Holzer, Raphael, and Stoll (2001) revealed that just “12.5 percent of employers said that they would definitely accept an application from an applicant with a criminal record, and 25.9 % stated that they probably would” accept the same application (as cited in Freeman, 2003, p. 10). While a person’s criminal convictions plays an important part in their ability to find work, many offenders are not considered because of their academic skills level.

As it relates to inmates confined in a county jail and assigned to inmate work programs, most are first time offenders serving time for social and drug problems, and they are not sentenced to serving time in prison. A study conducted of the records at the Brazos County Jail (as cited in Moore, 2009) revealed that inmates who fit this model had a much lower recidivism rate, 6.8%, as compared to their counterparts in prison, which was 51.8 % within three years of release (Langan & Levin, 1994)

A study was conducted on The Dutchess County Jail in Poughkeepsie, New York. Dutchess County has an annual admission rate of 3,500 persons and an average daily population between 320 and 400 offenders. The recidivism rates measuring re-incarceration in the control group studied from 1998 to 2001 was 54%, while the offenders who participated in a jail transition program had recidivism rates of 21.1% (Christensen & Clawson, 2006).

According to the U. S. Bureau of Justice Statistics, there are approximately 13 million admissions to county jails each year. Sixty-five percent are nonviolent offenders (as cited in Philipps, 2010). A study conducted in Travis County, Texas by Sprow (2009) on continuing education programs and treatment programs looked at minimum, medium, and maximum custody inmates. It concluded that there was a decrease in recidivism rates for all three classification levels when the inmates actively participated in these programs. Their findings showed the recidivism of high risk inmates who participated in the programs was 9% less than those who did not. The recidivism was reduced by 50% for medium risk inmates who participated in these programs and 77% for the low risk inmates who participated (Sprow, 2009). Taking the time to rehabilitate inmates and teach them new skill sets at the jail level should help reduce recidivism or future prison sentences.

CONCLUSION

Research was conducted to determine if there was money to be saved by counties utilizing inmates in work programs. It was also conducted in an effort to determine if inmate work programs help in the rehabilitation of inmates by reducing recidivism rates. This research showed that jails and prisons throughout the country utilize inmate work programs scrupulously. The scope of work and projects performed in these programs vary from state to state. Without these programs, states and counties would be required to hire full time staff to complete the tasks that many of these programs fulfill. Research showed that there is a lower recidivism rate amongst inmates who participate in these work programs while incarcerated (Holder, 2009). Many believe

that the reduction in recidivism amongst these inmates is due to the accountability and responsibility that is gained while participating in these work programs.

This research has also showed that taxpayers and inmates who participate in the work programs both benefit. Taxpayers benefit as they see a reduction in tax liability to their region as these programs provide services to the taxpayers at no extra cost than what they already have to pay in housing. Some of the tasks that these inmates perform would include laundry services, food preparation, janitorial services, lawn maintenance, general building maintenance, road repair, and community enhancements, just to name a few. Inmates who participate in these programs also benefit by learning skills and trades that can help them find employment when they are released from their incarceration. These programs not only teach inmates trade skills, it also assists in the development of character traits like accountability and responsibility. These programs give inmates a sense of accomplishment and fulfillment, which improves their self-esteem. When taking all aspects into consideration, it is apparent that these programs are a benefit to both taxpayers and inmates.

New jails are being built yearly to accommodate the ever increasing populations of jails and prisons. According to Professor Craig Haney (2007) at the University of California, Santa Cruz, "In Texas, over just the brief five-year period between 1992 and 1997, the prisoner population more than doubled as nearly 70,000 additional prisoners were added to the prison rolls" (p. 2). Food, medical, and clothing prices are soaring, which increases the costs to the taxpayers of communities across the country. According Haney (2007), the issue of overcrowding has created more violence among incarcerated persons. This has also increased the stress level for both staff and inmates

and has caused turnover rates within the agencies to increase exponentially. It is a probability that by adding work programs, it would reduce the population of inmates housed by reducing the recidivism rates, cost to the taxpayers, assaults to inmates and staff, and allow jails to save on operating cost. Inmate work programs across the country save taxpayers millions of dollars every year. Inmates who participate in these programs also benefit through the development of character traits, learning trades, developing self esteem, and reducing their chances to recidivate.

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