

April 2008
Vol. 2



There is an American Indian tradition that decisions are made with an eye toward their impact on the next seven generations. I call that Civic Integrity. Do we have it? Are we behaving as a people for the common good, not just for this generation but for generations in the future?

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Upcoming Events:

Coffee Jolt Think Tank
Third Wednesday of every month in a coffee shop near you

Hokey Pokey Party
One Saturday every quarter in a park near you

For more details. . .

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Other Interesting Links
County of Travis Website
www.co.travis.tx.us

Texas Dept. of Public Safety
www.txdps.state.tx.us

The Pew Center on the States
www.pewcenteronthestates.org

US Dept. of Justice, Bureau of Justice Statistics
www.ojp.usdoj.gov/bjs

First Quarter of '08

For this issue I focus on Civic Integrity in the realms of our waste stream in **Talkin' Trash** and our local system of criminal incarceration in **The Least Among Us**. For those of you interested in the continuing conversation of Civic Integrity in transit policy and social services, I will likely take up those topics in the next quarterly report.

Give me your thoughts on Civic Integrity, either by visiting my website www.SarahEckhardt.com, joining us at a Coffee Jolt or a Hokey Pokey Party (check the website events page) or by sending me an email at sarah.eckhardt@co.travis.tx.us.

Talkin' Trash

Zero Waste

Remember the television advertisement in the 70's featuring the American Indian gazing out at a decimated landscape of trash, a single tear rolling down his cheek? That commercial was many people's first introduction to the modern environmental movement. Our post-WWII economy was built on consumption and unsustainable growth. In order to preserve our environment and economy we must make a paradigm shift toward reducing, re-using and recycling. The status quo only ensures that we pass on our dire environmental challenges to our children and their children. The notion of a zero-waste policy is not some wide-eyed idealistic notion disconnected from reality. Our current approach to waste disposal is disconnected from reality.

In 2005 the CAPCOG region (Travis, Williamson, Hays, Lee, Bastrop, Caldwell, Fayette, Burnet, Blanco and Llano counties) had cumulatively 6.8 million tons of municipal solid waste (MSW – the stuff in our trash cans) in its landfills. By 2025 that cumulative total is projected to be 66.8 million tons of MSW. Only 10% of that waste is projected to come from outside the CAPCOG region.ⁱ This is *our* trash.

If these projections are accurate, almost 60 million tons of new MSW will flow to the region's landfills. In 2003, the Texas Commission on Environmental Quality

(TCEQ) estimated our region's remaining capacity to be 45 million tons, leaving a 15 million ton deficit by 2025. We can either build more landfills in the CAPCOG region, pay significantly more to truck our waste out of Central Texas, or we can get busy with an aggressive regional zero-waste policy that reduces waste going into our landfills, re-uses materials where possible and recycles products that cannot be directly re-used.

Not all of our waste can be diverted from the waste stream for re-use or alternative disposal processes, but there is much more that we can do to reduce the amount of waste that is placed unprocessed into our landfills. It will require the combined effort of consumers, landfill operators, the industries that can use diverted waste (plastic, paper, glass, aluminum, construction and demolition, compost) and governmental entities coordinating and facilitating these efforts. It will require a sea change in the way the waste disposal industry operates in our region.

BFI and Waste Management

Two of our region's largest landfill operators are also the two largest waste disposal companies in the nation - Browning Ferris International (BFI) and Waste Management International (WMI). Both landfill operators seek expansions on their current permits to operate two decades-old landfills on SH 290 East six miles from IH 35. Neither of these two landfills is poised for the shift to an aggressive zero-waste policy. Both are "dry entombment" operations (your trash is mummified) with minimal buffers and little to no room for expansion or innovation. Both landfills have less than stellar operating histories with the neighbors and with the TCEQ. BFI and WMI have been the source of frequent complaints of nauseating odors and blowing trash. In 2004 WMI was the recipient of the largest fine ever levied on a landfill operator by the TCEQ. The violations included lack of adequate controls for odor and leachate (aka "trash juice"). Additionally, more than 20,000 drums of potentially hazardous industrial waste are buried within the WMI facility (an inheritance from a previous operator).

