Texas Juvenile Probation Commission
Texas Youth Commission

COORDINATED STRATEGIC PLAN

Fiscal Years 2008-2009

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November 2007

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Texas Juvenile Probation Commission and Texas Youth Commission

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MISSION STATEMENT

The Texas Juvenile Probation Commission (TJPC) and the Texas Youth Commission (TYC) are committed to achieving a state and local partnership that ensures a comprehensive and coordinated juvenile justice system, which provides public protection and rehabilitation of youth – balancing treatment and accountability, and delinquency prevention.

INTRODUCTION

Background

TJPC and TYC are charged with developing a coordinated strategic plan for juvenile justice in Texas (see Tex. Hum. Res. Code Ann., §61.0911 and §141.0471). The two state agencies play a major role in the organization and implementation of juvenile justice services within the state and are integral to a system that partners numerous local government, state government and private entities.

This is the seventh biennial Coordinated Strategic Plan produced jointly by TJPC and TYC since 1995. The plan focuses on comprehensive strategies relative to coordinating data; developing alternative resource initiatives; coordinating training; enhancing the involvement of families and communities in the juvenile justice system; informing juvenile court judges, prosecutors and juvenile law enforcement; and exploring opportunities to increase services to youth with behavioral disorders involved in the juvenile justice system.

Overview of the Juvenile Justice System

Youth served in the juvenile justice system have been adjudicated for an offense(s) committed between their tenth and seventeenth birthday.

The juvenile justice system has several components. Juvenile justice stake-holders at the local level include law enforcement, prosecutors, juvenile courts, juvenile boards, county juvenile probation departments, school districts, governmental or private service providers, victims and families of juvenile offenders and the general public. Local probation services are administered through local juvenile boards, which are funded with county and state dollars.

TJPC works in partnership with local juvenile boards and juvenile probation departments to support and enhance juvenile probation services throughout the state by: 1) providing funding, technical assistance, and training; 2) establishing and enforcing standards; 3) collecting, analyzing and disseminating information; and 4) facilitating communications between state and local entities. TJPC also provides juvenile probation departments with alternatives to TYC commitment through targeted residential placement and special program funding.

TYC is directly responsible for administering the state's juvenile correctional facilities, parole programs, and related community-based services for youth who are committed to the custody and care of the state. In addition to providing services and a safe environment for youth committed to its custody, the agency operates divisions for training, monitoring, research, treatment, education, nursing, counseling, and job certification.

The following other state agencies provide services to the delinquent and pre-delinquent youth of the state.

- The **Texas Department of Family and Protective Services** (DFPS) manages community-based programs that prevent delinquency, abuse, neglect and exploitation of Texas children, and investigates reports of abuse and neglect of children.

- The **Texas Department of State Health Services** (DSHS) provides an array of health services to children and their families through services that focus on preventing disease, protecting health, and promoting safe and healthy living. The scope and function of DSHS services include policy areas such as mental health, public health, as well as alcohol and drug abuse services.

- The **Texas Education Agency** (TEA) coordinates public education policy and is an educational services resource for school districts with children who are either involved in the juvenile justice system or who are considered at-risk for becoming involved.

- The **Texas Department of Public Safety** (DPS) is charged with operating a statewide, computerized juvenile justice information system and a statewide registry of juvenile sex offenders. DPS also supports a Texas Violent Gang Task Force to proactively track gang activity and the growth and spread of gangs statewide. Representatives from various state agencies, including TJPC and TYC, and local law enforcement make up the task force.

- The **Attorney General's Juvenile Crime Intervention Division** (JCI) is charged with maintaining the Gang Resource System, a secure web site that provides general gang information to criminal and justice agency personnel. JCI also provides training on a wide variety of juvenile issues including: gang awareness and trends; gang recruitment and activity on the internet; hate and white supremacy groups; as well as legal programs such as search and seizure, crimes in school and juvenile confessions.

- The **Texas Department of Criminal Justice** (TDCJ) also plays a role in the juvenile justice system because of the determinate sentenced juveniles transferred to TDCJ's Institutional Division from TYC facilities or placed on adult parole.

Juvenile Justice Legislation, 80th Texas Legislature, Regular Session

2008-2009 Appropriations

Appropriation Impact on the Texas Juvenile Probation Commission

The amount biennially appropriated by the Legislature for the Basic Probation Goal was $95,123,084. The Community Corrections Services Strategy was increased by $57,893,170. A portion of this amount, $22,536,670, will be utilized by local juvenile probation departments for enhanced community-based services and programs. The remaining amount of $35,356,500 is designated for local juvenile probation departments to place youth in secure or non-secure residential facilities as a diversion from commitment to TYC. There were no changes to the remaining strategies within the Community Corrections Goal over the biennium which was initially designated for the 10% budget reduction required by each state agency. This included funding for Harris County Boot Camp ($2,000,000); Level 5 Post-Adjudication Facilities ($8,788,872); Local Post-Adjudication Facilities ($8,294,076); and the Special Needs Diversionary Programs ($3,948,068).

