

# FY 2009 OJJDP Title II Formula Grants Program Narrative

## 1. Structure and Function of the Juvenile Justice System

**Texas Family Code:** The basis of Texas juvenile law is Title 3 of the Texas Family Code (commonly referred to as the Family Code).

**Texas' Definition of a Juvenile:** A child 10 years of age or older and under 17 years of age, or a person who is 17 years of age or older and under 18 years of age who is alleged or found to have engaged in "delinquent conduct" or "conduct indicating a need for supervision" (see "Offense Classification" below) as a result of acts committed before becoming 17 years of age.

- The minimum juvenile court age is 10
- The maximum age for referral to juvenile court is 16
- The maximum age of court control (juvenile probation) is 18
- The maximum age of the Texas Youth Commission (TYC) control (detention) is 19

**Offense Classification:** Texas law provides two classifications of juvenile offenses<sup>1</sup>: Conduct Indicating a Need for Supervision, and Delinquent Conduct.<sup>2</sup>

*Conduct Indicating a Need for Supervision (CINS)* is an offense for which a juvenile can be placed on probation or fined, but not sent to a juvenile detention center. Examples of CINS include: public intoxication, truancy, running away from home, or expulsion for violating a school disciplinary code. CINS cases involve the least serious criminal offenses, other than traffic offenses, and also certain non-criminal conduct, commonly referred to as *status offenses*, which are offenses that are committed by a juvenile that would not be prohibited for an adult. Examples of status offenses include, skipping school or smoking cigarettes.

*Delinquent Conduct* is a violation of any law punishable by incarceration (except traffic laws), violation of juvenile court orders entered under Section 54.04 or 54.05 of the Texas Family Code (except truancy, running away, or offenses punishable only by fine), contempt of magistrate orders, DWI and other related offenses and third offense driving under the influence of alcohol by a minor.

**Juvenile Boards:** The Family Code mandates that each county in Texas have a juvenile board that oversees the operation of local juvenile justice systems. In rural areas, one board may oversee multiple counties. Juvenile boards oversee operations, designate juvenile judges, appoint chief juvenile probation officers and approve policies and budgets of local juvenile probation departments. A juvenile board can create an advisory council on a permanent basis or only when needed for a particular purpose.

**Juvenile Courts:** The Family Code provides a means by which existing courts may be designated to exercise juvenile jurisdiction. The following courts may be designated by the local Juvenile Board and/or by Texas statute: district court, criminal district court, domestic relations court, statutory juvenile court, constitutional county court, and county court-at-law. There are currently 407 juvenile court judges in Texas.<sup>3</sup>

**Detention Magistrates, Referees and Masters:** A detention magistrate conducts detention hearings for juveniles, usually within the second working day of the juvenile being taken into custody. Juvenile court judges may designate other judges to conduct detention hearings in his or her absence. Some jurisdictions may employ "Referees" or "Masters," whose primary duty is to conduct detention hearings.

**Juvenile Probation Departments:** Texas has 254 counties and 166 juvenile probation departments.<sup>4</sup> Most of the juvenile probation departments (122) have jurisdiction over one county; 44 departments share jurisdiction with contiguous counties; and, 11 departments operate in conjunction with the local adult probation department.<sup>5</sup>

<sup>1</sup> Both perjury and traffic offenses are excluded.

<sup>2</sup> Texas Office of the Attorney General website: [http://www.oag.state.tx.us/AG\\_Publications/pdfs/juv\\_justice2007.pdf](http://www.oag.state.tx.us/AG_Publications/pdfs/juv_justice2007.pdf)

<sup>3</sup> Texas Juvenile Probation Commission website, [http://www.tjpc.state.tx.us/about\\_us/juv\\_justice\\_overview.htm](http://www.tjpc.state.tx.us/about_us/juv_justice_overview.htm)

<sup>4</sup> In fiscal year 2008, several probation departments consolidated, reducing the total number of departments from 169 to 166.

<sup>5</sup> Texas Juvenile Probation Commission website, [http://www.tjpc.state.tx.us/about\\_us/juv\\_justice\\_overview.htm](http://www.tjpc.state.tx.us/about_us/juv_justice_overview.htm)

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**Texas Juvenile Probation Commission (TJPC):** This state agency works in partnership with local juvenile boards and juvenile probation departments to support and enhance juvenile probation services throughout the state by providing funding, technical assistance, and training; establishing and enforcing standards; collecting, analyzing and disseminating information; and facilitating communications between state and local entities. Fifty-two counties operate a combined total of TJPC operates 32 post-adjudication facilities, 51 detention facilities, and 3 hold-over facilities.<sup>6</sup>

TJPC accomplishes its mission through a continuum of services and programs that:

- Include prevention, early intervention, and rehabilitative programs;
- Maximize family participation and accountability;
- Are community based, family oriented and as least restrictive as possible;
- Include a mix of residential and non-residential services which reduce commitments to the Texas Youth Commission; and
- Provide a balance of public and private services and resources.

**Texas Youth Commission (TYC):** This state agency is responsible for the care and rehabilitation of serious and chronic juvenile offenders who are ordered by juvenile courts to serve time in secure residential settings. The mission of the Texas Youth Commission is to promote public safety by operating juvenile correctional facilities and by partnering with youth, families, and communities to provide a safe and secure environment where youth in the agency's care and custody receive individualized education, treatment, life skills and employment training and positive role models to facilitate successful community reintegration. The agency currently operates 12 secure facilities, 9 halfway houses, and contracts with private and local government providers for residential services, and provides parole supervision for released juveniles. The agency provides residential and non-residential treatment services for chemically dependent offenders, sex offenders, capital offenders and offenders with mental health issues.<sup>7</sup>

**Referrals to Juvenile Court:** Referrals can originate from law enforcement or other sources such as schools, social service agencies, and citizens. In most Texas counties, the juvenile probation department works with the juvenile prosecutor and the juvenile court in determining an appropriate intake plan for each referral. Two options for referral intake are allowable under the Family Code:

*Statutory Intake Referral Plan:* The Texas Family Code provides a statutory default intake referral plan that mandates certain offenses be sent to the juvenile prosecutor for his or her review to determine whether informal or formal court proceedings are merited. These offenses include all felony offenses or misdemeanor offenses involving violence to a person or the use or possession of a firearm, illegal knife, or club.

*Alternative Intake Referral Plan:* Juvenile boards have the option to develop their own intake referral plan instead of using the statutory default. They can customize their plan to meet the needs of the community and available resources. For example, many counties routinely allow probation departments to screen and make intake decisions for all misdemeanors, while referring all felonies to the prosecutor. The one requirement of alternate intake plans is that any offense of capital murder or murder must be forwarded to the prosecutor for review.

**Disposition without Referral to Court:** Law enforcement or prosecution may divert certain juvenile cases from formal court proceedings by referring the juvenile to certain programs. Usually, these programs are targeted to first time and less serious juvenile offenders for whom an alternative to traditional juvenile court would result in a more positive outcome than court referral alone. Cases that are not diverted from adjudication can receive one of the following dispositions: dispositions without referral to court, informal proceedings, or formal court proceedings. Disposition options for informal proceedings include the following:

*Supervisory Caution:* The juvenile probation department counsels the offender and provides the offender with services and referrals to address factors that contributed to the juvenile's delinquent

<sup>6</sup> Texas Juvenile Probation Commission website, [http://www.tjpc.state.tx.us/about\\_us/juv\\_justice\\_overview.htm](http://www.tjpc.state.tx.us/about_us/juv_justice_overview.htm)

<sup>7</sup> Texas Youth Commission website, <http://www.tyc.state.tx.us/about/overview.html>

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behavior. This disposition is typically reserved for cases involving first time offenders and misdemeanor offenses.

*Deferred Prosecution:* A period of voluntary probation (usually about six months) agreed to by the juvenile and his or her parent(s) in which the judge defers a final disposition until the completion or revocation of the probation agreement. If the juvenile violates the terms of deferred probation, then the court may proceed with formal court adjudication. If the juvenile successfully completes the terms of deferred prosecution, then the court may dismiss the referral. For felony referrals, the juvenile prosecutor must consent to any deferred prosecution disposition.

**Detention Hearing:** The intake process includes a determination as to whether or not a juvenile should be detained. The Family Code presumes favor toward releasing the juvenile to a suitable parent or guardian. In order to detain a juvenile, at least one of five statutory criteria must be present (Section 54.01):

- 1) The juvenile is likely to abscond or be removed from the jurisdiction of the court;
- 2) Suitable supervision, care or protection for the juvenile is not being provided by a parent, guardian, custodian, or other person;
- 3) The juvenile has no parent, guardian, custodian, or other person able to return him or her to the court when required;
- 4) The juvenile may be dangerous to him or herself or he or she may threaten the safety of the public if released; and
- 5) The juvenile has previously been found to be delinquent or has been convicted of a penal offense punishable by a term in jail or prison and is likely to commit an offense if released.

If a juvenile is detained, a judge must make a finding of probable cause within 48 hours of detainment and hold a detention hearing within two working days. The court considers the same criteria as juvenile probation or the juvenile prosecutor considered during intake in determining probable cause. Detention hearings must be held following the initial detention hearing until the juvenile is released from detainment.

**Adjudication Hearing:** The purpose of the adjudication hearing is to determine whether or not the juvenile engaged in delinquent conduct. Usually, the juvenile court judge hands down the determination. However, a juvenile has a right to a trial by jury unless that right is waived by the juvenile and the juvenile's attorney.

**Disposition Hearing:** The purpose of the disposition hearing is to determine the outcome of cases in which the judge or jury determined that the juvenile engaged in delinquent conduct. This hearing must be separate, distinct, and subsequent to the adjudication hearing. As well, if the adjudication hearing results in a finding that the juvenile engaged in delinquent conduct, the Family Code provides the following formal sentencing options:

*Certification as an Adult:* For many serious or chronic felony offenders, certification as an adult is deemed to be the most appropriate option. If a child is certified to stand trial as an adult, the child faces the same range of punishment that an adult would face for the same crime, *except* that a juvenile cannot receive the death penalty for an offense committed before turning 17 years of age. A child who was 14 at the time of commission of the offense may be certified for the following serious offenses: capital felonies, aggravated controlled substance felonies, or first degree felonies. For all other felonies, the child must have been age 15 at the time of the commission of the offense.

*Probation:* A juvenile may be placed on probation for any term not to exceed the juvenile's 18<sup>th</sup> birthday. The Family Code provides for three types of probation: (a) in the juvenile's own home or in the custody of a relative or other fit person; (b) in a suitable foster home; or (c) in a suitable public or private institution or agency, except the Texas Youth Commission.

*Commitment:* A child may be committed to the care, control and custody of the Texas Youth Commission if the child is adjudicated for a felony offense. All commitments to the TYC, except under the determinate sentence act, are for an indeterminate term not to extend beyond the

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child's 18<sup>th</sup> birthday. If, when and under what conditions a child is released from TYC before his 18<sup>th</sup> birthday is in the exclusive and sole discretion of TYC. The determination of the actual length of the child's stay is determined by TYC based upon the nature of the offense, the child's history and background, and the child's behavior while in TYC. The child is classified according to the offense for which he or she was committed. All offenses carry a minimum length of stay requirement set by the Texas Youth Commission.

*Driver's License Suspension:* A juvenile court is mandated to suspend or prevent issuance of a driver's license for certain drug and alcohol violations. The juvenile court has the discretion to suspend or prevent issuance of the juvenile's license in all other cases as a part of the disposition or as a sanction for violating the conditions of probation.

*Orders Affecting Person(s) Other Than the Juvenile:* The juvenile court has power over certain persons in addition to the juvenile who is adjudicated. These powers include orders for juvenile support payment, injunctive orders, orders for social or psychological counseling to help rehabilitate the juvenile and family, and orders requiring parents to pay probation supervision fees and court costs.

*Orders for Restitution or Community Service.* There are three types of restitution that can be entered by the juvenile court in the dispositional phase of the juvenile proceedings: (a) ordering the child to pay restitution as a condition of probation, (b) ordering the child to pay restitution independently of probation, and (c) ordering a parent to pay restitution. The court may also order a child or parent to perform community service restitution. The court must order community service (up to 500 hours) for all children placed on probation unless the court finds good cause why the child should not perform the service.

**Modification Proceedings:** Any disposition, except commitment to the Texas Youth Commission, can be modified by the juvenile court until the juvenile turns 18 or completes the terms of the probation.