BFI has been candid about the physical constraints of their site – with no footprint left, BFI does not have any buffer in which to implement the recycling and waste diversion activities called for in a zero-waste strategy. Although the WMI landfill is similarly constrained, WMI maintains that they have innovated and can do more. WMI has installed a methane recapture system on the closed portion of its landfill and is converting the gas into electricity. WMI also asserts that the Wilder tract into which it proposes expanding could be utilized in part for construction and demolition (C&D) debris recycling. These efforts are laudable and I hope they continue. But they are not dependant on continued operation of these facilities as old-style landfills. In fact, the methane recapture facility can only be operated on closed portions of the landfill.

Further, every effort should be made to properly dispose of the roughly 20,000 drums of unidentified, and potentially hazardous, industrial waste buried at the WMI site. These drums will leak. The content, concentration and migration of the hazardous waste are open questions. The health risks are real. Civic integrity requires that we not leave this toxic mess for our children.

For these reasons, I remain opposed to extending the life of these landfill operations beyond their currently permitted parameters. Some argue that failing to extend the life of these landfills exacerbates our regional capacity deficit. While I

share this concern, I believe the changes in behavior by both consumers and industry that are necessary to ensure our MSW capacity and protect our environment will not happen through the continued operation of dangerous relics like the WMI and BFI sites on SH 290 East. While they have the resources to be major players in the implementation of a regional zero-waste strategy, BFI and WMI will not utilize those resources if they are allowed to continue operating at their current standards on these sites.

Where We Go From Here

Zero-waste seeks to eliminate the need for landfills. The principle of zero-waste focuses on more than just changing the way we process waste. It ultimately permeates our society to the point of informing the manner in which goods are produced. This type of change will, and must, occur over time. There are many steps to be taken before we get there.

If one believes, as I do, that a community must take responsibility for its own garbage, then landfills within our region are necessary. The next order of business is to raise the bar for how we dispose of our trash. The only sure way for a county in Texas to dictate the location and the manner of garbage disposal within its confines is to control the dirt under the landfill. I suggest the following guidelines for any new landfills in any county within the CAPCOG region:

- Generous buffers to shield neighbors
- Aggressive recycling diversion requirements for both the customers and operator of the landfill
- Methane recapture and other innovations in maximizing the operations of the landfill
- Foster Green Collar industry as recipients of re-usable and recyclable materials

If a publicly owned landfill on any geologically appropriate acreage inside any CAPCOG county can meet these higher standards, I will be in favor of it. If not, I will concede to private industry continuing to set the bar for the disposal of our garbage and pray that consumers and industry within our region rise to the higher standards despite the lack of economic or regulatory incentive to do so.

What you can do:

Reduce, re-use, recycle: find ways to reduce your footprint. And, urge local officials in Travis, Williamson, Hays and other surrounding counties and municipalities to jump on board with the City of Austin to make zero-waste a regional reality.

Criminal Justice and the Least Among Us –

It is often said in some permutation or another that a society is judged by how it treats the least among them. The quote may be traced to Matthew 25:40 where God says “Verily I say unto you, Inasmuch as ye have done it unto one of the least of these my brethren, ye have done it unto me.” A more modern antecedent may be Dostoyevsky’s quote that, “The degree of civilization in a society can be judged by entering its prisons.” By this standard, Dostoyevsky’s Russia did not rate well. Similarly, modern Russia and China would be considered by most to be bad exemplars. But consider that we in the United States incarcerate one in every 100 of our citizens, more than Russia or China.ⁱⁱ The incarceration rate in the United

States is the highest in the world. And the Texas incarceration rate is higher than the national average. At the local level, 1 in every 83 Travis County adults is in state prison or the Travis County jail.ⁱⁱⁱ

