



TEXAS WORKFORCE COMMISSION

## Community Supervision and Parole Employment Credits Promote Economy and Public Safety

### At a Glance

---

- Texas is facing a massive labor shortage, with 857,000 unfilled jobs.
- Work incentives could help fill this gap by encouraging the 446,000 people on community supervision and parole in Texas to further integrate into the workforce.
- Steady employment promotes public safety by reducing recidivism and interrupting the cycle of crime.
- Texas can promote individual accountability and public safety—while also strengthening our economy—by implementing evidence-based policies that encourage people on community supervision and parole to maintain full-time work.

Incentives are among the most powerful tools policymakers can use to achieve their goals. Texas policymakers can increase safety and promote the economy by incentivizing people on community supervision (probation) and parole to gain and maintain steady employment while serving sentences in the community.

Work incentives also promote public safety by encouraging steady employment. Research consistently shows that steady employment greatly reduces the risk of recidivism, which means that policies that motivate people on community supervision and parole to maintain employment can reduce crime in our communities.<sup>1</sup> Incentivizing employment may also expand the workforce, helping Texas address its greatest labor shortage in decades.

## Building on Texas Policies

Texas already leverages incentive-based time credits in the justice system.<sup>2</sup> Existing policies allow people to earn credit toward their community supervision term by meeting milestones such as attaining an educational degree or program certificate. Current Texas community supervision time credit policies offer credits for full payment of fees and restitution, attaining an educational degree, and completing programming such as vocational training, substance use treatment, or anger management programs.<sup>3</sup>

Data regarding people released from parole supervision in Texas shows that employment and successful completion of parole are highly correlated. People who had jobs had 83 percent higher odds of successfully completing parole than people who were unemployed. Less than 12 percent of employed people were terminated due to a revocation, compared to 19 percent of unemployed people.<sup>4</sup>

### Percent of Parole Terminations due to Revocations, by Employment Status, 2018-2021.



Source: ASJ analysis of data from Texas Board of Pardons and Paroles.

Texas policymakers can build on this work to maximize the benefits for public safety and the economy by implementing policies that

- incentivize steady employment,
- offer ongoing credit opportunities, and
- expand these policies to include people serving parole terms.

Incentivizing steady employment advances economic growth and public safety. A large body of research agrees that steady employment increases the chances of success on probation and decreases the likelihood of recidivism.<sup>5</sup> In addition to benefiting the state's economy, incentivizing steady employment through time credits also advances an individual's interest in financial stability and successfully completing community supervision.

Offering ongoing credits ensures a continuous incentive during sometimes lengthy sentences. Texas is tied with Alaska and Hawaii

for the longest maximum felony probation term at 10 years.<sup>6</sup> Time credits that reward milestones like attaining an educational degree incentivize people while they work toward that goal, but once gained they offer no further incentive for the rest of the community supervision term. Work incentives offer credits for maintaining continuous employment which would allow people serving their community supervision term to build prosocial connections and habits over time.

Lastly, expanding time credit opportunities to include people on parole will maximize the public safety benefits of the policies. Incentivizing people on parole to gain and maintain steady employment will promote public safety and present the individual with an opportunity to demonstrate accountability to society through gainful employment and self-sufficiency.

## Addressing a Labor Force Crisis

As of November 2022, Texas had 857,000 unfilled jobs.<sup>7</sup> Economic dislocations caused by factors including inflation, rising wages, and the COVID-19 pandemic have led to worker shortages concentrated in lower-paying industries. Essential industries such as food service, accommodations, retail, and wholesale have suffered the greatest labor shortages as workers leave to search for jobs in higher-paying industries.<sup>8</sup> These industries have large numbers of unfilled entry-level jobs, and Texas businesses need policies that will grow and retain a stable workforce.

As of December 31, 2021, Texas has 446,000 people under community supervision or on parole.<sup>9</sup> Work incentives can motivate these people to gain steady employment and fill the workforce gap in Texas. Incentives work best when they offer the strongest motivations. Surveys of people on probation and parole consistently rank time reductions as the most valued incentive.<sup>10</sup> Texas policymakers can leverage this insight to motivate people on community supervision and parole to integrate into the workforce through work incentives that allow people to earn time credits to reduce the length of their supervision. By encouraging the hundreds of thousands of people under community supervision and on parole to enter into the workforce, work incentives can support the economic growth of Texas.