The Legislature approved an increase of five additional staff members (FTEs) for TJPC and the funding for these FTEs was added to the Probation Assistance Goal. These positions include one mental health professional to assist juvenile probation departments in developing services for mentally ill offenders; one staff attorney to coordinate and respond to public information requests and assist with disciplinary/administrative hearings; one abuse, neglect and exploitation investigator; and two administrative assistants to assist with public information requests and abuse, neglect and exploitation investigations. TJPC also received additional funds of $25,000 for one vehicle and $71,096 for replacement of computer equipment. The Legislature authorized TJPC in the Probation Assistance Goal to recoup $56,066,840 in federal Title IV-E funds to reimburse counties for qualifying foster care services. It should be noted that federal funds decreased from the previous biennium due to changes in federal regulations.JJAEP funding was increased by $5,853,556 over the current biennial amount of $17,139,096. This increase reflects the projected increase in mandatory student attendance days and the increased daily reimbursement rate from $59 to $79 per mandatory attendance day. The rate increase is intended to address the cost of providing educational services for these mandatory students. There were no funding increases to the Indirect Administration Goal; the amount remained at $2,153,602.

Appropriation Impact on the Texas Youth Commission

The Texas Youth Commission received biennial appropriations for 2008-2009 of approximately $489 million and authority for a maximum of 4,263 full-time employees (FTEs) each year, compared to 4,860 FTEs in fiscal year 2006.

Youth populations, both general and specialized treatment, continue to be the most significant drivers of the agency's budget. The passage of Senate Bill 103 is expected to reduce the agency's populations by eliminating misdemeanor commitments to TYC. In addition, all current misdemeanor and felony commitments must be discharged or transferred to the adult system on or before the youth's 19th birthday.

The 2008 operating budget represents a 27% decrease in residential populations. The "average daily population" during fiscal year 2007 was 4,305, a reduction of about 600 youth for the year. This year's reduction was largely a result of the early transfer of two TYC units, the Marlin Orientation and Assessment Unit and the John Shero Juvenile Correctional Facility, to TDCJ. Rider 24 of the agency's bill pattern transferred the Marlin Orientation and Assessment Unit and the John Shero Juvenile Correctional Facility to TDCJ no later than March 1, 2008, for a total of 792 beds. An additional 704 beds to be closed will be identified through the agency's vulnerability assessment, accreditation process, and staffing assessments. In addition, 456 beds were reduced due to the remodeling of the open bay 96 bed dorms to single cell dorms. The Contracted Capacity Strategy is budgeted for an average population of 641, an increase from the actual average daily population of 438 in fiscal year 2007. Funding was increased for contract beds due to the reduction in institutional capacity.

New funding was approved for several exceptional appropriation requests to comply with SB 103: $28.9 million for 516 Juvenile Correction Officers to achieve a 1:12 staff to youth ratio, $1.4 million for 13 FTEs to meet the 300 hour training requirement, $1.6 million for 16 FTEs to establish the Office of Inspector General, and $.25 million for 3 FTEs for the additional Internal Audit requirements.

The Youth Commission received $20 million in the HB 15 Supplemental Appropriations Act. The supplemental appropriations funded $18 million for video surveillance equipment and $2 million for other agency rehabilitation initiatives. HB 15 also appropriated $977,500 for making payments for data center services and hardware upgrades.

The agency received additional appropriations in Article IX of the General Appropriations Act. TYC was appropriated $57.7 million in general obligation bonds for the repair and rehabilitation on existing facilities and remodel of open bay dorms and for the new construction at existing facilities and to construct one new facility in a major metropolitan area. Appropriations were also received in Article IX to implement provisions of SB 103: $.2 million for the reimbursement of counties for the prosecution of criminal offenses committed at TYC facilities and $2 million for 19 FTEs to establish minimum length of stay review panels. TYC received a contingency appropriation of $2 million for Juvenile Sex Offender Treatment.

Legislation Impacting the Juvenile Justice System

HB 2884 by Representative Harold Dutton, the omnibus juvenile justice bill, contains substantive improvements to the Juvenile Justice Code in addition to refinements to existing juvenile law and procedure. The amendments in HB 2884 reflect the changing needs of a juvenile justice system that has increased in size, sophistication and complexity since the major reforms of the 74th Legislature in 1995. The bill refines the Inter-County Transfer provisions in the Family Code, provides detailed procedure for the processing of restitution payments for local probation departments, gives TJPC subpoena power, requires juvenile judges to post on their website the number of TYC commitments and other child/offense data, strengthens current law to protect youth in residential settings, enhances public safety relative to juvenile offenders, and holds all juvenile justice agencies more accountable for providing quality services. The bill provides for juvenile justice reform in the following areas:

Strengthening Current Law to Protect Youth in the Juvenile Justice System Placed in Residential Treatment and Correctional Facilities.