Consider also that high incarceration rates do not necessarily translate into safer communities. Texas has a higher incarceration rate *and* a higher crime rate than the national average.^{iv} The substantial increases in arrests for drug offenses in the last ten years have had no impact on the rate of violent crimes and serious property crimes (index crimes) in Texas. The index crime rate in Texas has remained relatively stable from 1996 to 2006.^v In the same time period drug abuse arrests statewide have risen from roughly 90,000 in 1996 to just over 140,000 in 2006.^{vi} All levels of injury and theft crimes (the sum of both index crimes and less serious crimes of injury and theft) account for about 29% of the arrests in Texas. The remaining 71% of arrests are for non-violent offenses. Half of those non-violent offenses are drug and alcohol related.^{vii} National statistics indicate that nearly 40% of non-violent offenders held in local jails have been convicted previously of another non-violent offense.^{viii} The annual cost of incarceration per inmate in Texas is \$13,108. The repetitive arrest of non-violent offenders without the programs necessary to end the addictions and circumstances producing the criminal behavior is described by one prominent Texas legislator as the “recycling [of] nonviolent offenders.”^{ix} As a society we must ask whether there is a more effective way to deter crime and encourage productive citizenship.

Let’s take a closer look at who is in the Travis County jail, why, and at what cost.

- 36.5% are in jail for violent offenses (including misdemeanor assault)
- 27.2% are in jail for drug offenses
- 19.9% are in jail for alcohol related offenses (DWI, public intoxication)
- 15-20% have a mental health diagnosis
- 45.4% report not having completed the 12th grade
- 6.84% report being unemployed (with 62.4% of the employment unknown or unreported)
- The daily cost of incarceration per inmate is \$22.75 per day^x
- 34.5% are re-arrested on new charges within two years^{xi}

We can keep these people out of jail by investing in treatment and social programs that will provide the offender the highest probabilities for success upon release by avoiding the behaviors and circumstances that lead to incarceration. In Travis County we are employing some of the most progressive programs for diverting offenders away from incarceration and into treatment. Below is a description of some of the programs offered by the Sheriff’s Office and by Probation and Pre-trial Services. In addition to programs listed below, we are seeing jail diversion efforts in criminal courts and among social service and educational providers. These programs represent a start, but we must monitor their effectiveness and continually evaluate our strategy to reduce the need for incarceration.

Among our jail population 36.5% are in jail for violent offenses. To address the violent behaviors of these offenders while in jail the County has developed the Resolve to Abolish Violence Everywhere or RAVE program as well as the Sheriff’s Assault Prevention Program (SAPP). RAVE provides pre and post-release counseling and post-release support for violent offenders. SAPP provides classes examining the concept of anger and associated destructive behaviors. In addition, a number of batterers intervention programs are available to the accused

that are out on bond awaiting trial.

Among our jail population 47.1% are in jail for drug or alcohol related offenses. To address substance addiction the County provides Alcoholics Anonymous and Narcotics Anonymous inside the jail. The SMART program provides Cognitive Rehabilitation classes. The Beat the Streets Relapse Prevention program seeks to educate and prepare the addicted for the challenges they are likely to face when they return to their communities. The Winner Circle Peer Support Network teaches participants skills for recovery, avoiding future criminal behavior and establishing healthier relationships. Further, Probation and Pre-trial Services has an extensive list of drug and alcohol counseling options available to the accused that are out on bond awaiting trial. In addition, after identifying supportive neighborhoods, the County will provide neighborhood-based day treatment for non-violent drug and alcohol offenders.

Among our jail population as many as 20% have been diagnosed with mental illness. As a society, we must move away from the implicit connection between mental illness and criminality. The correctional system is not the appropriate venue for treating all mentally ill patients who have nowhere else to go. But, for those who have become a threat to public safety, the Travis County Jail competently provides medication, treatment and housing until a more appropriate setting can be identified. Often a more appropriate setting never becomes available. To address the needs of the mentally ill while in jail, the Sheriff's Office provides Jail Resource Groups and Mental Health Treatment Groups conducted by TCSO counselors. These counselors provide the inmates with help adjusting to jail, dealing with stress and anxiety, and identifying resources in the community to contact upon release. Peer Support Groups provide designated inmate peers to support and actively listen to inmates expressing suicidal thoughts.