**Determinate Sentencing:** A prosecutor can petition for determinate sentencing for juvenile cases involving certain serious offenses. A grand jury must agree with the petition to move forward with determinate sentencing. If the adjudication hearing results in a finding that the juvenile committed one of the specified offenses, the juvenile may be committed to the Texas Youth Commission. Depending on the offense, the juvenile may transfer to the Texas Department of Criminal Justice, Correctional Institutions Division, at age 19.<sup>8</sup>

A juvenile is eligible for a determinate sentence if the following serious offenses are committed: murder; capital murder; attempted capital murder; aggravated kidnapping; aggravated sexual assault; sexual assault; aggravated assault; aggravated robbery; injury to child, elderly individual, or disabled individual (excluding state jail felony); arson with bodily injury or death; aggravated controlled substance offenses; criminal solicitation; indecency with a child; criminal solicitation of a minor; and criminal attempt of murder or any "3g offense", which includes murder, capital murder, indecency with a child, aggravated kidnapping, aggravated sexual assault, aggravated robbery, sexual assault, and drug free zone enhanced controlled substance offenses. The law also provides that a child may receive a determinate sentence for habitual felony conduct.

**Delinquency Petition:** In the majority of cases, the juvenile prosecutor files a delinquency petition requesting the juvenile court to hear the case. If the court agrees, then the adjudication hearing process begins.

**Progressive Sanctions:** Local juvenile probation departments, prosecutors, and judges develop progressive sanctions that meet local priorities. The state encourages a standard system of progressive sanctions through statutory guidelines in the Family Code. The guidelines establish

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<sup>8</sup> A juvenile committed to TYC under determinate sentencing may be committed for up to 10 years for a third degree felony; 20 years for a second degree felony; and 40 years for a first degree or capital felony. Any sentence of 10 years or less may be probated. Juveniles probated from a determinate sentence commitment at age 19 are placed on adult parole.

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seven progressively restrictive sanction levels. The sanction level is determined based on the severity of the offense, prior criminal history, individual needs, and the effectiveness of prior interventions.

The following page outlines the Texas Progressive Sanctions Model in detail.

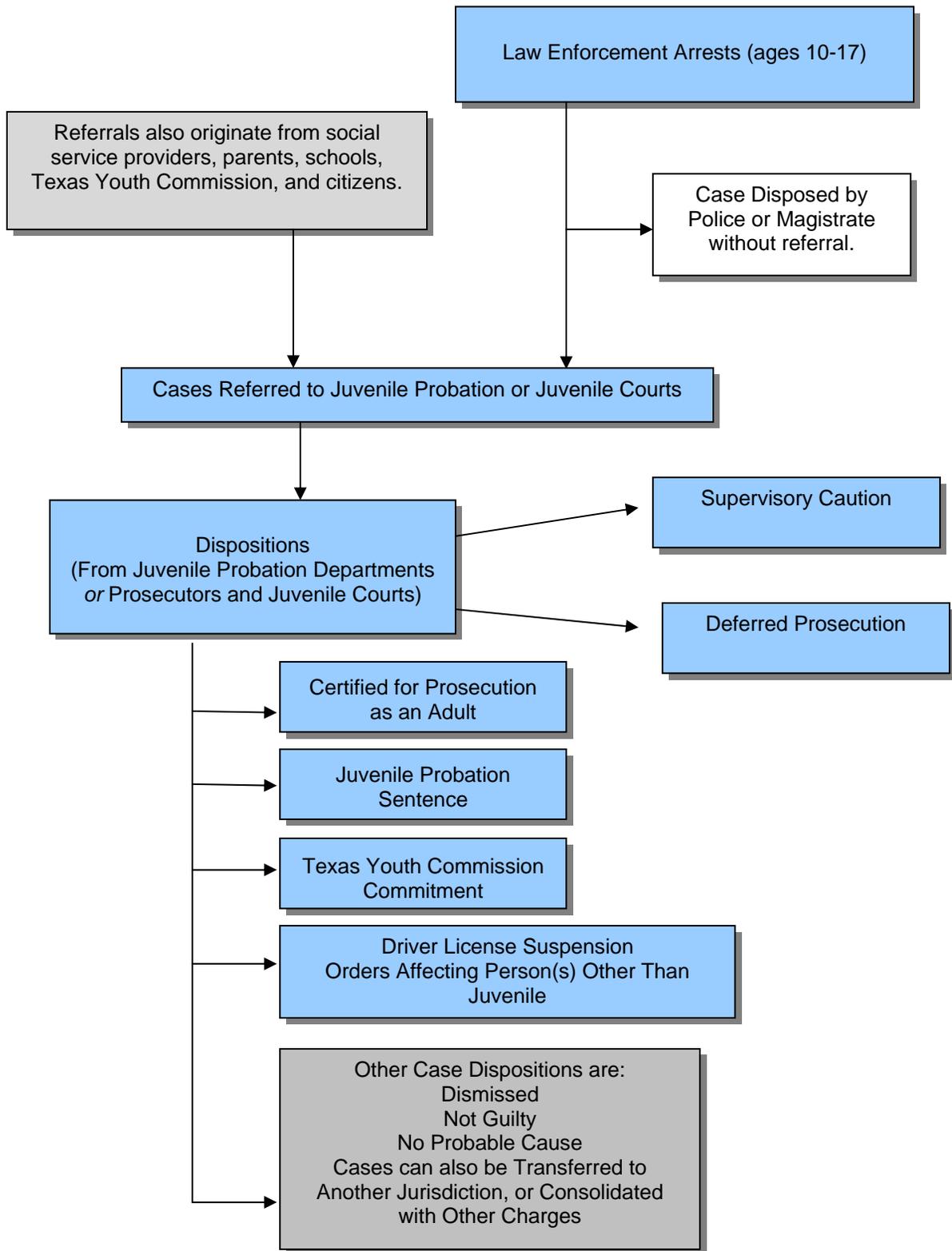
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## Texas Juvenile Progressive Sanctions Model (Texas Family Code, Chapter 59)

Offense	Level	Recommended Sanctions
<ul style="list-style-type: none"> <li>❖ Conduct Indicating a Need For Supervision, <i>excluding</i> expulsion from Discipline Alternative Education Program (DAEP) for serious or persistent misbehavior or a Class A or Class B Misdemeanor</li> </ul>	1	<p><b>Require counseling;</b>            Inform child of progressive sanctions for future offenses;            Inform parent(s) of responsibility to impose restrictions on child;            Provide information to child &amp; family on needed social services;            Require child or parent(s) to participate in Services to At-Risk Youth (STAR) (if program is available);            Refer child to citizen intervention program;            Release child to parent(s) or guardian(s).</p>
<ul style="list-style-type: none"> <li>❖ Expulsion from DAEP for serious or persistent misbehavior under 37.007(c), Education Code</li> <li>❖ Contempt of Justice of the Peace/Municipal or Fine Only County Court</li> <li>❖ Violation of Court Ordered Probation</li> <li>❖ Class A or B Misdemeanor, <i>excluding</i> a misdemeanor involving the use or possession of a firearm</li> </ul>	2	<p><b>Deferred Prosecution for 3-6 months*;</b>            Inform child of progressive sanctions for future offenses;            Inform parent(s) of responsibility to impose restrictions on child;            Require restitution to victim or community service restitution (CSR);            Require parent(s) or guardian(s) to identify restrictions to be imposed on child;            Provide information to child &amp; family on needed social services;            Require child or parent(s) to participate in Services to At-Risk Youth (STAR) (if program is available);            Refer child to citizen intervention program;            Additional conditions of probation as appropriate.</p> <p><i>*As of 9/1/2003, Section 53.03(j) of the Texas Family Code authorizes two consecutive terms of deferred prosecution not to exceed one (1) year.</i></p>
<ul style="list-style-type: none"> <li>❖ Misdemeanor involving use or possession of a firearm</li> <li>❖ State Jail Felony</li> <li>❖ Third Degree Felony</li> </ul>	3	<p><b>Court ordered probation for not less than 6 months;</b>            Require restitution to victim or community service restitution (CSR);            Impose specific restrictions and requirements for child's behavior;            Require probation officer to closely monitor child's activities and behavior;            Require child or parent(s) to participate in programs or services as appropriate;            Additional conditions of probation as appropriate (including placement in non-secure residential treatment facilities).</p>
<ul style="list-style-type: none"> <li>❖ Second Degree Felony</li> </ul>	4	<p><b>3-12 months intensive and regimented program PLUS Court ordered probation;</b>            Require restitution to victim or community service restitution (CSR);            Impose highly structured restrictions and requirements on child's behavior;            Require probation officer to closely monitor child;            Require child or parent(s) to participate in programs or services, as appropriate;            Additional sanctions, if appropriate.</p>
<ul style="list-style-type: none"> <li>❖ First Degree Felony, <i>excluding</i> a felony involving the use of a deadly weapon <i>or</i> causing serious bodily injury</li> </ul>	5	<p><b>6-12 months court ordered placement in a post-adjudication secure correctional facility PLUS Court ordered probation;</b>            Require restitution to victim or community service restitution (CSR);            Impose highly structured restrictions and requirements on child's behavior;            Require probation officer to closely monitor child;            Require child or parent(s) to participate in programs or services as appropriate;            Additional sanctions, if appropriate.</p>
<ul style="list-style-type: none"> <li>❖ First Degree Felony involving the use of a deadly weapon <i>or</i> causing serious bodily injury</li> <li>❖ Aggravated Controlled Substance Felony</li> <li>❖ Capital Felony</li> </ul>	6	<p><b>Commitment to Texas Youth Commission where Commission may impose the following:</b>            9-24 months highly structured residential program;            Require restitution to victim or community service restitution (CSR);            Require child or parent(s) to participate in programs or services as appropriate;            Additional sanctions, if appropriate;            Parole with highly structured restrictions and requirements on child;            Parole supervision for not less than 6 months;            Other parole supervision conditions, as appropriate.</p>
<ul style="list-style-type: none"> <li>❖ First Degree Felony involving the use of a deadly weapon <i>or</i> causing serious bodily injury</li> <li>❖ Aggravated Controlled Substance Felony</li> <li>❖ Capital Felony</li> </ul>	7	<p><b>Discretionary Certification and Transfer to Criminal Court or Determinate Sentence to the Texas Youth Commission where Commission may impose the following:</b>            12 months to 10 years highly structured residential program;            Require restitution to victim or community service restitution (CSR);            Require child or parent(s) to participate in programs or services as appropriate;            Additional sanctions, if appropriate;            Parole with highly structured restrictions and requirements on child;            Parole supervision for not less than 12 months; Other parole supervision conditions, as appropriate.</p>

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## Juvenile Justice System Flow Chart



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## **Service Network**

State and local programs operate outside the formal juvenile justice system and directly affect delinquency reduction, control, and/or prevention.

Below is a listing of state resources that offer programs that address juvenile justice issues.