- Clarifies a residential placement of a child as a condition of juvenile probation must be into a facility licensed by a state governmental entity or exempted by law from licensure.
- Adds the employees of the Texas Youth Commission and local juvenile probation departments (e.g., juvenile probation, detention, correctional and parole officers) to the list of those professionals who are prohibited from having sexual activity with persons under the jurisdiction of but not in the custody of their employing entity.
- Includes secure juvenile pre-adjudication detention and post-adjudication correctional facilities in the following Penal Code offenses committed by staff in these facilities. [Sections 39, 40, and 42]
    - *Permitting or Facilitating Escape (Penal Code Section 38.07)*
    - *Implements for Escape (Penal Code Section 38.09)*
    - *Contraband in Correctional Facility (Penal Code Section 38.114)*

Enhancing Public Safety Related to Juvenile Offenders

- Expands the Determinate Sentencing Act provisions to include the offense of criminal conspiracy to commit any of the enumerated determinate sentence offenses. (Texas Family Code Section 53.045) [Section 10]

- Expands the Penal Code offense of Escape (Penal Code 38.06) to include escape by a juvenile from a secure juvenile pre-adjudication detention facility and escape from the lawful custody of a juvenile probation officer. [Section 38]
- Includes all secure juvenile pre-adjudication detention and post-adjudication correctional facilities in the following Penal Code offense that may be committed by juvenile offenders [Section 41]:
    - *Improper Contact with Victim (Penal Code 38.111)*
- Requires mental health facilities to seek juvenile court permission before releasing a juvenile who has committed a "3g" offense on furlough for more than 48 hours. [Section 15]

Strengthening the Ability of the Texas Juvenile Probation Commission to Investigate Allegations of Abuse, Neglect and Exploitation in Juvenile Justice Facilities and Programs

- Allows the Texas Juvenile Probation Commission to employ and commission investigators as peace officers for the purpose of investigating allegations of abuse, neglect, and exploitation in juvenile justice programs and facilities. [Section 1]
- Clarifies the definitions of abuse, neglect and exploitation to reinforce that the Texas Juvenile Probation Commission has investigative authority in all juvenile justice programs and facilities. [Sections 29, 30]
- Provides TJPC with a necessary investigative tool of subpoena power. It allows the commission board to issue a subpoena for the investigation of abuse, neglect, or exploitation, during fiscal and programmatic audits, and to discharge the agency's statutory duties and mandates. [Section 33]

Expanding Information Sharing Procedures between Juvenile Justice Agencies and Other Authorized Entities to Facilitate More Effective Assessment, Treatment and Rehabilitation of Juvenile Offenders

- Authorizes the Texas Juvenile Probation Commission, via an interagency agreement, to share information for research, audit and analytical purposes with TEA, TYC and TDCJ. [Sections 16, 18]
- Clarifies that law enforcement records may be sent to regional and statewide repositories such as the JIS System in the Dallas region and the new statewide JCMS Project. [Section 17]
- Expands the local justice information systems (JIS) to include prosecutors and court clerks. Recognizes the use of electronic filing of court documents with electronic signatures. [Sections 20, 21, 22, and 23]
- Provides statutory authorization for a statewide juvenile information and case management system. The JCMS project, a collaborative effort between the Conference of Urban Counties, Bexar County, Dallas County, Tarrant County and the Texas Juvenile Probation Commission, is a unique state/local partnership to create a state of the art technology system for use by Texas juvenile probation departments. By sharing design and development costs, the participating entities are leveraging state and local resources to create an innovative and effective technology solution which will facilitate information sharing by juvenile justice entities statewide. [Section 27]

Requiring the Urban Counties to Post Numbers of TYC Commitments on County Websites [Section 26]

- Applies to counties with a population of 600,000 or more:
  - *Per 2000 Census, these 6 counties are Harris, Bexar, Travis, Dallas, Tarrant, and El Paso.*
- Juvenile court judge must post on the county's internet website the total number of TYC commitments including a description of the offense, the age range, race and gender of the child.
- Posting required quarterly.
- No posted information may identify the child.

Expanding the Infant Care and Parenting Programs at the Texas Youth Commission [Section 32]

- Expands the Texas Youth Commission's parenting program to include a parenting aftercare independent living component. The independent living component would apply to mothers who are at least age 18. The mother must obtain qualified day-care, enroll in all applicable federal and state assistance programs (Medicaid and WIC), apply for child support through the Office of the Attorney General, obtain employment within 30 days, pass drug tests, have no roommates, have an assigned mentor, and develop an Individual Case Plan (ICP) that addresses contingencies (abandonment of the child or parole or independent living program violations).

