



# Juvenile Justice System In Texas

Presented by the  
Juvenile Justice Association of Texas  
Texas Probation Association, and  
Texas Juvenile Detention Association

## SB 1 and HB 1: Article V – Texas Juvenile Justice Department Appropriations Request

### Introduction

The enactment of SB 653 in 2011 provided a new structure for Juvenile Justice in Texas and the following is a guiding principle of that Legislation:

*“The goal among other priorities is to support a county-based continuum of effective interventions, supports and services that reduce the need for commitment to state facilities.”*

### Background

- Juvenile Probation Departments are an important component of Community Public Safety.
- The foundation of the system is 165 juvenile probation departments, representing 254 Texas counties serving 98% of juveniles in the Juvenile Justice system.
- Since 2007 local juvenile probation departments have continued to reduce commitments to the Texas Juvenile Justice Department (TJJD), 64% alone in 2019.
- 75% of the funding for the operation of Juvenile Probations Departments is local funding provided by County Commissioner Courts.

### Impact to Juvenile Probation Services – TJJD Budget – GOAL A

- The cost of serving a juvenile in a state facility is \$616.70(1) per day for an average cost to the state of \$296,016.00 (\$616.70 x 480 16 month length of stay).
- The average cost of serving a juvenile in a community program is \$49.96 (1) and to place a juvenile in secure post adjudication facility is \$230.31. The cost of placing juveniles in a non-secure residential facility has increased significantly after DFPS increased allowable rates (example specialized care changed from \$162.30 to \$197.69).
- The proposed reductions to Goal A of the TJJD budget will be a **TEMPORARY** savings for the state. The impact of these reductions **WILL** result in more commitments at a much higher cost to the state.
- The \$13,851,961.00 reduction Goal A funding will undermine current and effective programs and services which have reduced commitments to TJJD and compromise the success of the Regional Diversion Program.

### Request:

- **Restore Goal A Funding** to juvenile probation and support the continued diversion success. Exceptional item 1 requests restoration of base funding to include prevention and intervention services as well as sustainable funding for the validated risk and needs assessment tool. (2)
- **Restore and Set a floor for JJAEP Funding to adequately fund the state’s mandate:** Cuts to the Texas Education Agency’s Rider 27 reduces funding for education of students that have been expelled from regular school. JJAEP Programs need a minimum of \$86 per day to operate. (3)

(1) Criminal and Juvenile Justice Uniform Cost Report for Fiscal Years 2019 and 2020

(2) Validated risk and needs assessments

In 2009, HB 3689 (McClendon, Kolkhorst, Isett, Madden) required probation departments to complete a validated risk and needs assessment for every youth under probation department jurisdiction before disposing of the case.

The Family Code was further amended by SB1630 (Whitmire) in 2015 to emphasize that juvenile courts should consider the results of a validated risk and needs assessment prior to ordering a TJJD commitment.

A good assessment is the critical step to understanding the issues and needs of a youth and is necessary to design a plan for that youth, including treatment.

The legislature mandated this risk and needs assessment however never funded it.

(3) The Juvenile Justice Alternative Education Programs (JJAEP) across the state have seen a general increase in attendance over the past few school years (40% in school year 2018-2019 and 22% in school year 2019-2020) mainly related to felony drug offenses, particularly vaping THC oils. Average reimbursements per day dropped from \$96 per day to \$60 per day last school year.

The Legislature mandated the creations of JJAEPs in 1995 to ensure that students expelled from public school would not be “on the streets” and continue to be educated. Academically, the mission of a JJAEP is to enable students to perform at grade level.