## **Comptroller of Public Accounts**

*Local Government Division*

(512) 463-4679

[www.window.state.tx.us](http://www.window.state.tx.us)

## **Office of the Attorney General**

*Juvenile Crime Intervention*

[jci@oag.state.tx.us](mailto:jci@oag.state.tx.us)

(512) 463-4024

[www.oag.state.tx.us](http://www.oag.state.tx.us)

*Child Support Division*

(800) 252-8014

<http://childsupport.oag.state.tx.us/>

*Crime Victims' Compensation*

(512) 936-1200

(800) 983-9933

[crimevictims@oag.state.tx.us](mailto:crimevictims@oag.state.tx.us)

*County Affairs*

(512) 463-2060

*Municipal Affairs*

(512) 475-4683

*Nuisance Abatement*

(512) 463-2529

## **Office of the Governor**

[www.governor.state.tx.us](http://www.governor.state.tx.us)

(512) 463-2000

*Criminal Justice Division*

(512) 463-1919

<http://governor.state.tx.us/cjd/>

## **Texas Department of Health and Human Services**

*Department of Assistive & Rehabilitative Services*

[www.dars.state.tx.us](http://www.dars.state.tx.us)

*Early Childhood Intervention*

(512) 424-6745

[www.dars.state.tx.us/ecis/](http://www.dars.state.tx.us/ecis/)

*Department of State Health Services*

[www.dshs.state.tx.us](http://www.dshs.state.tx.us)

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### *Commission on Alcohol Abuse and Drug Abuse*

Coordination of substance abuse services, information, education and training  
(512) 349-6644 (Training and publications)  
(800) 832-9623 (General information)  
[www.dshs.state.tx.us/sa](http://www.dshs.state.tx.us/sa)

### *Office of Tobacco Prevention and Control*

(512) 458-7402  
[www.dshs.state.tx.us/tobacco/](http://www.dshs.state.tx.us/tobacco/)

### *Public Health Preparedness*

(512) 458-7405  
[www.dshs.state.tx.us/preparedness/default.shtm](http://www.dshs.state.tx.us/preparedness/default.shtm)

### *TDH Family Planning Program (teen pregnancy, clinics, etc.)*

(512) 458-7444  
[www.dshs.state.tx.us/famplan/default.shtm](http://www.dshs.state.tx.us/famplan/default.shtm)

### *Community Mental Health Services (formerly, MHMR: Mental Health Services)*

(512) 454-3761  
[www.dshs.state.tx.us/mentalhealth.shtm](http://www.dshs.state.tx.us/mentalhealth.shtm)

### *Department of Aging & Disability Services*

[www.dads.state.tx.us](http://www.dads.state.tx.us)

### *Community Mental Retardation Services (formerly, MHMR: Mental Retardation Services)*

[www.dads.state.tx.us](http://www.dads.state.tx.us)

### *Department of Family and Protective Services*

[www.dfps.state.tx.us](http://www.dfps.state.tx.us)

### *Child Care Information*

(800) 862-5252

### *Child Protective Services*

(800) 252-5400 (abuse hotline)

### *Services to At-Risk Youth (STAR)*

(512) 438-4800

### *Foster Care and Adoption Inquire Line*

(800) 233-3405

### *Texas Runaway Hotline*

(888) 580-4357  
[www.dfps.state.tx.us/Runaway\\_hotline/runaway.asp](http://www.dfps.state.tx.us/Runaway_hotline/runaway.asp)

### *Texas Youth Hotline (At-Risk Youth)*

(800) 989-6884  
[www.dfps.state.tx.us/Youth\\_Hotline/youth.asp](http://www.dfps.state.tx.us/Youth_Hotline/youth.asp)

## **Texas Department of Criminal Justice**

### *Crime Victims' Services*

(800) 848-4284  
[vicim.svc@tdcj.state.tx.us](mailto:vicim.svc@tdcj.state.tx.us)  
[www.tdcj.state.tx.us](http://www.tdcj.state.tx.us)

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## **Texas Department of Housing and Community Services**

(512) 475-3800  
[www.tdhca.state.tx.us](http://www.tdhca.state.tx.us)

*Community Development Block Grants Program*  
(512) 475-3950

*Services for the Homeless (Funding)*  
(512) 475-3950

*Local Government Section*  
(512) 475-3806

## **Texas Education Agency**

(512) 463-9734  
[www.tea.state.tx.us](http://www.tea.state.tx.us)

*21<sup>st</sup> Century Community Learning Centers*  
(512) 463-5619  
<http://www.texas21afterschool.org/07/index.php>

*Communities in Schools (CIS)*  
(512) 438-4800  
<http://ritter.tea.state.tx.us/cis/>

*Safe and Drug Free Schools*  
(512) 463-9374

*Education Service Centers (Regionally based)*  
(512) 463-9371

*Guidance and Counseling*  
(512) 463-9498

## **Texas Health and Human Services Commission**

*Children's Health Insurance Program (CHIP)*  
(800) 647-6558  
[www.chipmedicaid.org/english/index.htm](http://www.chipmedicaid.org/english/index.htm)

## **Texas Juvenile Probation Commission**

(512) 424-6700  
[www.tjpc.state.tx.us](http://www.tjpc.state.tx.us)

## **Texas School Safety Center at Texas State University**

(512) 245-3696  
[www.txssc.txstate.edu/txssc.htm](http://www.txssc.txstate.edu/txssc.htm)

## **Texas Workforce Commission**

*Project Reintegration of Offenders (Project RIO)*  
(800) 453-8140  
[www.twc.state.tx.us/svcs/rio.html](http://www.twc.state.tx.us/svcs/rio.html)

## **Texas Youth Commission**

(512) 424-6130  
[www.tyc.state.tx.us](http://www.tyc.state.tx.us)

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Local juvenile probation offices in the State of Texas provide an array of individualized public awareness, prevention, treatment, restitution, runaway and truancy, and other programs that operate outside the formal system to prevent crime in their communities. Further examples of these may be found in *Delinquency Prevention in Texas: A Compendium of Services*, published on line at <http://www.tjpc.state.tx.us/publications/> by the Texas Juvenile Probation Commission.

The Texas Department of State Health Services (DSHS) is the recipient of a federal Substance Abuse and Mental Health Services Administration (SAMHSA) grant designed to assist states in transforming their mental health service systems to create an effective, transparent and easily navigated system for consumers of mental health services. DSHS requires the state to engage in efforts to build and plan infrastructure across all agencies that provide, fund, administer and purchase mental health services.

The Texas Education Code requires juvenile boards in counties with populations exceeding 125,000 to develop a juvenile justice alternative education program. Any student expelled from school for an offense that requires expulsion must be placed in the program. These school districts must determine an appropriate placement for all other students who are expelled. Students' placement in the Juvenile Justice Alternative Education Programs for one of the mandatory expulsion offenses is paid for by the state through the juvenile board. Counties with a population below 125,000 may develop juvenile justice alternative schools at their discretion.

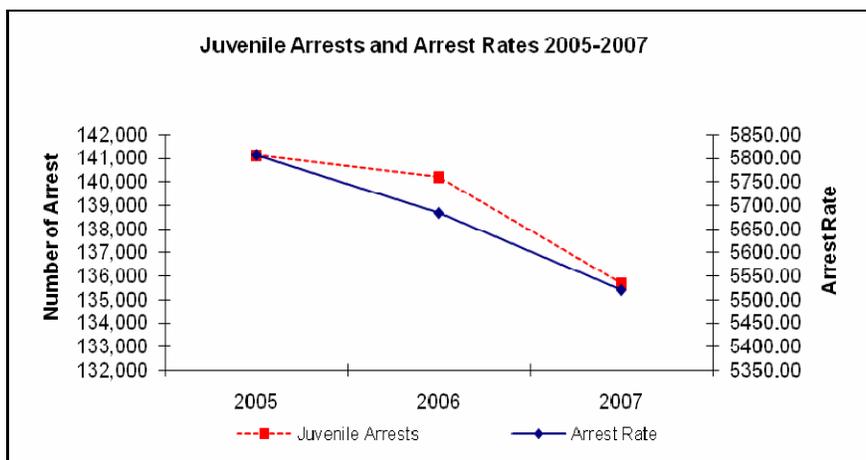
## 2. Analysis of Juvenile Crime Problems and Juvenile Justice Needs

### Overview

Juvenile crime in Texas continues to decline while the state's juvenile population remains relatively stable. CJD uses a comprehensive strategic approach to juvenile justice solutions incorporating appropriate statistics, such as crime indicators and population trends, to shape and develop programs. Since 2005 the overall crime in Texas has decreased, substantiating the effectiveness of strategically-based juvenile justice initiatives.

### **A. Analysis of Juvenile Crime Problems**

The "Juvenile Arrest Rate" is commonly used by CJD to pinpoint areas of high and low juvenile crime. The chart below demonstrates the difference between the "number" and "rate" of juvenile arrests and shows that both the number of arrests and rate of arrests from 2005 to 2007 decreased.



- From 2005 to 2007, total juvenile arrests decreased -3.85%, from 141,113 to 135,685.
- Juvenile arrest rates decreased -4.91% from 5806 to 5521 (per 100,000).

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## (1) Juvenile arrests by offense type, gender, and age.

**Juvenile Arrests, Rates and Offense Types**

	2005	2006	2007
Juvenile Population	2,430,484	2,466,758	2,457,563
<b>Total Arrests<sup>9</sup></b>			
All Offenses	141,113	140,189	135,685
<b>Rate of Arrest</b>			
All Offenses	5,805	5,683	5,521
<b>Arrests (% of Total Arrests)</b>			
Violent Offenses	5,833 (4.13%)	5,880 (4.19%)	5,363 (3.95%)
<b>Rate of Arrest</b>			
Violent Offenses	240	238	218

- The total number of arrests have decreased by 5,428 (3.85%) since 2005.
- The percentage of juvenile arrests that were for violent offenses remained relatively stable.
- The violent arrest rate has decreased by 9% since 2005.

**Juvenile Arrests Percentage by Gender and Age<sup>10</sup>**

	2005	2006	2007
<b>GENDER</b>			
Male	67%	68%	68%
Female	33%	32%	32%
<b>AGE</b>			
Under 10	<1%	<1%	<1%
11-12	10%	9%	8%
13-14	34%	33%	32%
15	26%	27%	27%
16	29%	30%	32%

- The percentage of arrests in each gender category and all age groups remained relatively stable.
- Male juveniles are 2.5 times more like to be arrested for a violent offense and more than 3 times more like to be arrested for a substance abuse or drug offense.

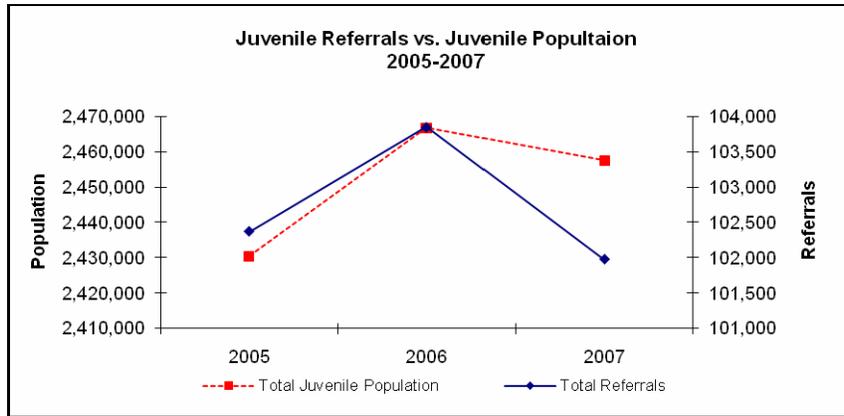
## (2) Number and characteristics of juveniles referred to juvenile court, a probation agency, or special intake unit for allegedly committing a delinquent or status offense.

Referrals can originate from law enforcement or other sources such as schools, social service agencies, and citizens. In most Texas counties, the juvenile probation department works with the juvenile prosecutor and the juvenile court in determining an appropriate intake plan for each referral. The charts below show the number and characteristics of juveniles referred to juvenile court, a probation agency, or special intake for allegedly committing a delinquent or status offense.

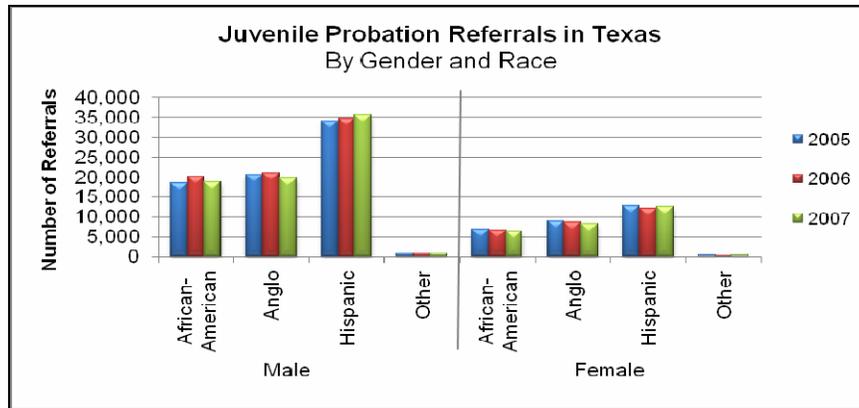
<sup>9</sup> Arrest data from the Texas Department of Public Safety

<sup>10</sup> Arrest data from the Texas Department of Public Safety, Uniform Crime Reporting program

## FY 2009 OJJDP Title II Formula Grants Program Narrative



- From 2005 to 2007, the total juvenile population increased 1.11%, from 2,430,484 to 2,457,565.
- From 2005 to 2007, juvenile referrals decreased from 102,373 to 101,977 (<1%).