## Work Incentives Promote Public Safety

In 2019, revocations from community supervision and parole made up 43 percent of admissions to the Texas Department of Criminal Justice.<sup>11</sup> States that offer ongoing incentives for general compliance or for steady employment have successfully reduced the rate of revocation, promoting public safety. For example, Arizona offers twenty days of credit for every thirty days people on probation are in compliance with the conditions of their probation.<sup>12</sup> Since implementing the policy, Arizona's revocations to prisons have dropped by 57 percent, saving the state more than \$400 million.<sup>13</sup> This earned-credit policy resulted in fewer revocations, fewer new felony convictions, and improved public safety.<sup>14</sup>

Missouri, which implemented a thirty day for thirty day general compliance earned credit policy in 2012 for people on both probation and parole, also significantly reduced its probation and parole populations without jeopardizing public safety.<sup>15</sup> An analysis of the policy by Pew Charitable Trusts found no difference in recidivism rates between those who earned credits and those who did not.<sup>16</sup> So while Missouri public safety did not suffer because of its general compliance policy, Texas has an opportunity to actually improve public safety with a similar policy that specifically incentivizes steady employment. Florida governor Ron DeSantis recently signed similar bipartisan legislation that introduced work incentive earned-credits for people on probation.<sup>17</sup>

A study published in the Federal Probation journal found that 80 percent of those revoked while on parole were unemployed.<sup>18</sup> Strong research also suggests that steady employment reduces the likelihood of someone committing a new crime while on community supervision or parole and increases the likelihood of successful completion of supervision terms.<sup>19</sup>

From 2000 to 2019, average community supervision terms in Texas increased by 26 percent.<sup>20</sup> However, not everyone on community supervision and parole pose the same public safety risk. Offering work incentives would allow people on community supervision and parole to demonstrate individual accountability by going beyond general compliance. Work incentive policies in turn help supervision offices identify those people who invest in themselves and their society through gainful employment. These policies promote public safety by allowing community supervision and parole offices to focus on their remaining caseloads as individuals demonstrating greater accountability exit supervision sooner through the use of time credits.<sup>21</sup>

## Policy Solutions

Public safety is a key government responsibility. By implementing the following recommendations, state lawmakers can help make all Texans safer, while also strengthening the state's economy.

### **INCENTIVIZE SUCCESS.**

The Texas legislature should implement incentives in the state's criminal justice system that encourage people to expand the state's workforce, maintain steady employment, and take actions that advance public safety.

### **MEASURE PROGRESS.**

Texas should collect and publish data to measure successes as well as remaining challenges. Useful data include the number of people who face revocation hearings each year, the outcomes of those hearings, and lengths of stay in confinement (whether jail or prison).

### **REINVEST SAVINGS IN SAFETY STRATEGIES THAT WORK.**

Texans deserve to be safe. Work incentives are one strategy that the state can pursue that will increase the workforce, expand prosperity, and contribute to the safety of our communities. Beyond the direct safety impacts, incentives are demonstrated to produce significant budgetary savings. The Texas legislature should reinvest savings created by work incentives into safety strategies that work, such as grants to community-based organizations to provide key victim services and trauma recovery.

# ALLIANCE FOR SAFETY AND JUSTICE



Alliance for Safety and Justice (ASJ) is a national advocacy organization that aims to replace ineffective criminal justice system policies with what works to keep people safe. We represent diverse crime survivors and people living with old records as key public safety stakeholders—including 14,500 crime survivors in Texas. ASJ brings our members together with state leaders and coalition partners to win reforms that stop cycles of crime, reduce costly incarceration, and make communities safer. We support a range of “shared safety” reforms, including crime prevention, community health, rehabilitation, economic mobility, and trauma recovery. For more information, visit [allianceforsafetyandjustice.org](https://allianceforsafetyandjustice.org).