Making Refinements and Improvements to the Inter-County Transfer of Probation Supervision Procedures

- In 2005, HB 1575 (by Dutton) enacted a new and comprehensive procedure known as Inter-County Transfer of Probation Supervision to ensure probationers moving between counties were provided effective and continuing probation supervision.
- HB 2884 makes several refinements to these procedures which were suggested by a collaborative working group of juvenile probation departments. [Sections 5, 6, and 7]
  - *Requires Sending County and Receiving County to agree on start date of interim supervision which must begin within 3 days of when documents are received and accepted.*
  - *Requires Sending County to provide Receiving County with additional information about the child in a timely manner.*
  - *Counties in the same judicial district served by same juvenile probation department do not have to transfer cases between counties.*
  - *Clarifies the collection and distribution of victim restitution payments between Sending County and Receiving County.*
  - *Clarifies the transfer provisions for youth on determinate sentence probation.*

Providing a Detailed Procedure for Juvenile Probation Departments to Handle Victim Restitution Payments [Section 12]

- After notification of receipt of restitution payments by the juvenile probation department, the victims have 5 years to claim the restitution payments.
- Authorizes juvenile probation departments to expend unclaimed funds in the juvenile restitution fund for same purposes for which the county may spend state aid funds.
- Probation department retains any interest earned on restitution account.

Providing a Number of Technical Amendments, Corrections and Clarifications and Substantive Changes to Current Law in a Variety of Areas

- Prohibits justice and municipal courts from ordering a child to attend the juvenile justice alternative education program (JJAEP). [Section 2]
- Expands juvenile court jurisdiction in a motion to transfer determinate sentence probation to adult court for a juvenile age 18 or older who has fled the jurisdiction before a transfer hearing can be held if the motion for transfer has been timely filed prior to the juvenile becoming 18. Additionally, the prosecutor must demonstrate due diligence to complete the transfer proceeding prior to the probationer's 18th birthday for probation to be transferred. [Section 4]
- Authorizes the use of digital recording mediums for magistrate's warnings. [Section 8]
- Makes certain Code of Criminal Procedure rules applicable to juvenile proceedings as it relates to using a pseudonym by a victim, using unadjudicated conduct at disposition hearings, and the voluntary absence of a juvenile from a proceeding. [Section 9]
- Waives trial and appellate court fees for the State except in determinate sentence appeals. [Section 9]
- Explicitly authorizes detention of a juvenile post-disposition pending transport to a court-ordered placement, a Texas Youth Commission facility, or while accessing medical care purposes. [Section 11]
- Authorizes fingerprint cards to be attached to juvenile court adjudication orders for digital fingerprint imaging systems. [Section 11]
- Requires juvenile to elect jury in disposition hearing in writing prior to voir dire of jury panel. [Section 11]
- Authorizes the fingerprint records of non-custodial juvenile referrals to be forwarded to Department of Public Safety within 30 days instead of the 7 day requirement for custodial referrals. [Section 19]
- Recognizing the serious dangers of juvenile inhalant abuse, the bill elevates inhalant abuse to Level Two of Progressive Sanctions Guidelines to encourage higher level of intervention, programs and services. [Section 28]
- Clarifies that school districts must file a complaint for failure to attend school within 7 days of the child's 10th absence. [Note that HB 1161 extends the 7 days to 10 days] [Section 31]
- Amends the Jim Hogg County, Starr County and Duval County juvenile board statutes to clarify membership and duties. [Sections 34, 35, 36, 37]
- Repeals Human Resources Code Sections 61.049, 141.0432, 141.0433, and 141.0434 to delete unused sections in TYC and TJPC enabling legislation. [Section 44]

SB 103 by Senator Juan Hinojosa requires TYC to:

- Give credit for time spent in detention facilities to children with determinate sentences
- Create an Independent Office of the Ombudsman and allows TYC to share confidential information with that office
- Create a Special Prosecution Unit and Office of the Inspector General
- Provide equal access to facilities, services and treatment for youth confined to the care and custody of TYC