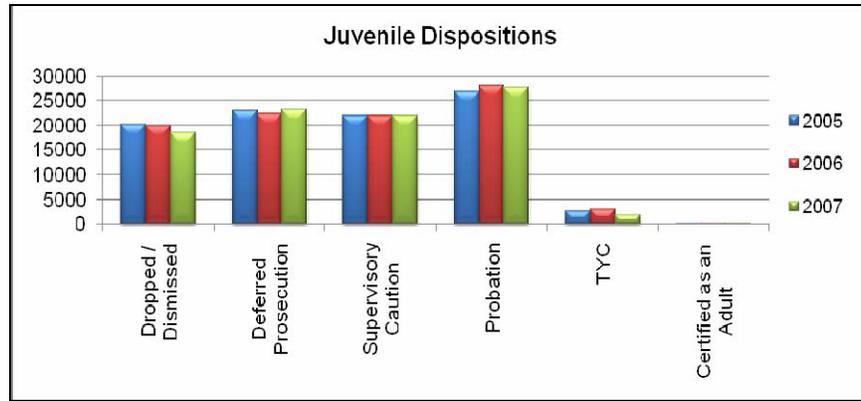


- In 2007, males were referred at a rate of 5940 referrals per 100,000 males. Females were referred at a rate of 2276 referrals per 100,000 females. The rate of males referrals is 2 ½ greater than females.

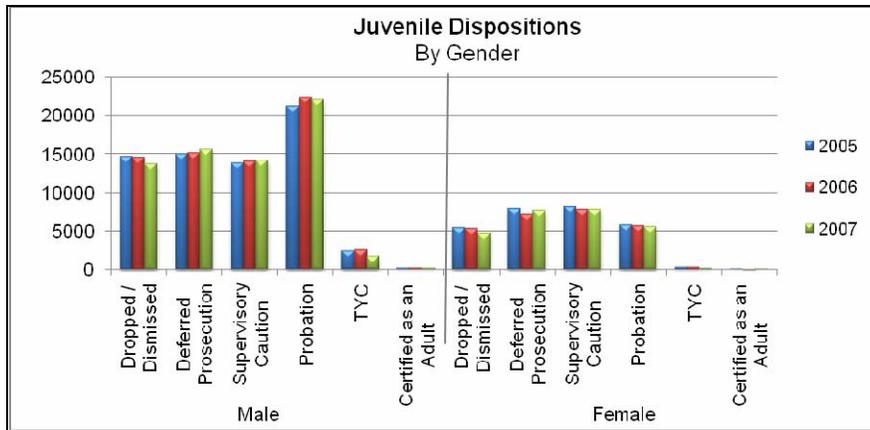
### (3) Number of cases handled informally and formally by gender and type of disposition.

Juvenile offenders fall into one of three categories: dispositions without referral to court, informal proceedings, or formal court proceedings. As described in the Structure and Function of the Juvenile Justice System section of this plan (pages 2-4), disposition options for informal proceedings include Supervisory Caution and Deferred Prosecution, while formal disposition options available for juvenile offenders include Certification as an Adult, Probation, TYC Commitment, Driver's License Suspension, Orders Affecting Person(s) Other Than the Child, Orders for Restitution or Community Service, and CINS Petition.

## FY 2009 OJJDP Title II Formula Grants Program Narrative



- From 2005 to 2007, the total juvenile dispositions decrease by 1.54%, from 94,701 dispositions in 2005 to 93,244 dispositions in 2007.
- Adjudicated probations increased by 2.45% from 26,894 to 27,554 while TYC commitments decreased by 31% from 2,679 to 1,848.
- 231 juveniles were certified as adults in 2007 – an 11% increase from the 208 certified in 2005.
- In 2007, 68.2% of the total dispositions occurred through either informal proceedings (Supervisory Caution or Deferred Prosecution), or the charges were dropped/dissmised.

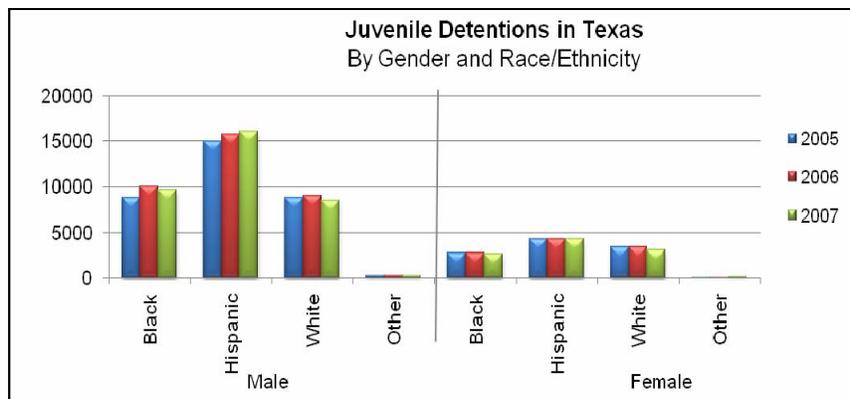


- From 2005 to 2007, males were consistently placed on adjudicated probation at a higher rate than females. Females were more often than males to be adjudicated to supervisory caution or deferred prosecution.

#### **(4) Number of delinquent and status offenders admitted, by gender and race, to juvenile detention facilities and adult jails and lockups:**

In 2006, Texas operated 58 pre-adjudication detention facilities with a total of 2,637 beds available. According to the Texas Juvenile Probation Commission, 22% of all juveniles securely detained were released in less than one day while 40% were detained for more than ten days. The average length of detention for youth was 12.2 days. Of the 254 counties in Texas, 75% (or 191 counties) detained less than 100 juveniles during the 2006 calendar year.

## FY 2009 OJJDP Title II Formula Grants Program Narrative



- In 2007, Hispanic youth were detained at a rate of 1900 per 100,000, while white youth were detained at a rate of 1204 per 100,000.
- From 2005-2007, the total number of youth detained increased by 3.05%, from 43,411 to 44,737.

### (5) Other social, economic, legal and organizational conditions considered relevant to delinquency prevention programming:

#### Juvenile Justice Alternative Education Programs (JJAEPs)<sup>11</sup>:

In 1995, the Texas Legislature created juvenile justice alternative education programs (JJAEPs) to serve the educational needs of juvenile offenders and at-risk youth who are expelled from the regular classroom or the school district's disciplinary alternative education program. This legislation mandated that counties with a population of over 125,000 are required to implement and operate JJAEPs. There are 27 counties with mandatory JJAEPs operating in Texas encompassing 283 school districts. About 76% of the state juvenile population resides in these 27 counties. It's anticipated that an additional 4 or 5 counties will have populations that meet the 125,000 threshold when the 2010 U.S. Census is released. In addition, seven counties operated JJAEPs with state grant funds in counties with populations of less than 125,000.

JJAEPs serve students who have been expelled from school, placed into the program as a court ordered requirement, or placed by a local school district agreement. JJAEP students fall into two categories: *expelled students* and non-expelled students (referred to as "*Other*").

*Expelled Students*: Includes students who are required to be expelled under Section 37.007 of the Texas Education Code (TEC) and those expelled at the discretion of local school district policy.

*Other*: Includes non-expelled students who are orders to attend the JJAEP by a juvenile court judge or who attend under an agreement with the local school district.

According to the Texas Juvenile Probation Commission (TJPC), data from the 2006-2007 school year indicates that 94% of student entries (or 7011 entries) into JJAEP programs were for expelled students. Of the expelled students, 42.7% received a mandatory expulsion (school districts must expel students who commit certain serious criminal offenses, including violent offenses against persons, felony drug offenses, and weapons offenses) which is an increase of 12.7% over the previous school year.

<sup>11</sup> Texas Juvenile Probation Commission's Juvenile Justice Alternative Education Programs Performance Assessment Report, School Year 2006-2007

## FY 2009 OJJDP Title II Formula Grants Program Narrative

### Mental Health Services for the Juvenile Justice System

Nine state agencies purchase or provide mental health services for juveniles.<sup>12</sup> Three of those agencies provide direct services in the juvenile justice system: the Texas Juvenile Probation Commission (TJPC), the Texas Youth Commission (TYC) and the Texas Department of State Health Services (DSHS). Local juvenile probation departments also purchase mental health services for juveniles who have been referred.

TJPC estimated that, in 2005, approximately 26% of the juveniles referred to juvenile probation were in need of mental health service; and, 7% of the juveniles referred or supervised received a state funded behavioral health service in that same year.<sup>13</sup>

TYC indicated that nearly half of the juveniles committed to their care are in need of mental health services and that the number of youth committed with severe emotional problems has increased greatly in recent years.

TYC provides specialized treatment for youth who are diagnosed with severe emotional and/or mental illnesses at Corsicana Residential Treatment Center and Crockett State School. There is also a stabilization unit at Corsicana for those with unstable mental illnesses who are also dangerous to themselves or others. The goal of these specialized treatment services is to treat the basic emotional or mental illness and allow the youth to regain control over his or her behavior. TYC also focuses on reintegrating the youth with his or her family and community in a program that addresses the emotional and correctional therapy needs of the youth.<sup>14</sup>

Services of the Department of State Health Services (DSHS) are directed to children between the ages of 3 and 17 who have a demonstrated functional impairment and a diagnosis of mental illness. This group includes some children who may also be in the juvenile justice system (i.e., under the supervision of juvenile probation or the Texas Youth Commission).

The Enhanced Mental Health Services Initiative is a collaborative effort with the Texas Juvenile Probation Commission (TJPC) and the Texas Correctional Office on Offenders with Medical or Mental Impairments (TCOOMMI), a division of the Texas Department of Criminal Justice. TJPC provides the funding for the specially trained probation officers to work with youth with mental health issues on a reduced specialized caseload. TCOMMI provides funding to local mental health authorities in the program sites to hire mental health practitioners to work with the youth on the specialized juvenile probation caseloads. In many cases, this initiative has resulted in the co-location of mental health professionals and probation staff.

### Delinquency Prevention and Treatment Services in Rural Areas

Texas occupies 268,581 square miles of land and water which is 7% of the total land and water area of the United States. Texas consists of the Chihuahuan Desert in the west, the plains in the Panhandle, the hill country in the heart, prairies and lakes stretching 350 miles from Oklahoma to San Antonio, the piney woods in the northeast, 624 miles of Gulf Coast, and the Spanish missions of south Texas. More than 80% of the state's total population is in the eastern most part and the most sparsely populated areas are in west Texas.<sup>15</sup> Primary issues for rural communities are a lack of services and resources and the large distances that must be traveled, both to supervise youth and enroll them into services. In addition, multi-county rural juvenile probation departments interact with multiple law enforcement agencies and mental health authorities whose boundaries differ from theirs. While rural areas do not have the volume of referrals as urban areas, they do have the same types of problems. In order to access services, the only choices may be commitment to the Texas Youth Commission (TYC) or, if funding is available, sending the juvenile to a residential treatment program.

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<sup>12</sup> Texas Institute for Health Policy Research, *Children's Mental Health Care in Texas: Needs, Services and Funding*, 2003

<sup>13</sup> Texas Juvenile Probation, Today and Tomorrow, July 2008

<sup>14</sup> Texas Youth Commission website at [www.tyc.state.tx.us/programs/special\\_treat.html#mental](http://www.tyc.state.tx.us/programs/special_treat.html#mental)

<sup>15</sup> Texas Almanac at [www.texasalmanac.com/environment/](http://www.texasalmanac.com/environment/)

## FY 2009 OJJDP Title II Formula Grants Program Narrative

### Juvenile Drug Use

The Texas Department of State Health Services (DSHS) and the Texas A&M University Public Policy Research Institute (PPRI) surveyed 98,898 students in grades 7-12 from 62 school districts during the spring of 2008. This survey asked students to report on their use of alcohol, tobacco, inhalants, illicit drugs, and over-the-counter and prescription-type drugs within the past month and over their lifetime. Following is a summary of the adolescent substance use among secondary school students.<sup>16</sup>

Drug	Past Month Use			Lifetime Use		
	2006	2008	Change	2006	2008	Change
Tobacco	15%	13%	DOWN	35%	32%	DOWN
Alcohol	32%	30%	DOWN	66%	63%	DOWN
Inhalants	N/A	3%	N/A	N/A	9%	N/A
Any Illicit Drug	13%	12%	DOWN	28%	26%	DOWN
Marijuana	11%	10%	DOWN	26%	25%	DOWN
Cocaine/Crack	3%	2%	DOWN	8%	7%	DOWN
Ecstasy	2%	2%	NO CHANGE	5%	5%	NO CHANGE
Uppers	2%	2%	NO CHANGE	6%	5%	DOWN
Downers	3%	2%	DOWN	6%	6%	NO CHANGE
Hallucinogens	1%	2%	UP	5%	4%	DOWN
Heroin	1%	1%	NO CHANGE	2%	1%	DOWN
Dexromethorphan (DXM)	2%	2%	NO CHANGE	5%	7%	UP

- From 2006 to 2008, the use of substances by Texas secondary students decreased or had not changed for most substance types.
- Alcohol is the most common substance used among secondary students with 63% reporting they had used alcohol at some point in their lives, down from 66% in 2006.
- In 2008, 21% of students in grades 7-12 reported having 5 or more drinks at one time (binge drinking) in the past month. Of those that reported binge drinking, 1 in 20 secondary students said they binged six or more days in the past month.
- Marijuana remained the most commonly used illicit drug in 2008 with 25% of the students surveyed reporting they had used the drug in their lifetime.
- The 2008 figures for Inhalants cannot be compared properly to previous years' figures because the question in the secondary school survey changed from specific inhalant types to a generic inhalant question.
- According to the 2008 survey, younger students were more likely to use inhalants than other students, with more than 10% of students in grades 7 and 8 reporting lifetime use and only 7% of students in Grade 12 reporting lifetime use.
- In 2008, 7% of secondary students reported they had ever taken DXM, up from 5% in 2006.