For more information, visit: [allianceforsafetyandjustice.org](https://allianceforsafetyandjustice.org)

## Endnotes

- 1 Sloas, L., Murphy, A., Wooditch, A., and Taxman, F. S. (2019). Assessing the use and impact of points and rewards across four federal probation districts: A contingency management approach. *Victims & Offenders*, 14(7), 811-831; Norman, E. M., Wilson, L., Starkey, N. J., and Polaschek, D. L. (2021). How probation officers understand and work with people on community supervision sentences to enhance compliance. *Probation Journal*, 02645505211041579; Sykes, B. L., Ballard, M., Kaiser, D., Mata, V. C., Sharry, J. A., and Sola, J. (2022). Barred: Labor Market Dynamics and Human Capital Development among People on Probation and Parole. *The ANNALS of the American Academy of Political and Social Science*, 701(1), 28-45. Johanna Lacoce and Hannah Betesh, “Supporting Reentry Employment and Success: A Summary of the Evidence for Adults and Young Adults” (Mathematica, created for the US Department of Labor, September 2019).
- 2 Community supervision in Texas is equivalent to probation in other states; courts generally sentence people to community supervision as punishment for an offense. Parole, by contrast, is a form of supervision that follows a period of imprisonment.
- 3 Tex. Code of Criminal Procedures § 42.A 702 (2021), <https://statutes.capitol.texas.gov/Docs/CR/htm/CR.42A.htm#42A.702>.
- 4 ASJ analysis of Texas Parole Exits CY2018 - CY2021. This analysis considered discharges from parole to be successful and, because of limitations in employment data for out of state parolees, considered only revocations that occurred in Texas. Similar data for community supervision are not available.
- 5 See: Shawn D. Bushway and Peter Reuter, “Labor Markets and Crime Risk Factors (From Evidence-Based Crime Prevention, P 198-240, 2002, Lawrence W. Sherman, David P. Farrington, et al, Eds., -- See NCJ-198648)” (Office of Justice Programs, 2002), <https://www.ojp.gov/ncjrs/virtual-library/abstracts/labor-markets-and-crime-risk-factors-evidence-based-crime>; Jessie L. Kriener and Mark S. Fleisher, “Economic Rehabilitation: A Reassessment of the Link Between Employment and Crime,” *Corrections Management Quarterly* 5, no. 4 (2001): 53–63; P. Gendreau, C. Goggin, and G. Gray, “Employment,” *Forum on Corrections Research* 10, no. 3 (1998).
- 6 Seven states do not limit probation terms and, in ten states, the maximum probation term for any offense is equivalent to the maximum allowable prison sentence. See “States Can Shorten Probation and Protect Public Safety,” *Public Safety Performance* (Pew Charitable Trusts, April 15, 2021), <https://www.pewtrusts.org/en/research-and-analysis/reports/2020/12/states-can-shorten-probation-and-protect-public-safety>.
- 7 “Worker Shortages by State,” in Ferguson, S. (2022 October 7). “America Works Data Center: Capturing the current state of the U.S. workforce.” US Chamber of Commerce, [https://www.uschamber.com/assets/documents/USCC\\_State\\_Labor\\_Force\\_America-Works-2\\_2022-09-06-203023\\_gtjb.xlsx](https://www.uschamber.com/assets/documents/USCC_State_Labor_Force_America-Works-2_2022-09-06-203023_gtjb.xlsx).
- 8 Ferguson, S. (2022 October 7). “America Works Data Center: Capturing the current state of the U.S. workforce.” US Chamber of Commerce, <https://www.uschamber.com/workforce/america-works-data-center>.
- 9 Danielle Kaeble, “Probation and Parole in the United States, 2021” (Bureau of Justice Statistics, Office of Justice Programs, U.S. Department of Justice, 2020).
- 10 Sarver, C.M., Seawright, J., and Butters, R.P. (2015). *Piloting Utah’s Response and Incentives Matrix: Results from Staff and Stakeholder Surveys*. The University of Utah, Utah Criminal Justice Center, [https://socialwork.utah.edu/\\_resources/documents/RIM\\_Survey\\_Results.pdf](https://socialwork.utah.edu/_resources/documents/RIM_Survey_Results.pdf); Petersilia, J. (2007). “Employ Behavioral Contracting for ‘Earned Discharge’ Parole.” *Criminology and Public Policy*, 6 (4), p. 810; Pew Center on the States Public Safety Performance Project. (2008 December 15). “Policy Framework to Strengthen Community Corrections,” [https://www.pewtrusts.org/-/media/legacy/uploadedfiles/pcs\\_assets/2008/policy20frameworkpdf.pdf](https://www.pewtrusts.org/-/media/legacy/uploadedfiles/pcs_assets/2008/policy20frameworkpdf.pdf).
