

## Viewpoints, Outlook

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# Reform at TYC must go beyond ending sex abuse

Alter staffing ratios, types of facilities, funding system

By MARC A. LEVIN

Texans have been horrified to learn that some of the 5,000 juveniles allegedly being rehabilitated at Texas Youth Commission facilities have instead been molested and mistreated. At the West Texas State School near Pyote, two officials in charge repeatedly sexually abused young boys, using the leverage of delaying their release to pressure them into sexual favors. A criminal investigation that languished for years is now gaining steam, and TYC has been placed under new management. More fundamental changes are needed.

Beyond the sexual abuse, TYC suffers from a 48 percent annual employee turnover rate, producing youth/staff ratios nearly twice the nationally recommended maximum of 12:1. The result has been bedlam. Youths flooded a dorm and threw computers at the Evins facility in McAllen, which is now under a Department of Justice investigation.

One out of seven TYC workers file workers' compensation claims, at a cost of \$6 million. Many youths go weeks without the rehabilitative programs that are supposed to be provided, likely due to the staffing ratios.

TYC facilities exist in remote locations, which make hiring complicated because the work force in these areas is small. Twenty-three percent (or 630) of its commitments come from Harris County, but TYC has no institution or halfway house in the Houston area. The open-bay, prison-style barracks in TYC institutional facilities that have as many as 600 youths also undermine hiring and retention, because youths are much more difficult to manage than they would be in a setting with a smaller population and more privacy.

About 64 percent of TYC youths are nonviolent offenders. Most can be rehabilitated more effectively in a community-based setting rather than a prison-style facility.

TYC could establish a separate therapeutic facility exclusively for nonviolent youth with a drug offense or a property offense that is linked to their drug habit. It should be in a major urban area so qualified staff can be retained and should offer a day treatment component. Intensive day treatment costs \$20,000 a year, as opposed to \$57,000 at TYC.

Missouri has become a national model in juvenile justice reform. It transitioned from large training schools featuring bars and jumpsuits to group homes of 30 to 40 young offenders that provide a nurturing environment and vocational programs. Missouri's recidivism rate is now 8 percent; TYC's is more than 50 percent. And Missouri's approach costs \$14,000 less per ward per year.

Even better than diversifying the types of TYC facilities, Texas should consider altering the entire juvenile justice funding system to incentivize counties so that they develop community correctional programs for youth instead of punting their problems to TYC.

Through its innovative RECLAIM (Reasoned and Equitable Community and Local Alternative to Incarceration of Minors) program, Ohio took funds previously allocated to its version of TYC and instead distributed them to county probation departments based on population and delinquency levels.

Under RECLAIM, juvenile judges may use the allocated funds either to treat juvenile offenders in the community or pay to commit them to the state. Youths convicted of serious violent offenses like murder and rape are sentenced without using the RECLAIM funds. According to a University of Cincinnati study, RECLAIM has resulted in a 7 percent recidivism rate and 36 percent fewer commitments to the state.


The RECLAIM program contrasts with the Texas system, where the state bears the full cost of TYC

commitments but funds only 30 percent of local juvenile probation. TYC commitments cost nothing to the counties, leaving them with little incentive to maximize the use of alternatives that are primarily locally funded. In fact, several county post-adjudication facilities for youth have closed in the past year, while TYC is expected to see more commitments every year, culminating with a projected need for 769 beds by 2012.

Insufficient staff and inappropriate facilities certainly do not excuse the abuse at TYC. However, by either diversifying TYC's facilities to give the agency options for youth they receive who do not need institutionalization or removing the fiscal incentive for local governments to make unnecessary commitments to TYC, this shameful situation can provide the impetus for future success.

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