### Gangs

The gang problem in Texas bears similarities to the gang problem across the country. The increased mobility and organizational sophistication of gangs have reemphasized the need for criminal justice and juvenile justice agencies to work together to identify and combat gang activity.

The Texas Juvenile Probation Commission reported that in 2008 there were 12,281 referrals to probation from juveniles affiliated with a gang. Urban counties accounted for 95% of the gang affiliated referrals while rural counties accounted for 5%.

<sup>16</sup> Texas Department of State Health Services, Prevalence and Recency of Substance Use by Grade: All Texas Secondary Students, 1988-2006

# FY 2009 OJJDP Title II Formula Grants Program Narrative

The Texas Youth Commission (TYC) tracks known gang affiliations of youth within TYC and records gang-related activities involving youth. During FY 08, TYC reported that a total of 107 youth within TYC residential and contract care programs engaged in gang-related assaults. An assault can be defined as either having physical contact that causes injury or physical contact that is offensive or provocative (i.e. spitting, inappropriate touching). Of the 107 youth, 26 youth assaulted staff, and the remaining 81 youth assaulted other youth. This is a decrease from FY 07 and FY 06 both in numbers and as a percent of the population.

## B. State Priority Juvenile Justice Needs/Problem Statements

The Governor's Criminal Justice Division (CJD) requires all juvenile justice projects or projects serving delinquent or at-risk youth, regardless of fund source, to address at least one of the following priority needs developed in coordination with the Governor's Juvenile Justice Advisory Board to be eligible for funding:

### I. Prevention and Early Intervention at First Offense

Prevention and early intervention remains a strong focus for Texas. Evidence shows that initial contact with the justice system predominantly occurs because youth have a disciplinary history at school, have an emotional or learning disability or are economically disadvantaged.<sup>17</sup> Prevention and intervention efforts for youth are more cost efficient and successful in preventing future delinquent behavior and contact with the juvenile justice system.<sup>18</sup>

Single parent families comprise nearly 14% of family households in Texas; and of this, female single-parent households accounted for over 78% of these families. Statistics also show Texas leading the nation in teen birth rates. Teenage mothers and fathers are more likely to complete fewer grades within schools, experience poverty and become dependent on welfare.<sup>19</sup> Children of teen mothers are more likely to experience behavioral and educational problems, drop out of school, have contact with the justice system and become teen parents themselves.

Texas will continue to target those youth in high-risk categories and fund programs or other initiatives designed to positively impact youth and divert them from a path of serious, violent and chronic delinquency. Prevention and early intervention initiatives may include support for evidence-based educational programs, effective interventions for juveniles with emotional or learning disabilities, and accountability and after-school programs.

### II. Disproportionate Minority Contact

Texas' juvenile population is projected to increase 15% between 2000 and 2020, with Hispanic youth representing 34% of this growth. Referrals to juvenile probation departments are projected to increase by as much as 21% with Hispanic youth representing 54% of this increase.<sup>20</sup>

Compared to Anglos, Hispanic juveniles have a significantly higher probability of progressing through all four stages of case processing from initial contact through court action. African American youth have a higher probability of progressing through two stages including initial contact and prosecutorial review. Efforts to address the disproportionate number of juvenile members who come into contact with the juvenile justice system continue to remain a priority for Texas.

### III. Gang Prevention and Intervention

One of the greatest criminal and terroristic threats to the state is the porous Texas-Mexico border. Fueled by their relationships with drug cartels, transnational gangs like the Mexican Mafia, Texas Syndicate, Barrio Azteca and Mara Salvatrucha (MS-13) are gaining power and increasing their

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<sup>17</sup> Texas A&M University, Public Policy Research Institute, *Study of Minority Over-Representation in the Texas Juvenile Justice System*, 2005

<sup>18</sup> Texas Juvenile Probation Commission website: <http://www.tjpc.state.tx.us/publications/reports/TJPCMISC0308.pdf>

<sup>19</sup> Texas Department of State Health Services website: <http://www.dshs.state.tx.us/famplan/tpp.shtm>

<sup>20</sup> Texas Juvenile Probation, *Today and Tomorrow*, July 2008

## FY 2009 OJJDP Title II Formula Grants Program Narrative

influence. Efforts to deter juvenile gang activity remain a part of the aggressive strategy to secure Texas' southern border. Special emphasis is placed on programs or initiatives relating to the recruitment of juvenile members, including information sharing, community programs and school-based programs aimed at reducing gang-related activities.

Students along the Texas-Mexico Border region, in particular older students, have reported higher use of cocaine, crack, Rohypnol, tobacco and alcohol compared to students living elsewhere in the state.<sup>21</sup> Recruitment of new members in Texas' middle and high schools has become more prevalent over the years; and as many as 40% of youth incarcerated at the Texas Youth Commission admitted to having active involvement in a gang.<sup>22</sup>

In addition to securing the southern border, authorities in major metropolitan areas in Texas, including Dallas, Houston, Ft. Worth and Austin, have seen the influence of the Texas Tango Blast. This gang was born in the Texas prison system but allows affiliation with the gang outside of the prison system and rejects the traditional lifelong commitment imposed by most gangs. The nontraditional nature of this gang is particularly appealing for school-aged youth looking to emulate older members of their family and friends.

### IV. Specialized Treatment Services

The prevalence and use of licit drugs, illicit drugs and over-the-counter or prescription drugs among youth in grades 7-12 continues to be a primary concern for Texas. Alcohol continues to be the most widely used substance among secondary school students with 63% reporting they tried alcohol at some point in their lives. Marijuana remained the most commonly used illegal drug among 7-12 graders with about 25% of youth reporting having smoked marijuana at some point. Texas eighth, tenth and twelfth graders were more likely to report lifetime use of cigarettes, alcohol, cocaine, Ecstasy and methamphetamine than their peers nationally.<sup>23</sup>

In addition to substance abuse issues, mental health disorders among youth have gained significant awareness among lawmakers, service providers, teachers and counselors. Without proper intervention and treatment, youth with a mental illness often develop serious emotional and behavioral problems, develop severe mental illnesses and are more likely to wind up in the juvenile justice system. In 2008, nearly 33% of youth incarcerated at the Texas Youth Commission were diagnosed as having a serious mental health problem.<sup>24</sup> The Texas Juvenile Probation Commission estimated that approximately 26% of the juveniles referred to juvenile probation were in need of mental health service; and, 7% of the juveniles referred or supervised received a state funded behavioral health service in that same year.

Specialized treatment services will include programs that address the use of illegal substances among Texas youth as well as programs offering mental health services to at-risk youth, including counseling and professional therapy, group therapy and psychiatric evaluations.

### V. Juvenile Justice System Impact

Texas has undergone major systemic changes in recent years and continues to make improvements in the efficiency and effectiveness of its Juvenile Justice System. Some of these changes include increased training for juvenile corrections officers, greater oversight for the entire juvenile justice system and prohibiting incarceration of youth for misdemeanor offenses.

The juvenile justice system continues to face challenges as the juvenile population and demographic makeup of Texas youth continues to change, especially along the Texas-Mexico border. According to Annie E. Casey Foundation, Texas was in the top third of states with the highest rates of youth ages 10-15 in custody at juvenile justice facilities, a statistic that reveals the over-reliance of incarcerating youth.<sup>25</sup> Texas will continue to improve the practices, policies and

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<sup>21</sup> Texas Department of State Health Services website:

[http://www.dshs.state.tx.us/sa/Research/survey/Adolescent%20Sub%20Use%20in%20Texas%2001\\_2009.pdf](http://www.dshs.state.tx.us/sa/Research/survey/Adolescent%20Sub%20Use%20in%20Texas%2001_2009.pdf)

<sup>22</sup> Texas Youth Commission website: [http://www.tyc.state.tx.us/research/youth\\_stats.html](http://www.tyc.state.tx.us/research/youth_stats.html)

<sup>23</sup> Texas Department of State Health Services, Adolescent Substance Use in Texas

<sup>24</sup> Texas Youth Commission website: [http://www.tyc.state.tx.us/research/youth\\_stats.html](http://www.tyc.state.tx.us/research/youth_stats.html)

<sup>25</sup> Annie E. Casey Foundation website: <http://www.aecf.org/>

# FY 2009 OJJDP Title II Formula Grants Program Narrative

procedures within the juvenile justice system, and fund programs that will reduce recidivism among juveniles and improve offender accountability.

### **3. Plans for Compliance with the First Three Core Requirements of the Juvenile Justice and Delinquency Prevention Act and the State's Plan for Compliance Monitoring**

#### **A. Plan for Deinstitutionalization of Status Offenders (DSO)**

Title 3 of the Texas Family Code is the state's Juvenile Justice Code. The Code is consistent with requirements of Section 223(a)(11) of the Juvenile Justice and Delinquency Prevention Act and with federal rules that apply to implementation of that section, as set forth in 28 CFR, Part 31: "Formula Grants: Final Rule." State and local resources are used to maintain compliance.

Texas is in full compliance with the deinstitutionalization requirement, with the minimum exceptions allowed in federal rules.

Any non-compliance that occurred in juvenile detention facilities was the result of three primary factors. First, out-of-county runaways were held beyond 24 hours because their parents or guardians lived a great distance away or had difficulties traveling to the juvenile detention center (JDC) to get their child within 24 hours. The area in which the JDC was located did not have any alternative placement resources. Second, local status offenders were given their detention hearing within 24 hours; however, no responsible adult appeared at the hearing, and the area in which the JDC was located did not have any alternate placement resources. These juveniles were returned to the JDC, awaiting a responsible adult to appear to pick them up. Third, status offenders who appeared before a magistrate or justice of the peace on an allegation of contempt were ordered detained by the judge.

In the first two categories judges and local officials, having no viable alternative placement options, will not release the juvenile without adult supervision, and local public defenders frequently do not object. In effect, the system applies a balancing test and opts to violate the law in the best interest and protection of the juvenile. The third category is less benign; however, as soon as the practice is discovered, CJD compliance monitors inform the judge and local detention officials that these detentions are not authorized under the JJDP Act and, in every instance thus far, the practice has been stopped.

CJD has increased its monitoring schedule to ensure that 100% of all facilities will be monitored on-site within the three-year period of 2008-2010. This schedule will ensure that patterns of noncompliance can be identified more rapidly than in past years, and that the appropriate corrective actions can be implemented. CJD will also continue its efforts to provide technical assistance to local units of government and will be updating and distributing existing technical assistance and training materials. Further, CJD is reviewing state law, regarding justice court contempt procedures, and will determine whether legislative or other administrative action may be needed.

Two counties that have experienced compliance challenges in the past have independently undertaken reform initiatives that are supported by CJD (as corrective action plans) and monitored annually by CJD monitoring staff. Dallas and Harris Counties voluntarily participate in the Juvenile Detention Alternatives Initiative, funded by The Annie E. Casey Foundation. CJD compliance monitoring staff continues to work with local officials to identify potential areas of noncompliance and provide technical assistance on the specific requirements of the JJDP Act.

