

Texas Counties Can Unlock Kids and Savings

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As Texas counties seek cost-saving measures, it is an ideal time to reexamine juvenile detention and probation. Some 50,000 Texas children pass through detention every year.¹ Dallas and Harris counties have proven that detention centers can be scaled back while protecting public safety.

A Dallas County detention bed costs \$54,955 a year to operate.² Nationally, two-thirds of youths in detention are held on allegations of non-violent offenses. Additionally, after controlling for offense severity and other factors, detained youths are three times more likely to enter costly long-term residential placement.³ Evidence suggests that, by mixing low-risk youths with more deviant peers and disrupting family life and schooling, detention actually increases re-offending.⁴ Moreover, detention does not help the victim obtain restitution.

Dallas and Harris counties implemented the Juvenile Detention Alternatives Initiative (JDAI) in 2007. Since then, Dallas has reduced its detention population by 48 beds, resulting in annual savings of \$1 million.⁵ Similarly, Harris County closed a detention center and reduced detention costs 25 percent.⁶ Some 95 percent of Houston youths diverted from detention show up for their court date.⁷

While JDAI sites receive support from the Annie E. Casey Foundation, Dallas probation director Mike Griffiths believes other Texas counties can use similar strategies to downsize detention and achieve net savings.

A key element of JDAI is use of a risk assessment instrument—an inventory of factors proven to more accurately predict whether youths will miss their court hearing or re-offend than a purely subjective determination. Factors may include the most serious alleged offense, number of charges, prior adjudications, and any prior instances of failing to appear. The Texas Juvenile Probation Commission should provide a statewide detention screening instrument for the vast majority of probation departments that don't have one.

Another component of JDAI is alternatives to detention. Among those used in Dallas is a day reporting center, in-home probation officer visits, GPS monitoring, and home detention. Only 4.5 percent of Dallas youths in an alternative program have re-offended prior to adjudication, compared to 10 percent of youths not in a program.⁸ At the four original national JDAI sites, juvenile arrests fell between 37 and 54 percent following implementation.⁹

Police also need tools for diverting appropriate youths from detention, adjudication, and probation when they make an arrest. Most counties lack police first offender programs. Since 1996, this program at the Dallas Police Department has diverted 6,154 youth first-time offenders from probation, and in many instances, detention.¹⁰ The most common offenses are shoplifting and marijuana possession. Skills training evening classes over six weeks for the youth and parent emphasize personal responsibility and prevention of further lawbreaking, focusing on behavior contracting, discipline, drug education, goal setting, and decision mak-

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ing. School attendance is required and verified. The program costs 13 times less per day than detention and 25 percent less than probation.¹¹

A similar first offender program in Tarrant County operated by the Lena Pope Home does not immediately receive youths upon arrest, so it is primarily a diversion from probation, not detention. For property offenses, police first arrange a victim restitution agreement. The youth and their parent attend classes for seven weeks that emphasize family discipline and relationships, correcting thinking errors, and developing victim empathy. Academic remediation, including literacy instruction, and substance abuse treatment are also offered. Since 2005, of the 95 percent of youths who have completed the program, which costs 47 percent less than probation, only 8 out of 809 were adjudicated for another Class B misdemeanor or higher offense within a year.¹²

Similarly, a Maryland police diversion program requiring first-time property offenders to make restitution, perform community service, and send the victim an apology letter has an extremely low 4 percent re-offense rate.¹³

While detention is needed for violent youths who pose a continuing danger, proven alternatives for many others improve public safety, provide justice to the victim and save money. Texas counties can turn their fiscal challenges into an opportunity for reforms that benefit youths, victims, and taxpayers. ★

¹ "Texas Juvenile Probation Today and Tomorrow," Texas Juvenile Probation Commission (July 2008) accessed 21 Oct. 2009, <http://www.tjpc.state.tx.us/publications/reports/TJPCMISC0308.pdf>.

² Dallas County FY 2010 Budget (22 Sept. 2009) accessed 22 Dec. 2009, http://www.dallascounty.org/department/budget/documents/FY2010ApprovedBudgetDetail_000.pdf.

³ C.E. Frazier and J.C. Cochran, J.C., "Detention of Juveniles: Its Effects on Subsequent Juvenile Court Processing Decisions," *Youth and Society* 17:3 (1986), 286-305 (1986). Office of State Courts Administrator, "Florida Juvenile Delinquency Court Assessment." (2003) Tallahassee, FL: Office of Court Improvements.

⁴ Uberto Gatti, Richard E. Tremblay, and Frank Vitaro, "Iatrogenic effect of juvenile justice," *Journal of Child Psychology and Psychiatry* 50:8 (2009), 991-998 (21 Dec. 2009) <http://www3.interscience.wiley.com/journal/122201997/abstract>. Barry Holman and Jason Ziedenberg, "The Dangers of Detention: The Impact of Incarcerating Youth in Detention and Other Secure Facilities," Justice Policy Institute (16 Oct. 2006) accessed 31 Dec. 2009, http://www.justicepolicy.org/images/upload/06-11_REP_DangersOfDetention_JJ.pdf; Maia Szalavitz, "Bad Crowd: Why Juvenile Detention Makes Teens Worse," *Time Magazine* (7 Aug. 2009) accessed 31 Dec. 2009, <http://www.time.com/time/health/article/0,8599,1914837,00.html>.

⁵ Miike Griffiths, Dallas County Chief Juvenile Probation Officer, email, 15 June 2009.

⁶ Nancy H. Baird, M.Ed., Site Coordinator, Harris County JDAI, email, 31 Aug. 2009.

⁷ Ibid.

⁸ Pernilla Johansson, PhD, Research Manager, Dallas County Juvenile Department, email, 16 Sept. 2009.

⁹ "Detention Reform: An Effective Public Safety Strategy," Annie E. Casey Foundation (17 Sept. 2007) accessed 31 Dec. 2009, http://www.aecf.org/upload/PublicationFiles/jdai_facts2.pdf.

¹⁰ Cindy Oliver, Dallas Police Department, "Dallas Police Department First Offender Program Update 2008," email, 30 Nov. 2009.

¹¹ City of Dallas Proposed 2009-10 Budget, Public Safety Detail (9 Sept. 2009) <http://www.dallascityhall.com/Budget/proposed0910/PublicSafety.pdf>. Legislative Budget Board, "Criminal Justice Uniform Cost Report: Fiscal Years 2006-2008" (Jan. 2009) accessed 22 Oct. 2009, http://www.lbb.state.tx.us/PubSafety_CrimJustice/3_Reports/Uniform_Cost_Report_0109.pdf.

¹² Margaret Cohenour, LCSW, Director of Family Matters-Lena Pope Home, email, 23 Nov. 2009. Legislative Budget Board, "Criminal Justice Uniform Cost Report: Fiscal Years 2006-2008" (Jan. 2009) accessed 22 Oct. 2009, http://www.lbb.state.tx.us/PubSafety_CrimJustice/3_Reports/Uniform_Cost_Report_0109.pdf.

¹³ Jeffrey Butts, Janeen Buck, and Mark Coggeshall, "The Impact of Teen Court on Young Offenders," The Urban Institute (Apr. 2002) accessed 22 Nov. 2009, <http://www.urban.org/UploadedPDF/410457.pdf>.

