

THE TEXAS TRIBUNE

Cuts That Cost

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Thousands fewer kids are landing in state detention centers since a horrific abuse [scandal](#) three years ago, and it's saving Texas millions of dollars. But juvenile-justice advocates worry that budget woes in the 2011 forecast could force painful cuts to programs that are keeping kids out of [Texas Youth Commission](#) jails.

“Those cuts are not going to end up saving the state money,” says [Ana Yáñez Correa](#), executive director of the nonprofit [Texas Criminal Justice Coalition](#). “Those cuts are going to end up costing the state millions of dollars they can no longer afford.”

After investigative journalists uncovered shocking abuse and neglect at Texas Youth Commission facilities in 2007, lawmakers [overhauled](#) the juvenile justice system. They reformed standards at the lockups, added security and staff training and put more funds into local programs meant to keep youth offenders close to home for probation and rehabilitation.

So far, the plan has worked. The population in TYC facilities has dropped about 47 percent, from 4,800 in 2006 to 2,259 at the end of 2009, according to TYC [data](#). And fewer Texas youths are landing in the criminal justice system. “It’s one of the real success stories I’ve been involved in,” says state Sen. [John Whitmire](#), D-Houston, one of the lawmakers who helped write the reform legislation.

The reforms and the population drop have to date saved the state about \$200 million, even after accounting for \$100 million the state sent to counties to boost probation and community-based treatment programs, according to [Marc Levin](#), director for the Center for Effective Justice at the [Texas Public Policy Foundation](#). “We want to make sure we continue to draw down the TYC population,” Levin says. “We don’t want to see it go in the other direction.”

Lawmakers sent counties about \$58 million in 2007 and another \$46 million in 2009 to help them pay to supervise youths on probation who would have otherwise gone to TYC. Under the reforms adopted in 2007, misdemeanor offenders are no longer eligible for TYC placement, so the first batch of money was to help counties provide probation services for those youths. In 2009, when lawmakers saved \$115 million by, among other things, shutting down two TYC lockups, they sent \$45.7 million to counties for new programs aimed at further reducing the number of youths sent to TYC and keeping them closer to their homes and families.

The new programs saved the state \$80,000 per year for each child diverted from the TYC. They also seem to have contributed to a decline in youth crime, according to Levin. Although the juvenile population grew about 3 percent in Texas from 2006 to 2009, the number of youths who landed in court dropped from nearly 25,000 to less than 21,000. “The evidence tends to indicate that for most youths, [incarceration] may increase recidivism,” Levin says. “It introduces them to negative peer influences, and they’re taken away from their families.”

With the state money, counties across Texas have created new probation, rehabilitation and treatment programs that keep youth offenders in their communities. “It’s just that connection that they build and the connection to the resources that create an atmosphere to where the youth can become successful,” Yáñez Correa says. “Community-based programs are going to be more open to understanding the trauma behind what happened to the child.”

In [Bexar County](#), the juvenile department has received about \$1.5 million for programs that divert youth from TYC facilities, says Lynne Wilkerson, assistant chief probation officer and general counsel for the [Bexar County Juvenile Probation Department](#). They’ve used those funds to start programs that keep kids as close to home as possible. One program allows youth offenders who are on intensive probation to stay at home and go to school during the week and on weekends to participate in “a behavior-oriented multi-modal intervention program.” They work on social skills, gang awareness and victim empathy, Wilkerson says. They go through substance abuse intervention, get therapeutic assignments and even do physical labor like landscaping. Other programs help youth offenders transition from residential detention facilities back to home life. And in some cases, programs allow professional counselors and social workers to come into offenders’ homes for several hours each week to work with the young person and the family. “They have a better chance to rehabilitate if they’re in the community,” Wilkerson says. “If they leave, their relationships with family, with their support system, all get negatively affected. They come back and they don’t have that support system.”

[Referrals](#) from Bexar County to TYC facilities have fallen commensurately. Last year, Bexar County sent just 144 youth to TYC lockups, a 42 percent drop from the 248 the county sent in 2006. That represents savings to the state of more than \$8.3 million. [Dallas County](#) saw a similar fall in referrals — about 41 percent from 2006 to 2009 — saving the state some \$10.6 million.

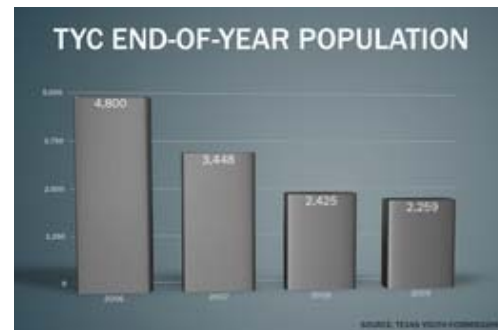
Statewide, juvenile probation programs are funded with primarily county-generated tax dollars. On average, the state pays about 25 percent of the cost for local probation programs, Levin says. But with the downward spiral of the economy, both county and state governments face severely shrinking budgets. Wilkerson says Bexar County already cut some \$3 million from the juvenile department’s budget and that it lost \$2 million in federal funds. Now, the department’s budget is at \$41 million. About \$8 million of that budget comes from the state, and just \$1.5 million of that money goes to programs specifically meant to divert kids from TYC. “We’re already in a constrained situation financially,” Wilkerson says. “We’ve been managing, but we’ve had some cuts.” She’s worried that as Bexar County commissioners set their budget for 2011, the department could feel the knife again. “We don’t know yet if they’ll ask us for cuts and if they do what they would be,” she says.

In Dallas County, Randy Wadley, interim director of [juvenile services](#), says he has already been told to slice 10 percent of his department’s budget. “That’s a big hit,” Wadley says. “There’s no way you do that and something doesn’t give.” Wadley says the county is considering reducing the number of beds it buys from local service providers and the capacity it uses at residential treatment centers. The department also plans to internalize some programs that it currently outsources. “You have a budget, and whether you like it or not, it’s not a bottomless checkbook, and somebody’s got to pay the bills,” Wadley says.

What makes criminal justice advocates even more nervous is the state’s looming \$18 billion budget hole, which could deepen the cuts. Earlier this year, probation programs, along with other criminal justice budget items, were safeguarded from 5 percent budget cuts state leaders demanded in this year’s budget. But Gov. [Rick Perry](#), Lt. Gov. [David Dewhurst](#) and House Speaker [Joe Straus](#) have told state agencies to take another 10 percent swipe at their budgets for next year.

Whitmire says he will argue that programs that keep kids out of TYC need to be exempt from state budget cuts. He says he’s been asking county officials to safeguard local probation programs, too. Maintaining local programs, he says, not only saves the state money. In the long run, it also saves local governments money because youths get more effective treatment and are less likely to commit repeat offenses. “It’s just a real simple consideration,” Whitmire says. “Either keep kids local, where they get better treatment at a cost reduction, or send them to TYC, where the state will spend more and, in my judgment, turn out a worse product.”

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