- Develop a plan for agency accreditation by the American Correctional Association
- Enhance treatment programs for youth
- Expand the role of Internal Audit to conduct audits of secure residential facilities
- Create an agency mission statement
- Hold public hearings on any issue under jurisdiction of the commission
- Conduct an initial assessment and regular reassessment of each child committed
- Assign a caseworker to a child committed to the commission
- Evaluate youth who are 18 years of age to determine whether the youth is in need of additional services prior to the youth reaching his/her 19th birthday
- Provide at least 300 hours of training, including on-the-job training, before juvenile correctional officers begin independent oversight of youth.
- Maintain a ratio of not less than one juvenile correctional officer performing direct supervisory duties for every 12 youth committed to the facility
- Rotate the assignment of each JCO at an interval determined by TYC
- Allow certain advocacy and support groups on campus to provide on-site information, support, and other services to the youth
- Consider the proximity of the residence of the child's family in determining the appropriate institution in which to place the child
- Establish a minimum length of stay (MLOS) for each child committed to the commission without a determinate sentence
- Establish a permanent toll-free phone number for the sole purpose of receiving information concerning the abuse, neglect, or exploitation of youth in the custody of the commission
- Establish a panel whose function is to review and determine whether the child who has completed his MLOS should be discharged, released under supervision, or remain in TYC custody.
- Adopt a zero-tolerance policy concerning the detection, prevention, and punishment of the sexual abuse, including consensual sexual contact of children in the custody of the commission
- Integrate the provision of medical care and behavioral health care in an integrated comprehensive delivery system
- Develop a parent's bill of rights for distribution to the parent or guardian of a youth who is committed to TYC
- Develop an extensive reentry and reintegration plan for each child
- Operate as an at-will employer. Either the employee or the agency can terminate the employment relationship at any time, for any or no reason (other than an illegal reason) without contractual liability

HB 273 by Representative Vicki Truitt allows the school districts to contract with the juvenile board to provide transportation to JJAEP students;

HB 425 by Representative Jerry Madden requires TEA to determine the instructional requirements for education services provided by a school district in a pre-adjudication secure detention facility or a post-adjudication secure correctional facility and must address: length of

school day; number of instruction days per year; and curriculum content. TEA must coordinate with TJPC and TYC ensure that students are able to maintain progress toward completing high school graduation requirements.

HB 914 by Representative Jerry Madden establishes the Office of Inspector General (OIG) within TYC. Authorizes the OIG to employ and commission certified peace officers to serve as inspectors general to investigate fraud committed by TYC employees, including contracted parole officers, and crimes committed in TYC-operated facilities and contracted residential facilities.

HB 921 by Representative Dianne Delisi requires the Department of Information Resources (DIR) and the Texas Health Policy Council to establish standards for secure electronic sharing of information among state agencies; provides initial focus of the interagency information sharing system on the continuity of care for youth being admitted to or discharged from TYC facilities.

HB 1111 by Representative Sylvester Turner amends Sec. 61.0763, Human Resources Code, to require TYC to maintain records regarding research programs or studies to include the number of youth participating, the type of research or study in which each youth is participating, the name of the principal investigator conducting the research or study, and the entity sponsoring the research or study. TYC submits a quarterly report of this information to the Governor, the Lieutenant Governor, the Speaker of the House of Representatives, and members of the Texas Legislature.

HB 1960 by Representative Solomon Ortiz, Jr. includes the youth and youth's parents or guardian to the list of persons who can inspect or copy a youth's files. In cases involving multiple youth, the youth or youth's parent or guardian is authorized to have access to the record or file only after the names of other youth have been redacted.

HB 2291 by Representative Joe Farias and sponsored in the Senate by Senator Carlos Uresti established an offender-victim mediation program for juvenile offenders and a program to collect victim restitution from juvenile offenders.

HB 2532 by Representative Diane Patrick authorizes the placement of a student into a DAEP or a JJAEP for the commission of any Title 5 felony offense, covers off-campus conduct of students, requires all registered sex offenders to be placed in either the DAEP or the JJAEP for at least one semester, where a student could remain until graduation.

HB 3092 by Representative Harvey Hilderbran removed the school district accountability for serving students in pre- and post-adjudication facilities effective 2007-08 school year.

HB 3309 by Representative Valinda Bolton allows victim advocacy and support groups to provide services in TYC facilities and requires TYC to adopt procedures and standards to ensure confidentiality between youth committed to TYC and advocates.

SB 230 by Senator Chris Harris requires a juvenile probation or parole officer to notify the superintendent or his/her designee when a student transfers to a school other than the one he/she was enrolled in at the time of arrest, referral to juvenile court, conviction, or adjudication. The superintendent of a public school or principal must promptly notify teachers and staff that have regular contact with the student.

GOALS AND STRATEGIES

Methodology

Planning staff from TYC and TJPC collaborated on employment of a strategic planning workgroup format and with key staff of both agencies participating as subject matter experts as a result of their knowledge of and sensitivity to the external environment and internal environment of the juvenile justice system. Strategic planning elements addressed include political, economic, social, technical, and education factors which constitute the most robust internal strengths and weaknesses, and external opportunities and challenges of the state juvenile justice system. Key policy issues were identified by the workgroup and systemic level strategies were developed to manage these issues for the next two years.

