

**"Juvenile Justice Reform in Texas: Thinking Outside the Cell"**  
***Policy Primer Cosponsored by the Texas Public Policy Foundation and the  
Texas Coalition Advocating Justice for Juveniles***

**January 24, 2007**  
**11:30 am – 1:00 pm**  
**Texas Public Policy Foundation**  
**900 Congress, Suite 400**

Approximately 50,000 juveniles are placed in detention facilities every year, and these placements cost Texas taxpayers over \$96 million dollars. Some 4,800 of these youngsters are then incarcerated at the Texas Youth Commission at a per person cost of \$55,932 per year, resulting in a total cost of over half a billion dollars per biennium, and the Commission has requested more than \$100 million in exceptional items for the 2008-09 biennium. The costs are further compounded, as an untold number of juvenile offenders later end up in the adult system, and the research shows the first age of first contact with the justice system is one of the factors most highly correlated with recidivism upon release from prison.

While violent juveniles need to be secured to protect public safety, many of these youngsters are nonviolent drug and property offenders. Missouri has received national acclaim for shifting its focus from incarceration to community-based programs for juvenile offenders, resulting in less recidivism and lower costs.

This primer will examine the lessons learned from Missouri and other jurisdictions and highlight bills filed in the 80<sup>th</sup> Legislature that would make similar reforms in Texas. Key issues to be explored include:

- eliminating unnecessary referrals to residential facilities
- enhancing community-based interventions that successfully divert juveniles from residential facilities, such as juvenile drug court, day treatment, intensive supervision, and independent living programs
- improving safety and treatment delivery in residential facilities
- increasing utilization of victim-offender mediation and teen courts for property offenses
- separating 17-21 year-olds in adult prisons from older, more hardened inmates
- creating accountability for Disciplinary Alternative Education Programs (DAEPs) to monitor their effectiveness in preventing subsequent disciplinary and criminal activity
- strengthening educational programming at detention centers, including through distance learning
- reforming zero tolerance laws to account for mitigating factors
- limiting the issuance of Class C misdemeanors in school for routine disciplinary violations

The speakers at this primer will be:

**Chairman Jerry Madden**

State Representative Jerry Madden, a Republican from Plano, chairs the House Corrections Committee. First elected to the Legislature in 1992, he previously served as President of the Collin County School Board, Chairman of the Collin County Hospital Board, and Chairman of the Collin County Republican Party. He has been honored for his legislative work by groups such as the American Legion-Dept. of Texas, Dallas Chapter of the National Federation of Republican Assemblies, Texas Association of Business, Texas Home School Association, Texas Eagle Forum, and the Young Conservatives of Texas.

Chairman Madden has won bipartisan acclaim for his visionary leadership and hard work as Chairman of the Corrections Committee. Last session, he led the successful effort to tie funding of adult probation to the use of progressive sanctions, which has resulted in significant reductions in revocations to prison and attendant cost savings to the state. Chairman Madden is sponsoring legislation this session relating to adult and juvenile justice that is designed to minimize unnecessary incarceration, restore victims, reform offenders, and limit the costs to taxpayers.

Chairman Madden and his wife Barbara, a nurse, have been married 41 years. They are the proud parents of three adult children - Jerry, Stephanie and Kristina - and have five grandchildren. Upon graduation from West Point with a Bachelor of Science in Engineering, Chairman Madden spent six years in the Army, including one year in Vietnam and two years in Germany, before bringing his family to Richardson, Texas, in 1971. Madden worked 11 years for Texas Instruments, 8

years for Teledyne Geotech and now provides group health plan coverage to small businesses out of the Plano offices of the Jerry Madden Insurance firm.

### **Senator Juan “Chuy” Hinojosa**

Senator Juan "Chuy" Hinojosa represents District 20 in the Texas Senate, which includes McAllen, Corpus Christi, and his hometown of Mission. He served in the Texas House from 1981 to 1990 and from 1997 to 2002.

During the 79th Session, Senator Hinojosa successfully passed legislation to protect Texans from identity theft. He also passed legislation to create the Texas Forensic Science Commission to ensure that Texas' forensics labs properly process criminal evidence. During the 78th Session, the Senator passed legislation to strengthen restraining orders used to protect families from domestic violence. As the Chairman of Criminal Jurisprudence, the Senator sponsored the Texas Fair Defense Act, reforming procedures for providing court-appointed defense counsel to indigent defendants. Senator Hinojosa has filed legislation this session to reform the Texas Youth Commission.

Senator Hinojosa was twice named one of Texas' "Top 10 Legislators" by *Texas Monthly* magazine. In 2005, he was recognized as a Legislator of the Year by the Justices of the Peace and Constables Association of Texas, and he received the John Henry Faulk Award from the American Civil Liberties Union.

Hinojosa served his country with distinction in the U.S. Marines as a squad leader in the Vietnam War from 1966 to 1968. In 1974, he received his law degree from Georgetown University. After returning to South Texas, he served as staff attorney for the Legal Aid Society of Nueces County and as an Assistant Attorney General for the Office of the Attorney General. Hinojosa started his own law practice in McAllen in 1980.

### **The Honorable Dennis Kehm**

A graduate of the University of Missouri at Kansas City School of Law, Judge Dennis Kehm was elected to the Circuit Court in 1986. He is a Circuit Judge and former Administrative Judge of the Family Court and Presiding Judge of the Circuit Court of Jefferson County at Hillsboro, Missouri. Judge Kehm is a member of the Missouri Council of Juvenile and Family Court Judges, the Missouri Juvenile Justice Association, former member of the Missouri Task Force on Children's Justice, and a member of Rotary and Kiwanis.

Judge Kehm serves as Chair of the Missouri Division of Youth Services Advisory Board. He participates in local and national training programs for judges, attorneys, court staff and agencies that serve the Family Court. He is a former Chair of the Rural Courts Committee and Family Court Committee of the National Council of Juvenile and Family Court Judges.

### **Mark D. Steward**

Mark D. Steward is the Director of the Missouri Youth Services Institute, (MYSI), a not-for-profit organization that was formed in July, 2005, to assist in reforming juvenile justice systems throughout the country. MYSI is presently engaged in assisting the state juvenile system in Louisiana, Washington DC's secure care program and the residential facilities in San Jose, California. He previously served as Director of the Missouri Division of Youth Services for over 17 years until retiring in July of 2005, after 35 years of service in this field.

During his tenure as Director, Missouri's Youth Services programs were visited by over 20 state juvenile justice jurisdictions and featured in numerous local, state and national publications. Missouri's juvenile recidivism rate of only 8% back into juvenile custody and 8% into Missouri's prisons has been one of the best success rates in the country.

Steward served as President of the Council of Juvenile Correctional Administrators in 2004-2005, and was selected as the Outstanding Juvenile Correctional Administrator in 2003 and as Missouri's Child Advocate of the Year in 2004. He began his career as a counselor in Missouri's Division of Youth Services in 1970 and piloted the first therapeutic group treatment approach, which is still the basic framework of the present system utilized in Missouri.