#### **Role of State Advisory Group**

The Compliance Monitoring Subcommittee, under the Juvenile Justice Advisory Board, is responsible for assisting CJD with creating processes and guidelines related to monitoring facilities for compliance with the Juvenile Justice and Delinquency Act of 2002. The subcommittee will also assist in creating and maintaining CJD policies and procedures that address actions taken if a facility should be found out of compliance.

# FY 2009 OJJDP Title II Formula Grants Program Narrative

## B. Plan for Separation of Juveniles from Adult Offenders

Title 3 of the Texas Family Code is consistent with requirements of Section 223(a)(12) of the Juvenile Justice and Delinquency Prevention Act. State and local resources are used to maintain compliance.

Texas is in full compliance with the sight and sound separation requirement. In the period 2004-2007 there was only one separation violation in the state. Given that there are hundreds of law enforcement jurisdictions and secure facilities in the state, this record demonstrates the effectiveness of state and local law enforcement training entities, as well as the commitment of local law enforcement officials to ensure that juveniles are not placed in these facilities for reasons other than processing.

CJD compliance monitors will continue to be vigilant and identify any potential problems or changes, as well as provide technical assistance.

### Role of State Advisory Group

The Compliance Monitoring Subcommittee is responsible for assisting CJD with creating processes and guidelines related to monitoring facilities for compliance with the Juvenile Justice and Delinquency Act of 2002. The subcommittee will also assist in creating and maintaining CJD policies and procedures that address actions taken if a facility should be found out of compliance.

## C. Plan for Removal of Juveniles from Adult Jails and Lockups

Title 3 of the Texas Family Code is consistent with requirements of Section 223(a)(13) of the Juvenile Justice and Delinquency Prevention Act. State and local resources are used to maintain compliance.

The state continues to be in compliance with this requirement. In the period 2004-2007 the total number of violations for the period was less than 1% of all admissions to jails and lockups in the state.

CJD and its compliance monitors continue to provide technical assistance to jurisdictions resulting in improved data reporting to the Texas Commission on Jail Standards. That data, collected annually, is reviewed by CJD compliance monitoring staff. Every apparent violation found on a log sheet is immediately investigated. In most cases those log entries turn out to be recording errors. In addition to typographical errors, recording errors include failure to enter the most serious offense, failure to understand what constitutes secure holding and sight and sound separation, and failure to provide complete information. In some cases, the juvenile was held as an adult for a brief time because he or she gave a false age or other identification. The violations are often the result of new staff being assigned to juvenile intake who have not been sufficiently informed of state law and JJDP requirements. Verified violations are very few and widely scattered around the state. CJD compliance monitoring staff will assist local officials with developing written procedures or will provide training materials to ensure that future violations do not occur. This targeted approach has been highly successful and will continue.

1. Six-hour hold exception: State law provides for a six-hour holding period before the court appearance for purposes of identification, processing, or to arrange for release or transfer to a juvenile facility.
2. Rural removal exception: Texas does not take the rural exception allowed in federal rules.
3. Transfer or waiver exception: State law allows for detention of a juvenile in a jail or lockup if criminal felony charges have been filed in a court of criminal jurisdiction.

### Role of State Advisory Group

## **FY 2009 OJJDP Title II Formula Grants Program Narrative**

The Compliance Monitoring Subcommittee is responsible for assisting CJD with creating processes and guidelines related to monitoring facilities for compliance with the Juvenile Justice and Delinquency Act of 2002. The subcommittee will also assist in creating and maintaining CJD policies and procedures that address actions taken if a facility should be found out of compliance.

### **D. Plan for Compliance Monitoring for the First Three Core Requirements of the JJDP Act**

CJD is the agency responsible for administering the compliance monitoring program. Assistance in completing monitoring activities is provided under a grant to the Texas Commission on Jail Standards (TCJS) and a contract service provider with expertise in compliance monitoring. In addition, CJD staff are responsible for the overall coordination of monitoring activities and for following up on each reported incident of non-compliance. Following are detailed descriptions of essential components of the state's monitoring plan.

#### **1. Policy and Procedures**

Texas current Compliance Monitoring Procedures Manual is attached (Attachment 4) for reference. This manual is currently under review for updates and edits.

#### **2. Monitoring Authority**

Section 1.4 of CJD's Compliance Monitoring Procedures Manual indicates that the Governor's Office, which has oversight and administering responsibility over the JJDP Act, delegates the monitoring responsibility to the Juvenile Justice Programs Section (Juvenile Section) of the Governor's Criminal Justice Division. The Juvenile Section staff consults with the Governor's Juvenile Justice Advisory Board.

Texas Executive Order RP9 gives the Juvenile Unit of the Governor's Criminal Justice Division oversight authority in complying with the JJDP Act of 2002. The Governor's Criminal Justice Division does not have compliance monitoring authority with regard to state laws. To maintain the most effective system of monitoring, CJD must work in partnership with a number of agencies.

Currently, CJD contracts out compliance monitoring duties to assist in identifying the monitoring universe and monitoring jail and lock-up facilities. CJD continues to seek assistance from other state agencies that have oversight of treatment facilities, runaway shelters, foster homes, etc. These agencies such as the Texas Department of Protective and Regulatory Services, Texas Commission on Alcohol and Drug Abuse, and the Texas Department of Mental Health and Mental Retardation should assist CJD in providing verification of compliance with the three core requirements. The contract compliance monitor will report directly to the CJD Director, JJ Specialist and the Juvenile Justice Advisory Board. The JJ Specialist retains the accountability for the overall performance of the monitoring tasks.

#### **3. Monitoring Timeline**

Monitoring to verify compliance with the JJDP Act of 2002 is a continuing process and is based on conducting on-site verification visits to 100% of all facilities identified on the juvenile universe within a three-year period.

The Texas Commission on Jail Standards (TCJS) annually mails requests for data on juveniles held securely in adult law enforcement agencies to all facilities classified and verified as "secure" by the on-site visits. The request for data covering the previous calendar year and an appropriate deadline for submitting the data is mailed in late December or early January of each year. Additional compliance monitoring is accomplished by reviewing the annual data logs as they are submitted to TCJS to clarify any confusing entries or to secure missing information.

Juvenile Detention facility data is provided by the Texas Juvenile Probation Commission (TJPC) and is secured from that agency prior to on-site visits to those facilities. Because state law prohibits status offenders from being admitted to Texas Youth Commission (TYC)

## **FY 2009 OJJDP Title II Formula Grants Program Narrative**

correctional facilities, no pre-visit data is available for those site visits. Data and information from collocated facilities, monitored each year as required, is secured on site to verify sight and sound separation.

Starting in January of each calendar year, compliance monitors and the project coordinator review their lists of assigned counties and begin planning and conducting visits. Onsite visits to all classifications and types of facilities are selected based on proximity and travel time, not on type or classification. Facilities receive written notice of pending site visits two weeks prior to the monitor arriving.

Following their visits, monitors submit reports to the project coordinator for review and, if necessary, make any updates to facility classifications. The coordinator periodically reviews the universe directory to ensure that all facilities are monitored. Site visit data along with other information is provided to CJD or its designee.

#### **4. Violation Procedures**

Section 1.2 of CJD's Compliance Monitoring Procedures Manual explains that the mechanisms for violation reports take several forms: through the compliance monitor, the facility itself, interested citizens, the Public Defender's Office, parents, or the agency with oversight authority. While the compliance monitor is responsible for the compliance violation investigation and follow-up, the Juvenile Justice Specialist retains primary responsibility and merely delegates this task to the compliance monitor.

The compliance monitor will be the primary agent to discover and report compliance violations throughout the state, and to investigate the violations. Violations are most usually found through the detailed review of juvenile holding cell logs. This review may take place either onsite when the compliance monitor reviews the logs or when the facility mails the logs to the monitor. When the Juvenile Justice Specialist receives an independent compliance violation report the compliance monitor is asked to investigate it.

The process used to receive, investigate and respond to compliance violation reports is:

- All reports of violations will be turned over the Juvenile Justice Specialist. The report may be received through an independent source or from the compliance monitor.
- If a violation of DSO, Jail Removal or Sight and Sound is reported or discovered, the compliance monitor will fully investigate the violation. The investigation will always involve a review of the juvenile's case file at the facility to confirm that a violation actually occurred. In many cases, incorrect information is recorded on the Juvenile Holding Cell log and the entry may only appear to be a violation. Upon further investigation it may be revealed that the times or charges were recorded incorrectly. All violations will be discussed with the facility administrator or contact to explain why they were violations and what remedial actions may be taken to prevent future violations.
- The Juvenile Justice Specialist or its designee will provide intensive follow-up with facilities where compliance is a problem.
- The compliance monitor will provide compliance monitoring progress reports monthly or as requested by the Juvenile Justice Specialist.

#### **5. Barriers and Strategies**

Section 1.1 of CJD' Compliance Monitoring Manual includes the following procedures to identify barriers and create strategies that overcome those barriers:

- Annually, the State Advisory Group (SAG) will discuss current compliance status, the barriers to compliance, and to develop state and local strategies to overcome the barriers. Discussions will be recorded in minutes.
- The Juvenile Justice Specialist submits for SAG discussion and action at the board meeting a written or oral report on the:
  - Barriers faced in implementing and maintaining a monitoring system and barriers faced in maintaining compliance with the JJDP Act of 2002.

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- Recommendations for state and local strategies and plans to overcome those barriers.
- An annual report on the number of juveniles held and the number of violations by the type of facility. At a minimum, reports will be compiled for Sheriff's Departments, Police Departments and Juvenile Detention Facilities.
- From SAG discussion and staff input a written plan will be developed, if needed, to address the barriers in the coming year and will be reflected in the SAG minutes.
- The Juvenile Justice Specialist will implement the written plan and will provide written or oral updates to the SAG, as requested, during regular SAG meetings which are usually held four times a year.

### **6. Definition of Terms**

In classifying facilities and identifying the types of offense behavior of the juvenile to be counted for monitoring purposes, Texas needs to operate under definitions that are compatible with those found in the Formula Grant Regulations. CJD will adopt and follow OJJDP definitions for monitoring. These definitions will be used exclusively for compliance monitoring and when training or providing technical assistance.

### **7. Identification of the Monitoring Universe**

The Juvenile Justice Specialist and contract compliance monitor will maintain a Compliance Monitoring Universe Notebook which will contain listings of all juvenile facilities in the state which might hold juveniles pursuant to public authority. The Compliance Monitoring Universe Notebook will be located in CJD. The contract compliance monitor along with the Juvenile Justice Specialist will annually update the Compliance Monitoring Universe Notebook. In January of each year the contract compliance monitor will request or obtain updated lists of facilities from the following agencies:

- TJPC: list of secure post adjudicated residential and/or detention facilities
- TYC: list of state operated, private providers, and contractor's correctional and half-way residential facilities
- TCJS: directory of adult jails and lock-ups
- TDPRS: list of all child care operations
- THHSC: list of all public and private secure and non-secure mental health facilities and a list of all public and private secure and non-secure treatment facilities

CJD will request classification information on their current facilities, planned facilities, and contracts with private facilities. Additionally, correspondence will be collected from each department that sets standards, licensing, and inspection procedures meet the requirements of the JJDP Act keeping aware that OJJDP may conduct on-site monitoring visits to verify compliance. A list of the most recent facilities and correspondence requesting facility information is available.

The identification of the monitoring universe is an on-going process. During onsite visits to facilities, the compliance monitor should ask questions during the interview with the administrator or contact regarding new construction, remodeling of current facilities, and proposed construction. If a facility has recently become operational, or is being proposed in the county, it is placed on the list of facilities and is subject to the classification, inspection, and data collection/data verification tasks.

### **8. Classification of Facilities**

There are four categories used to determine classification of each facility:

- Public or Private
- Juvenile, Adult, or Co-located
- Secure or Non-secure
- Residential or Non-residential

There will be ten additional sub-categories to clarify facility classification:

- County Jail
- Municipal Lock-up

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- Specialized/Treatment Facility
- Psychiatric Facility
- College/University Holding Facility
- Juvenile Detention Center
- Court Holding
- Alternative/Temporary Holding Facility such as, airport, mall or sporting complex
- Correctional Facility
- ISD's
- Hospitals and Hospital Districts
- Other

Based up the classification, the list of facilities requiring an onsite inspection during the monitoring year will be generated. The classification of current facilities may have occurred during the previous monitoring year. For example, while conducting an onsite visit to a Sheriff's Department the compliance monitor may learn of a new court holding facility that was recently constructed. That is added to the Compliance Monitoring Universe Notebook and is subject to classification and inspection. Or, the compliance monitor may learn of a police department that has just become operational during the previous year. Again, the new police department is subject to classification and inspection. The classification of facilities is not a one-time occurrence at a specified time during the course of the year. Rather, it is an on-going process. The classification is verified through on-site inspections as required.