Goals and Strategies

The Fiscal Years 2008-2009 Coordinated Strategic Plan promotes goals whereby TJPC and TYC work together in balancing efforts to protect the public, rehabilitate youth to become productive and responsible citizens, and reduce delinquency. Strategies have been updated to reflect emerging juvenile justice system challenges.

The Fiscal Years 2008-2009 Coordinated Strategic Plan goals and strategies follow.

Texas Juvenile Probation Commission
and Texas Youth Commission
Coordinated Strategic Plan Goals and Strategies
Fiscal Years 2008 - 2009

Mission

TJPC and TYC are committed to achieving a state and local partnership that ensures a comprehensive and coordinated juvenile justice system, which provides public protection, rehabilitation and delinquency prevention.

Goals

1. Protect the public from the delinquent and criminal acts of juveniles who are under the jurisdiction of the local juvenile courts or TYC.
2. Rehabilitate youth to become productive and responsible citizens.
3. Reduce delinquency through the provision of support, services, training and technical assistance.

Goal #1: Protect the public from the delinquent and criminal acts of juveniles who are under the jurisdiction of the local juvenile courts or TYC.

Strategies

1. Both TYC and local juvenile probation departments will properly assess and reassess youth to ensure that their needs for treatment, education, and workforce services are met.

2. TYC and TJPC will research alternative resource initiatives, especially in the areas of gender-specific programming including mentoring for girls, and community-based mentoring programs.

3. TYC and TJPC will encourage participation of parents, child advocates and communities in the development of treatment strategies, reintegration strategies, and service delivery for youth.

Goal #2: Rehabilitate youth to become productive and responsible citizens.

Strategies

1. TYC and TJPC will explore opportunities for partnership with the Health and Human Services Commission to increase availability of services for youth with behavior disorders involved in the juvenile justice system.

2. TJPC and TYC will collaborate to leverage the capacity of private foundations, such as the John D. and Catherine T. MacArthur Foundation's Mental Health/Juvenile Justice Action Network grant award to improve the quantity and quality of services to special needs juvenile offenders and improve their functioning in the community.

3. TJPC and TYC will collaborate with external stakeholders to ensure each child's identified risks and needs are addressed through appropriate interventions, such as education, treatment, and appropriate staff training.

Goal #3: Reduce delinquency through the provision of support, services, training and technical assistance.

Strategies

1. TJPC and TYC will collaborate to sponsor at least one statewide conference designed to enhance the skill level of staff employed by local probation, facilities, parole, and state institutions.

2. TYC and TJPC will continue to inform through a variety of ways, juvenile judges, prosecutors and defense attorneys about available programs and treatment services provided for youth in Texas.

ADDITIONAL INFORMATION

Supervision and Community Aftercare Services and Programs

The majority of juveniles in contact with the juvenile justice system receive some form of community supervision from local juvenile probation departments and/or TYC's parole department. Supervision ranges from pre-disposition supervision, to deferred prosecution, probation and parole. Intensive supervision programs are also available for juveniles whose risks and/or needs require more intensive contact and services.

TYC has embarked on the development of a new treatment program for youth who are committed to its care, custody and control. One of the cornerstones of the new program is an evidence-based Cognitive Life Skills curriculum. In the fall of 2007, the Texas Youth Commission and the Texas Juvenile Probation Commission partnered on delivering staff training on the new curriculum. A second coordinated training session is scheduled for spring 2008.

TYC's Parole Department has undergone a complete redesign process, assessing all aspects of transition and supervision programs. SB 103 requires enhancement of transition planning for youth

released from residential settings into the community. To this end, the Parole Department has increased communication between case managers, families, and parole officers. Both Texas Youth Commission and the Texas Juvenile Probation Commission are active members in Community Resource Coordinated Groups (CRCGs) interagency staffing mechanisms for youth who have exhausted the resources of any single agency. Each of the 254 counties in Texas has access to a local CRCG.

TYC's Parole Redesign Project consists of eight Initiatives: improving parole risk assessment; serving youth in placement/transition; intake process redesign; surveillance and supervision processes; community reintegration, treatment and case management approaches; sanctions and due process policy; discharge policy and procedures; and divisional accountability. Juvenile probation officers currently participate with TYC staff on several of the workgroups, with one being a chairperson and another is a co-chair. The timeline for completion and approval of the project is January 2008.

In order to effectively provide parole supervision to all youth, TYC contracts with judicial districts, counties and probation departments in 59 counties. Contracted parole services have expanded coordinated efforts for community-based supervision, especially in rural areas.