Among our jail population 45.4% did not complete high school. To address this lack, GED orientation and testing is provided within the jail introducing those interested to the Austin Community College options for continuing education. GED preparation courses are offered. Special Education is provided by Del Valle School District for high school level subjects. Tutoring by community volunteers and by incarcerated peers is also available. And, Austin Community College offers English as a Second Language courses within the jail.

Among our jail population the level of unemployed or underemployment is unknown but assumed to be substantial. Although more than half of our jail population's employment status is unknown or unreported, federal statistics from 2002 indicate that 59% of jail inmates have a personal income of \$1,000 per month or less, that 30% are unemployed and that 14% were homeless in the past year.^{xii} Travis County provides a telephone job matching services and on-site job fairs to inmates while in jail. TCSO provides Getting Connected, a class in which inmates receive information about jobs, housing, and financial assistance available from the Travis County Health and Human Services Department. Job Readiness classes are also available to provide information on looking for, finding and maintaining employment. A Money Management class is available to teach the basic concepts of budgeting, banking and borrowing.

In addition to the above programs, TCSO offers cognitive therapy, spiritual groups, meditation, and art programs. There are also programs specifically addressing

pregnancy, sexually transmitted diseases, HIV/AIDs and other infectious diseases, and parenting. Programs also exist to target the distinct needs of and identify resources for veterans.

Jailing 1 in every 83 of our neighbors is a failure of our community. We must find better ways to improve the safety and security for all of our citizens. First we must get a clear idea of who is re-offending and how. Next, we have to weigh the costs and benefits of various programs in reducing repeat offenses. Travis County is establishing definitions for recidivism and beginning to track recidivism rates for the jail population generally and for the participants of the various programs offered. We already know with statistical certainty that drug and alcohol treatment decreases the likelihood of a return trip to jail; now, we must overcome neighborhood resistance to community based drug and alcohol treatment centers. We already know with statistical certainty that appropriate health care for the mentally ill reduces the likelihood of a trip to jail; now we must make the funding commitment to provide the mental health care that is so desperately needed in this community. Common sense and statistics from other jurisdictions tell us that educated and employed individuals are less likely to be incarcerated. Consequently, the school districts and community colleges as well as the major employers and chambers of commerce must do better at achieving a fully educated and employed citizenry. We must not look away. Paraphrasing the popular gospel song, “When one of us is chained none of us are free.”

What you can do:

- Support neighborhood-based drug and alcohol treatment
- Demand medical attention for the chemically dependant and the mentally ill
- Insist on educating all
- Hire a felon

On the Watch List for the next quarter:

- Talkin’ Transit
- Social Services and the Least Among Us

ⁱ CAPCOG – *Waste Minimization and Landfill Alternatives*, June 2005

ⁱⁱ Pew Center on the States. *1 in 100: Behind Bars in America 2008*

ⁱⁱⁱ Derived from Travis County jail and State prison population statistics compared against Texas State Demographer statistics for residents of Travis County 18 years of age and older.

^{iv} National Institute of Corrections 2005, www.nicic.org/Features/StateStats/?State=tx

^v Texas Department of Public Safety. *2006 Texas Crime Analysis*, p. 14.

^{vi} *Id* at 40.

^{vii} *Id* at 83.

^{viii} U.S. Department of Justice, Bureau of Justice Statistics, *Profile of Jail Inmates 2002*, p. 7, Table 9.

^{ix} Liptak, Adam quoting State Senator John Whitmire in “*1 in 100 US Adults Behind Bars*,” New York Times. February 28, 2008.

^x Travis County Jail statistics as of March 15, 2008

^{xi} Travis County Jail statistics from inmates released between April 1, 2006 and June 30, 2006.

^{xii} U.S. Department of Justice, Bureau of Justice Statistics, *Profile of Jail Inmates 2002*, p. 9.