The contract compliance monitor and Juvenile Justice Specialist will annually review state standards and new legislation, judicial practices and administrative rules for classification purposes. Based on the standards, judicial practices and administrative rules some facilities may be excluded from inspection.

### 9. Inspection of Facilities

The compliance monitor, at least 5 days prior to an on-site inspection, will notify the facility administrator or contact of the date and time of inspection. If the date and time is inconvenient, another time will be scheduled.

At all inspections a Facility Information Form will be completed and will be retained in the individual Facility File. The compliance monitor will determine how records are kept at the facility on juveniles held securely and verify that the records are accurate. OJJDP requires data verification which is unique to each facility; however, the compliance monitor is always able to verify data by reviewing a juvenile's arrest jacket or custody sheet. A thorough record keeping review will be conducted to ensure all facilities keep records consistent with OJJDP Rules and Regulations and should, at a minimum, include:

- Name or ID number (in order to review a file if needed to verify compliance)
- Date of Birth/Sex/Race/Ethnicity (to determine age and for Disproportionate Minority Contact reports)
- Most serious offense for which the juvenile is being detained (to determine compliance with DSO in the event a juvenile was picked up, for example, on both runaway and shoplifting charges).
- Date and time of admission (to determine compliance with Jail Removal)
- Date and time of release (to determine compliance with Jail Removal)
- Name and relationship of person or facility to who juvenile was released
- Court times if applicable (to determine compliance with Jail Removal)
- Sight and sound separation information. (May need to compare admission records for juveniles and adults to determine if times overlap)

At all inspections of facilities that hold adults and juveniles a Sight and Sound Separation Inspection checklist will be completed and retained in the Facility File. Separation questions will be asked at all types of facilities, including those that only hold juveniles. For example, a juvenile detention center may be located near an adult jail. Inmates may be asked to perform grounds work at the juvenile detention center in which case sight and sound separation would

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be an issue. The compliance monitor should obtain policies and procedures on how the facility ensures sight and sound separation.

The compliance monitor will provide technical assistance to those facilities not in compliance with record keeping or with sight and separation requirements. Facilities should be told that the compliance monitor is available to review proposed facility plans prior to construction to ensure compliance with that sight and sound separation requirements. All facilities subject to inspections will also be subject to data collection and verification if juveniles are being held securely.

All adult jails and lockups that do not have secure holding capabilities and are not detaining juveniles securely will be classified as non-secure. The Law Enforcement Certification of Non-Secure Classification form will be completed and retained in the Facility File. A copy will be provided to the facility. These facilities should receive an inspection every other year to ensure that they are still non-secure. The compliance monitor is responsible for maintaining records on which facilities were monitored during the compliance monitoring year.

### **10. Data Collecting and Verification**

#### **Adult Jails and Adult Lockups**

During on-site inspections the compliance monitor will collect and verify data on juveniles held securely. The information is transferred to the Monthly Log of Juveniles Held which is located in the Facility File. Juvenile Holding Cell logs will be reviewed at each inspection and should document each juvenile that is securely held. Juvenile Holding Cell logs should be filled out each time a juvenile is placed in secure custody by the arresting officer. The compliance monitor will review the logs on-site and verify them for accuracy. Verification includes reviewing the arrest jacket or case file on a sample of entries to determine if the time in and out of the cell is correct and to determine if the most serious charge is listed. Information on juveniles held as adults should be kept by the facility and collected by the compliance monitor. This information is compiled at least once annually for the SAG on an informational basis. In cases where additional information is required, the compliance monitor will verify the log entries against individual case files at the facility or at the court. Additional sources of information may include the Department of Human Services and Probation.

The compliance monitor will retain the Juvenile Holding Cell logs for reporting purposes and they will become part of the individual Facility File for one year. In some cases it is not cost effective to copy the Juvenile Holding Cell logs as there are hundreds of pages of individual entries. If it is not feasible to collect the logs then the compliance monitor will collect the information onsite and request the facility archive the logs for one year. On or before December 1 of each year, all secure and non-secure law enforcement facilities will receive a year-end report on the status of compliance with the JJDP Act. This is accompanied with a letter of thanks for allowing the compliance monitor access to records and for their cooperation throughout the year with the JJDP Act requirements.

#### **Juvenile Detention and Correctional Facilities**

These types of facilities usually maintain a computer program which documents all juveniles entering and exiting their facilities. These facilities will receive inspections for data verification annually. Once the data is collected, the compliance monitor will schedule on-site visits to verify the data. Individual case files are pulled from records, in the case of a status offender who has been sentenced to detention, the court docket number and Judge or Magistrate's name will be recorded so that valid court orders (VCOs) may be verified with the court records. On or before December 1 of each year, the Juvenile Detention Center Directors, the Regional Directors, the Director and the Chief Juvenile Court Judge will receive a year-end report on the status of compliance with the JJDP Act. This is accompanied with a letter of thanks for allowing the compliance monitor access to records and for their cooperation throughout the year with the JJDP Act requirements.

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## **District Courts to verify the Valid Court Order**

Once the docket number and Judge or Magistrate name is obtained on status offenders who have been sentenced to Juvenile Detention Centers, the compliance monitor will schedule a records review with the District Court clerk. Individual case files must be reviewed to ensure that the VCO is followed.

## **Other Facilities**

Other facilities classified as secure, public or private, juvenile facilities will be subject to the same data collection sets as juvenile detention centers. Other facilities classified as secure, public or private, juvenile or adult facilities, will be subject to the same procedures and data sets as jails and lockups.

## **Non-Reporting Facilities**

Facilities that refuse to provide the compliance monitor with records on juveniles held securely will be classified as non-reporting. The numbers of juveniles held and the number of violations will therefore be "projected" using the following procedure. The compliance monitor should determine which county or city is most similar to the non-reporting facility. Criteria used will be: size, location (urban, suburban, rural), number of juveniles residing within the county or city, and number of law enforcement officers employed by the county or city. The number of violations and number of juveniles held securely from the similar county or city will be used to determine the same numbers for the non-reporting facility and will be documented in all compliance monitoring charts as "projected". The projection technique will be documented in the Annual Compliance Monitoring Report.

## **4. Plan for Compliance with the Disproportionate Minority Contact (DMC) Core Requirement**

### **Phase I: Identification**

Texas' plan for compliance is based on the results of the relative rate index calculation worksheets provided by the Office on Juvenile Justice and Delinquency Prevention (OJJDP). The State has a juvenile population of approximately 2,457,565 between the ages of 10-17.

With the assistance of the DMC Sub-Committee, CJD split the state's 254 counties into three geographical areas based on population size: counties with an overall population less than 100,000; counties with an overall population between 100,000 and 500,000; and counties with an overall population greater than 500,000. Subsequently, it was determined that the concentrated efforts for the reduction of DMC would be placed on three contact points: arrests, referrals, and diversion. Prevention efforts will focus on arrests and justice system improvement efforts will be focused on referrals and diversion. The first counties that were identified were those that had DMC at all three selected contact points. Out of 254 counties, there were a total of 14 counties found to have DMC at all three selected contact points.<sup>26</sup> The two charts presented below show the 14 counties with DMC at arrests, referrals, and diversion. Also shown is the corresponding relative rate index (RRI) numbers for those counties.

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<sup>26</sup> The 14 counties identified to have DMC at all three selected contact points were counties with an overall population under 100,000 (9 counties) and populations between 100,000 and 500,000 (5 counties). There were no counties with an overall population greater than 500,000 found to have DMC at all three selected contact points.

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## POPULATION <100,000

County	Arrests	Referrals	Diversion
Atascosa	1.57	1.07	0.97
Bowie	1.52	2.12	0.96
Caldwell	1.87	1.17	0.69
Harrison	2.87	1.02	0.83
Kerr	1.34	1.35	0.78
Nacogdoches	1.85	1.63	0.90
Nolan	2.01	1.28	0.83
Rockwall	1.67	1.16	0.72
San Patricio	1.19	1.36	0.84

## POPULATION >100,000 through <500,000

County	Arrest	Referrals	Diversion
Bell	1.45	1.35	0.79
Cameron	1.50	1.14	0.96
Gregg	1.05	1.37	0.90
Midland	1.75	1.63	0.97
Nueces	1.08	1.50	0.99

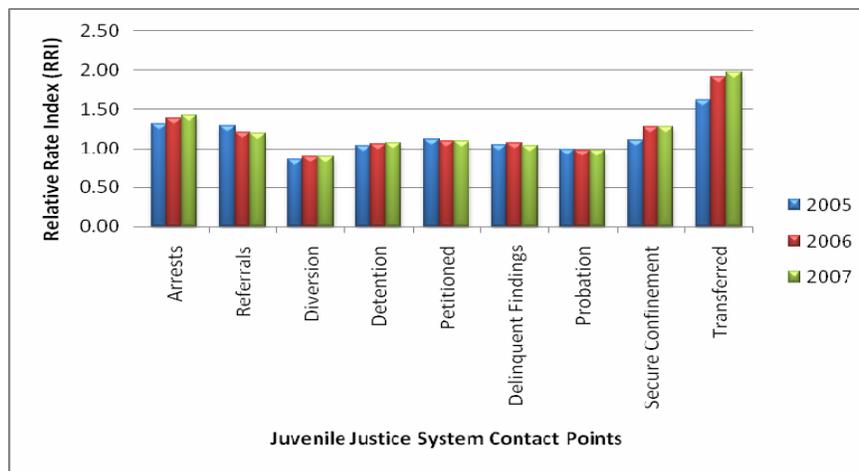
With the help of the DMC Subcommittee, CJD identified additional counties that had high arrest RRIs as well as counties that had low arrest RRIs. By looking at counties with similar geographic make-ups that do not have DMC at arrest, and identifying successful programs within those areas, CJD will be able to focus prevention efforts where they will have the greatest impact on DMC. CJD also analyzed the RRI numbers for counties with high referral and low diversion RRIs (indicating DMC exists) and counties with low referral and high diversion RRIs (indicating DMC does not exist). Again, by looking at counties with similar geographic make-ups that do not have DMC at referrals and diversion, and identifying successful programs within those areas, CJD will focus system improvement efforts where they will have the greatest impact on DMC.

### (1) Updated DMC Identification Spreadsheets (Attachment 2)

#### (2) DMC Data Discussion

The RRIs are the first step in examining DMC and are used to point to areas that may require additional examination or other solutions. Using the OJJDP's *DMC Identification Spreadsheets*, CJD examined the RRIs for the state as a whole. Below is a graph that summarizes the statewide DMC results for FY 2005-2007.

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Statewide RRIs 2005-2007

- Between FY 2005-2007, the statewide RRIs for minority juveniles showed:
  - An 8% increase in arrests over their Caucasian counterparts;
  - Minority youth were 2% more likely to be detained;
  - The RRI for diversion remained relatively stable.
- There was a slight decrease (less than 1%) in the rate at which minority youth were diverted between FY 2006-2007.
- Between FY 2005-2007, there was a decrease of 7% in referrals; however, the RRIs indicate that DMC continues to exist at the referral stage.

### Phase II: Assessment/Diagnosis

Texas A&M University (College Station, Texas), conducted a *Study of Minority Over-Representation in the Texas Juvenile Justice System (Attachment 5)*. The study determined that at each contact point, factors other than race or ethnicity influenced decision outcomes. Conclusions from the study are as follows:

#### 1) *Race-ethnicity has a relatively small effect on justice involvement.*

Initial contact with the justice system predominantly occurs because youth have a discipline history at school, are male, are not excelling academically, are economically disadvantaged, or have an emotional or learning disability. The probability of a TJPC referral increases by 8.7% to 23.4% depending on the presence or absence of these characteristics. By contrast, being Hispanic elevates a juvenile's chance of justice involvement by a maximum of 3.5%, and being African American increases the probability of initial contact by no more than 2.7%. The role of race-ethnicity in subsequent stages remains relatively small, never increasing the chance of progressing to the next level by more than 4.3% for Hispanics and 2.4% for African Americans.

Based on this evidence, interventions focused narrowly on eliminating racial bias will do little to reduce disproportionality. Instead, the data show efforts should be targeted toward minimizing the number of minority youth in high-risk categories.