Intensive Supervision Programs

Intensive supervision and surveillance programs provide services to juvenile justice youth who require a higher level of control. Intensive supervision probation (ISP) programs provide services as an intermediate sanctions alternative for high-risk juveniles. ISP programs typically provide strict and frequent reporting to a probation or parole officer who carries a limited caseload and most include additional conditions for rehabilitation or deterrence, such as community service restitution and curfews. The average daily cost to provide probation ISP supervision and services in 2006 was $13.93 per juvenile. The average daily population for fiscal year 2006 was 3,221 juveniles.

Intensive supervision probation (ISP) programs provide services as an intermediate sanctions alternative for juveniles who require a higher level of supervision than youth receiving standard probation services. Juvenile probation departments provided supervision to an average of 40,563 juveniles per day in fiscal year 2006. The majority of those supervised were under probation supervision (22,834 per day) followed by deferred prosecution (9,924 per day) and pre-dispositional supervision (6,432 per day). The supervision and services provided vary according to the needs and disposition of the juvenile. In addition to ISP programs, juvenile probation departments provide electronic monitoring services and intensive family preservation programs to high risk youth. In fiscal year 2006, 3,893 youth received electronic monitoring services while 1,768 received intensive family preservation services.

SB 103 requires that the proximity of a youth's residential assignment to their homes must be a primary factor in TYC's residential placement decisions. This requirement assists the agency in providing more intensive and stable supervision as youth transition from secure confinement to their home communities. Officers are able to have more face-to-face meetings, participate in case reviews for youth they will supervise, and to develop longer-term supervisory relationships with the youth and their families.
For mental health and reentry transition referrals for TYC youth, the Texas Correctional Office on Offenders with Medical and Mental Impairments (TCOOMMI) provides the umbrella of services.

Traditionally, the TYC-TCOOMMI program has referred approximately 250 TYC youth annually. In FY 2006, the number of referrals expanded to over 450. Most recently, this continuity of care program referred 1400 TYC youth to TCOOMMI in FY 2007. TCOOMMI has evolved into a screening and referral source for specialized aftercare, for Community Resource Coordination Groups, and a future screening and referral source for the Child Family Team Wraparound Process.

Performance of Juvenile Justice Services

The performance of juvenile justice services are presented in categories of 1) productivity measures and 2) recidivism measures.

Productivity

In juvenile probation, community programs are provided to the majority of youth on deferred prosecution and probation supervision. Programs may address a highly specialized need such as sex offender, mental health or substance abuse treatment, or may provide for the more general needs of juvenile offenders. Youth with more intensive needs may be placed in residential treatment or, for those with high risk behaviors, into secure residential facilities.

In fiscal year 2006, juvenile probation departments placed 3,693 juveniles in residential treatment and 3,901 in secure residential facilities. In fiscal year 2006, 52,898 programs were provided to juveniles in the community. The programs most frequently provided in fiscal year 2006 were substance abuse intervention and treatment (7,588), early intervention (7,270), and counseling services. Of juveniles exiting programs in fiscal year 2006, 82% completed their programs. Of juveniles exiting a residential facility is fiscal year 2006, 78% of juveniles in residential treatment and 91% of juveniles in secure facilities successfully completed their stay.

TYC outcome measures include 1) the rate at which paroled youth are participating in “constructive activity” and 2) the rate at which paroled youth had earned diplomas or GEDs either during commitment or parole. Constructive activity includes employment and school enrollment. In fiscal year 2007, 35% of paroled youth were employed. This is an increase of 2% from the previous planning period. At the time of their most recent contact with parole officers, 57% were either employed, enrolled in school, or both. This is a decrease of 3% from the previous planning period. Of the released youth who were 16 years or older in fiscal year 2007, 48% had a high school diploma or GED within 90 days of release. This percentage is unchanged from the previous biennium.

Recidivism

TYC uses multiple measures for determining recidivism. In fiscal year 2007, these rates were:

Measure	FY 2005	FY 2006	FY 2007
One-year re-arrest rate	55.8%	56.1%	56.8%
One-year re-arrest rate for violent offenses	8.0%	8.6%	9.1%
One-year re-incarceration rate	26.1%	26.2%	26.1%
Three-year re-incarceration rate	46.7%	50.1%	49.1%

Outcomes in the juvenile probation system are evaluated using measures of supervision completion and recidivism rates. In fiscal year 2006 79% of juveniles terminating deferred prosecution and 75%

of juveniles terminating probation completed their supervision successfully. The majority of juveniles referred to juvenile probation departments do not have a subsequent referral to probation within two years.