- 11 This figure was calculated through analysis of data shared with the Alliance for Safety and Justice by the Texas Department of Criminal Justice, Community Justice Assistance Division in 2020, and from “Statistical Report: Fiscal Year 2019” (Texas Department of Criminal Justice, 2020), [https://www.tdcj.texas.gov/publications/statistical\\_reports.html](https://www.tdcj.texas.gov/publications/statistical_reports.html).
- 12 Arizona Rev. Stat. § 13-924 § (2013), <https://www.azleg.gov/viewdocument?docName=https://www.azleg.gov/ars/13/00924.htm>.
- 13 M. Nevarez, “FY 2022 Adult Probation Fact Sheet,” October 13, 2022, <https://www.azcourts.gov/Portals/25/Facts%20Sheet/FY%202022%20APSD%20Fact%20Sheet.pdf>.
- 14 M. Nevarez, “FY 2022 Adult Probation Fact Sheet,” October 13, 2022, <https://www.azcourts.gov/Portals/25/Facts%20Sheet/FY%202022%20APSD%20Fact%20Sheet.pdf>.
- 15 “Missouri Policy Shortens Probation and Parole Terms, Protects Public Safety: Individuals on Community Supervision Can Earn Credits to Reduce Their Sentences” (The Pew Charitable Trusts, 2016), <https://www.pewtrusts.org/en/research-and-analysis/issue-briefs/2016/08/missouri-policy-shortens-probation-and-parole-terms-protects-public-safety>.
- 16 “Missouri Policy Shortens Probation and Parole Terms, Protects Public Safety: Individuals on Community Supervision Can Earn Credits to Reduce Their Sentences” (The Pew Charitable Trusts, 2016), <https://www.pewtrusts.org/en/research-and-analysis/issue-briefs/2016/08/missouri-policy-shortens-probation-and-parole-terms-protects-public-safety>.
- 17 Florida Legislature, Senate Bill 752: Probationary or Supervision Services for Misdemeanor Offenders, (2022), <https://www.flsenate.gov/Session/Bill/2022/752>.
- 18 John Rakis. (2005 June). “Improving the Employment Rates of Ex-Prisoners Under Parole,” *Federal Probation* 69(1), [https://www.uscourts.gov/sites/default/files/69\\_1\\_2\\_0.pdf](https://www.uscourts.gov/sites/default/files/69_1_2_0.pdf).
- 19 Johanna Lacoce and Hannah Betesh, “Supporting Reentry Employment and Success: A Summary of the Evidence for Adults and Young Adults” (Mathematica, created for the US Department of Labor, September 2019), <https://www.dol.gov/sites/dolgov/files/OASP/evaluation/pdf/REOSupportingReentryEmploymentRB090319.pdf>; Sloas, L., Murphy, A., Wooditch, A., and Taxman, F. S. (2019). Assessing the use and impact of points and rewards across four federal probation districts: A contingency management approach. *Victims & Offenders*, 14(7), 811-831; Norman, E. M., Wilson, L., Starkey, N. J., and Polaschek, D. L. (2021). How probation officers understand and work with people on community supervision sentences to enhance compliance. *Probation Journal*, 02645505211041579; Sykes, B. L., Ballard, M., Kaiser, D., Mata, V. C., Sharry, J. A., and Sola, J. (2022). Barred: Labor Market Dynamics and Human Capital Development among People on Probation and Parole. *The ANNALS of the American Academy of Political and Social Science*, 701(1), 28-45.
- 20 “States Can Shorten Probation and Protect Public Safety,” *Public Safety Performance* (Pew Charitable Trusts, April 15, 2021), <https://www.pewtrusts.org/en/research-and-analysis/reports/2020/12/states-can-shorten-probation-and-protect-public-safety>.
- 21 Pew Center on the States Public Safety Performance Project. (2008 December 15). “Policy Framework to Strengthen Community Corrections,” [https://www.pewtrusts.org/-/media/legacy/uploadedfiles/pcs\\_assets/2008/policy20frameworkpdf.pdf](https://www.pewtrusts.org/-/media/legacy/uploadedfiles/pcs_assets/2008/policy20frameworkpdf.pdf)