

# Keeping Texas Competitive

## A Legislator's Guide to the Issues 2013-2014



### Juvenile Justice

#### The Issue

On December 1, 2011, Texas juvenile justice was reshaped by the merger of two state agencies formerly responsible for different silos of the juvenile justice system. This merger was brought about not only for administrative cost savings, but also to further embed evidence-based and results-driven practices throughout Texas.

The juvenile justice system is necessary to protect public safety—much like the criminal justice system. However, unlike the criminal justice system, the juvenile justice system often works as a substitute for familial discipline and parentally directed behavior control. Therefore, whenever possible, the juvenile justice system should increase parental involvement in the process in order to restore the natural order of discipline in a juvenile delinquent's life. The most efficient way of doing so is to place as many juveniles as safely possible within county-level or community-based facilities, where families are physically closer, and a juvenile's community—schools, churches, and non-profit organizations—plays a more significant role in his or her rehabilitation.

This approach is consistent with the evidence that local and community-based programming has been proven to provide more effective results for juveniles and the public safety at a lower cost than traditional state lockups.

The newly formed Texas Juvenile Justice Department is uniquely positioned to implement such reforms for two reasons. First, the Legislature used the enabling legislation to expressly direct the new department to prioritize community-based alternatives for juvenile placements. Second, while the previous system was divided between two agencies, with segregated funding streams for county juvenile probation and state-level secure incarceration, it is now headed by one agency, which will permit far more efficient transfers of resources and youths from the state level to the county level.

The other effect of the merger is to increase oversight, which has already permitted areas of inefficiencies to be identified. There are a few areas in which the juvenile justice system is overspending without any resulting benefit to the public safety, and reducing these inefficiencies will lessen the burden on taxpayers and allocate resources more efficiently.

In the next legislative session, policymakers should focus on further oversight of the merged juvenile justice agencies and ensure that all possible cost savings are implemented while streamlining the bureaucracy, all while increasing the effectiveness of the justice system to continually maximize public safety and successful offender outcomes.

#### The Facts

- The population of youth incarcerated at the state level continues to shrink, from more than 5,000 youth in 2006 to just one-third of that today. While some improvements in conditions and programs at these lockups have been made, costs still exceed \$300 per day, per juvenile, and exiting youths' re-incarceration rate is still approximately 35%—a dramatic difference from the more efficient and effective community-based programs.
- Senate Bill 653, from the 82nd Texas Legislature, merged two state agencies into one. However, additional steps are needed to fully implement the cost savings and administrative reductions possible through this merger.
- Recent research and oversight of the juvenile justice system have revealed inefficiencies, including an inefficient and ineffective parole system and an overreliance on pretrial detention of nonviolent youths in some counties.

## Recommendations

- Mentally ill juvenile delinquents are a key population to focus on given their unique treatment needs, as well as the potential for inefficient system handling of their mental illness. By providing more avenues for diversion from the juvenile justice system, coupled with strong, outcome-oriented performance measures and assessments to better match youths and programs, Texas can ensure adequate mental health treatment while protecting public safety and preventing unnecessary expenditures at the state level.
- The budget for juvenile parole in Texas has stayed constant even while the population of juveniles on parole has dropped by half. This suggests there are significant inefficiencies in the system, compounded by the poor indicators of program effectiveness and outcomes. A more effective parole system, coupled with very short reductions in lengths of stay, could produce significant cost savings and decreased rates of re-offending in Texas.
- Pre-trial secure detention is expensive and often unnecessary in Texas. Harris and Dallas County have achieved success with innovative methods of pre-trial supervision in lieu of detention for appropriate juveniles, resulting in lower rates of re-offending and fewer juveniles missing court dates, all while crime decreased by larger margins than the rest of Texas. Utilizing such alternatives in other counties could result in more effective juvenile case management, safer communities, and streamlined detention budgets.

## Resources

*A Critical Look at Juvenile Offenders with Mental Illnesses: What We Know, What We Don't, and Where We Go from Here* by Jeanette Moll, Texas Public Policy Foundation (Feb. 2012).

*Out for Life: Pathways to More Effective Reentry for Texas Juvenile Offenders* by Jeanette Moll, Texas Public Policy Foundation (Jan. 2012).

*Testimony on Interim Charge 1, House Corrections Committee* by Jeanette Moll, Texas Public Policy Foundation (Mar. 6, 2012).

*Ten Truths about Juvenile Justice Reform* by Jeanette Moll, Texas Public Policy Foundation (Dec. 2011).