Criteria to Reduce Over-Representation of Minority Youth

Minorities have historically been vulnerable to disparate treatment at each stage of the criminal and juvenile justice systems. The Office of the Governor, Criminal Justice Division, collects data from the Texas Juvenile Probation Departments, the Texas Youth Commission, and the Texas Department of Criminal Justice for fiscal year 2006 and compares juvenile court decisions by racial and ethnic categories. The most recent data published by this office reports that the racial composition of youth ages 10-17 in the general population was 41% Anglo, 13% African-American, and 42% Hispanic while the composition of those formally referred to juvenile probation departments was 28% Anglo, 26% African-American, and 45% Hispanic. Of the total number of juveniles whose cases were disposed by the juvenile courts (104,811 dispositions) 26% were African-American, 29% were Anglo and 45% were Hispanic. Youth disposed to probation supervision were 26% Anglo, 28% African-American, and 46% Hispanic. Youth committed to the Texas Youth Commission were 23% Anglo, 34% African-American and 42% Hispanic. Statistically, disproportionality exists at multiple, but not all, stages of the juvenile justice system. Hispanic youth are significantly more likely than their Anglo counterparts to progress through the juvenile justice system. In addition, African-American youth are more likely than Anglo youth to be arrested and referred to the juvenile justice system.

In an initiative to further analyze minority over-representation, both TJPC and TYC executive directors participate in the Governor's Juvenile Justice Advisory Board (GJJAB). Working directly with the Governor's Criminal Justice Division, the GJJAB, and in particular its subcommittee on minorities, has invested considerable time looking at the extent and further causes of disproportionate representation. This subcommittee recommended and the Governor's Criminal Justice Division sponsored further analysis of the data collected by Texas A&M's Public Policy Research Institute. The resulting study found other factors that correlate with the decision to progress a youth through the system. Those factors include family, social, and education variables. At most stages, these factors are more predictive than racial category in determining whether a youth will progress to a later stage in the juvenile justice system. The findings of this study, which support prevention and early intervention, were included in the State's Three Year Juvenile Justice Plan submitted to the US Department of Justice, Office of Juvenile Justice and Delinquency Prevention.

Population Projections and Characteristics

Population Projections

Entry into the juvenile justice system begins with a referral to a juvenile probation department. In fiscal year 2006 there were 106,252 referrals to juvenile probation departments statewide. Once referred, a juvenile may have his or her case adjudicated, handled informally or dropped. Dispositions for fiscal year 2006 are contained in the table below.

FY 2006 Dispositions	Number*	Percent of Total
Supervisory Caution	22,237	21.2%

Deferred Prosecution	22,428	21.4%
Adjudicated Probation	28,534	27.2%
TYC	3,036	2.9%
Certified as Adult	249	.2%
Dropped/Dismissed/Non-Suit	21,690	20.7%
All Other*	6,617	6.3%

* *includes dispositions of not guilty (128).*

Year	End Of Year Population
2008	4,830
2009	5,062
2010	5,231
2011	5,227

Projected Average Daily Populations and TYC Commitments[2]

The Legislative Budget Board projected, in January of 2007, that in the next five years the juvenile justice system will experience the following number of average daily populations (ADP) under probation supervision and commitments to TYC:

Projection Probation ADP

Year	ADP Pre -Disposition	ADP Deferred	ADP Probation
2008	7,511	11,573	26,631
2009	7,691	11,999	27,356
2010	7,875	12,441	28,101
2011	8,064	12,900	28,866
2012	8,257	13,375	29,651

TYC Projected Population
Fiscal Years 2008-2012

Cross-Agency Performance Measures

To further evaluate the effectiveness of the Texas juvenile justice system, TJPC and TYC have identified the following additional cross-agency measures:

Additional Measures	Performance
Felony offense referral rate per juvenile age population (TJPC, CY 2006)	9.4 per 1,000
Percent of delinquent and VOP referrals committed to TYC (TJPC, FY 2006)	3%
One-year TYC incarceration rate for juveniles placed on probation supervision (TJPC, FY 2006)	2.9%
Average time served by violent juvenile offenders (TYC, FY 2006)	28.5 months
Average rate of juvenile reincarceration within three years of initial release (TYC, FY 2007)	49.1%
One-year reincarceration rate for juveniles released from TYC (TYC, FY 2007)	26.1%

[2] LBB projections are based on data provided by TJPC and TYC

CONCLUSION: PROGRAM, RESOURCES AND CAPACITY NEEDS

Available agency resources will be directed to bring the Fiscal Years 2008-2009 Coordinated Strategic Plan goals into action. Should additional needs be identified in the course of implementing the strategies contained in this plan, those needs will be included in the agencies' future strategic plans. Extensive restructuring of juvenile justice services during the current biennial period may drive additional coordinated strategies for the 2008-2009 biennium.

This coordinated strategic plan brings together the resources of TJPC and TYC to support the success of the juvenile justice system. It also provides the agencies with direction as they develop their respective strategic plans and Legislative Appropriations Requests for the next biennium. TJPC and TYC are committed to continued collaboration and partnerships in order to promote the safety of Texas communities and the healthy and productive development of youth involved, or at risk of becoming involved, in the juvenile justice system.

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