#### 2) *The impact of race-ethnicity is cumulative across the four major stages of juvenile case processing.*

Although race-ethnicity has a relatively small effect on juvenile justice involvement, it does have a cumulative impact over multiple stages of processing. Compared to Anglos, Hispanic juveniles have a significantly higher probability of progressing through all four stages of case processing from initial contact through court action. African American youth have a higher probability of progressing through two stages including initial contact and prosecutorial review.

#### 3) *Race-ethnicity has a greater influence on case processing outcomes for Hispanic youth than for African-Americans. This finding is of particular importance because it is not apparent from aggregate statistics alone.*

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As has been noted, analysis of aggregated race-ethnicity data alone shows that African American youth are about 2 times more likely to appear in the TJPC population and 2.5 times more likely to appear in the juvenile detained population than in the general population. Hispanic youth, by contrast, are about equally represented in both groups. This type of single-variable data might lead observers to conclude that African American youth are the greater victims of injustice and that Hispanic youth should have fewer concerns about inequity.

However, when data are available to support multivariate modeling, the opposite picture emerges. While it remains a fact that African Americans have disproportionate juvenile court involvement, when other explanations besides race-ethnicity can be entered into statistical models, most of the discrepancy is accounted for by factors other than race. African American youth have increased contact with the justice system because they are more likely to be in high-risk categories (e.g., history of delinquency, male, academically at-risk, economically disadvantaged, or mentally or emotionally disabled). They have a greater chance of progressing through the system because of offense characteristics or the urbanicity of their local home community.

While these same statements are true of Hispanic youth, they are somewhat more likely than their African American peers to progress from one justice stage to the next without possessing any of these risk factors. Hispanic offenders are up to 0.8% more likely than otherwise identical African American youth to have an initial TJPC referral, and as much as 4.9% more likely to face prosecutorial action. This means that a slightly larger proportion of Hispanic than African American youth in the justice system have no explanation for their involvement other than their ethnicity. By comparison, more African American youth have preceding risk factors that account for their justice contact.

This finding is particularly noteworthy because, although it is a point of considerable policy importance, it would not have been observed in the absence of multivariate modeling. Although Hispanic youth are not disproportionately represented in the juvenile justice system, there is in fact greater evidence of potential system bias against this group than any other. This finding raises fundamental questions about the concept of proportionality as an accepted indicator of equity. It is generally believed that if minority juveniles are equally represented in both the general population and the justice population, then system fairness has been achieved. Even though Hispanics have achieved proportional representation in both populations, stronger evidence of disparity exists for them than for African Americans for whom disproportionality is greatest.

#### *4) This study cannot identify the specific processes that explain the effect of race-ethnicity on juvenile case processing.*

Though the likelihood of a juvenile referral and subsequent case advancement is slightly higher for minorities, and for Hispanics in particular, the reason this occurs is not clear. Many different possibilities exist. Some authorities charged with administering juvenile justice may intentionally or unintentionally engage in practices that are biased against Hispanic and African American youth. Routine and accepted system policies may inadvertently have disparate impact. Some field personnel have described cultural differences in the ways youth and families interact with authority. For instance, Anglo youth may be more culturally prepared to conform with bureaucratic expectations, thereby more frequently gaining "the benefit of the doubt." It is also possible that real differences in participation in delinquency exist among members of different race-ethnic groups.

These scenarios are only speculation. Further research is required to understand why risk of progression through the justice system is higher for some youth simply by virtue of their minority group membership. Although the race-ethnic effect is small compared to other influences on justice involvement, in the absence of a clear understanding of causes, solutions cannot be readily formulated.

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5) *The factors that predict initial contact with the juvenile justice system are different from the factors that predict advancement within the system.*

The factors important in predicting initial contact with the justice system generally include personal attributes such as behavior at school, sex, academic success, economic status, and disability status. While these individual characteristics may contribute to opportunity for delinquency in the community setting, they would not be expected to influence decision-making by authorities after youth have entered the justice system. In fact this is largely confirmed in the data.

As expected, after entering the justice system the nature of the offense is the most important influence on advancement from one case processing level to the next. The urbanicity of the community where the juvenile is processed emerges as the second greatest influence. Urbanicity can be thought of as an indicator of local processing policies and practices which vary systematically depending on the size of juvenile departments, prosecutors' offices, and county court systems. The data indicate that youth entering large metropolitan juvenile probation offices have the greatest consistent likelihood of aggressive case prosecution.

Though factors other than offense characteristics and urbanicity also impact the risk of justice involvement, these are by far the most influential. At the same time, many of the personal attributes that increased the risk of initial contact decline in importance or become statistically insignificant at later stages of justice processing. This finding confirms that, in general, the most important influences on case processing are not individual personal traits. Instead, most decisions are based on the facts of the case combined with objective and standardized local operating procedures.

6) *Factors unrelated to race-ethnicity may contribute to disproportionate minority representation in the justice system.*

Besides Hispanic ethnicity, two other variables were observed to have a statistically significant impact increasing the likelihood that juveniles will progress through all four stages of case processing modeled. One of these variables is urbanicity. Juveniles in large urban areas are the least likely to have an initial justice referral. However, once in the system, juveniles in metropolitan communities have the greatest likelihood that their case will be referred to a prosecutor (4.2% maximum effect) and that action will be taken on a referred case (19.8% maximum effect). Thus, irrespective of race-ethnicity or other attributes, any youths processed through major urban justice systems can expect more ambitious efforts toward prosecution.

To the extent that minority populations are concentrated in metropolitan communities, Hispanic and African American juveniles would be impacted by these more assertive case processing policies in greater numbers. In fact nearly 80% of both Hispanic and African American Texans live in highly urban areas, compared to nearly 60% of Anglos. With policies in these areas favoring prosecutorial referral and court action, more minorities would likewise be expected to advance further through the justice system, potentially including commitment to juvenile justice facilities.

The second variable having a cumulative impact on advancement through all four case processing levels is sex. Males are more likely to become involved in the justice system and to be processed more vigorously compared to females. As with urbanicity, to the extent that minority males become involved in the justice system, their likelihood of advancement is magnified by the significant cumulative impact of their sex.

Living in a major metropolitan community, or being male, can combine with race-ethnicity to inadvertently enhance disproportional representation. When these three risk factors operate together, justice involvement among male minority juveniles residing in large urban communities can potentially rise well above rates for Anglos statewide. This example illustrates some of the complexities involved in explaining disproportionate minority contact. Some of the major forces accounting for disproportional representation may in fact have little direct relationship to youths' race-ethnicity.

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## Phase III: Intervention

### (1) Progress Made in FY 2008

FY 2006-2008 Goal 1: Monitor changes in RRI's each year at each phase in the juvenile justice system (2006-2008).

- RRI's were used to focus DMC efforts in identified communities.

FY 2006-2008 Goal 2: Target the phases in the system where reductions in DMC would have the most impact: referral and diversion.

- CJD reviews RRI's for arrests each year and targets prevention efforts where appropriate.
- CJD placed focus on the top 5 counties with the highest rates regarding DMC in the referral and diversion stage.
- CJD provided DMC results to Texas' 24 Councils of Government along with training on approaches for reducing significant findings in July 2007.
- In early 2007, CJD's Juvenile Justice Specialist met with TEA representatives to discuss attending a TEA sponsored conference occurring later that year. The purpose of CJD involvement in the conference was to share information regarding DMC; however, CJD was unable to attend. CJD has placed a renewed focus on DMC by re-establishing the DMC Subcommittee of the Juvenile Justice Advisory Board (JJAB) at the October 10, 2008, JJAB Meeting. CJD also presented DMC requirements and approaches to Chief Probation Officers during Texas Juvenile Probation Commission's Chief's Summit on February 3, 2009.

FY 2006-2008 Goal 3: Monitor changes in RRI's each year in the targeted counties to determine whether efforts reduced DMC over time.

CJD targeted at-risk youth in areas of the state where DMC was significantly higher at arrest and referral or lower at diversion. As well, CJD purposefully identified and funded twenty-two programs during the 2007- 2008 grant year aimed at addressing DMC for a total of \$1,364,552.79.

### (2) DMC Reduction Plan for FY 2009 – 2011:

**(a) Include specific activities in data collection, data system improvement, assessment, programmatic and systems improvement intervention, evaluation, and monitoring strategies.**

CJD, along with the DMC Sub-Committee and other related entities (e.g. research department at a college/university), will work together to assess local risk factors contributing to a disproportionate number of minorities in the juvenile justice system within specific local communities and tailor appropriate interventions (to be used as for setting a baseline and future funding decisions). Within the identified jurisdictions, CJD and its contractor will look at data from the following areas:

1. Risk Factors
  - a. Identify the risk factors prevalent in the youth within the selected community for each of the following race or ethnicity categories.
    - i. Caucasian youth
    - ii. African-American youth
    - iii. Hispanic youth
2. Arrests
  - a. Identify types of crimes typically committed by juveniles (including the severity of the offense).
    - i. Breakdown of crimes committed by race
    - ii. Breakdown of crimes committed by ethnicity
3. Referrals
  - a. Identify the referral process for juveniles in this community.
  - b. Available options other than referral to juvenile probation or juvenile courts.

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- c. Determine which crimes receive referral or dismissal and why.
- 4. Diversion
  - a. Identify the types of diversion programs available in the community.
  - b. Determine local processes in place resulting in referral to diversion programs.
  - c. Review race and ethnicity of diverted youth.
- 5. Recommend best practices for prevention and system improvement programs

**(b) Specify the timeline (i.e., FY 2009, FY 2010, and FY 2011), funding amount, and funding source(s) designated to conduct each of the planned activities.**

<i>FY</i>	<i>Action</i>	<i>JJDP</i>	<i>SDFSCA</i>	<i>JABG</i>	<i>Other</i>	<i>Total</i>
2009	Identify counties with significant DMC issues; Create bid specifications for community assessment tool; Begin conducting assessments.	n/a	n/a	n/a	\$500,000	\$500,000
2010 (a)	Continue community assessments and make recommendations for prevention and system improvement programs using best practices.					
2010 (b)	Fund programs focused on the reduction of DMC.	\$700,000	\$700,000	\$275,000	\$200,000	\$1,875,000
2011 (a)	Conduct follow-up evaluations to determine if programs had intended impact on reducing DMC.	n/a	n/a	n/a	\$250,000	\$250,000
2011 (b)	Continue funding programs focused on the reduction of DMC.	\$700,000	\$700,000	\$275,000	\$200,000	\$1,875,000

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**(c) Include planned Formula Grant-supported activities under "Program Descriptions" section below with amount budgeted and required descriptions of goals, objectives, and performance measures selected to document the output and outcomes of these activities.**

**Program Goal:** To support programs and initiatives that will reduce the number of minority youth who come into contact with the juvenile justice system relative to non-minority youth.

**Objective:** Through targeting counties and regions in Texas with high rates of DMC, CJD will monitor changes in the relative rate index each year and target phases in the system where reduction in DMC would have the most impact, referral and diversion.

PERFORMANCE INDICATORS		
Program Area	Output Measure	Outcome Measure
All	Number of program youth served	Number of youth with whom an evidence-based program and/or practice was used
	Number of program youth completing program requirements	Number of program youth who offend or reoffend
Alternatives to Detention	Average length of stay in program (in days).	Number of program youth returning to court for scheduled hearing.
	Number of detention alternative program options available.	
Delinquency Prevention	Number of parents served.	Number of program youth exhibiting a decrease in antisocial behavior.
	Number of service hours completed.	Number of program youth exhibiting a decrease in pregnancies.
		Number of program youth exhibiting a decrease in substance use.
		Number of program youth exhibiting an improvement in family relationships.
		Number of program youth exhibiting an improvement in school attendance.
Diversion	No Additional Outputs	Number of program youth exhibiting a decrease in antisocial behavior.
		Number of program youth exhibiting a decrease in substance use.
		Number of program youth exhibiting an improvement in family relationships.
		Number of program youth exhibiting an improvement in social competencies.
Gangs - Juvenile	No Additional Outputs	Number of program youth exhibiting a decrease in antisocial behavior.
		Number of program youth exhibiting a decrease in substance use.
		Number of program youth exhibiting an improvement in family relationships.

## FY 2009 OJJDP Title II Formula Grants Program Narrative

PERFORMANCE INDICATORS		
Program Area	Output Measure	Outcome Measure
Gangs – Juvenile (Continued)		Number of program youth exhibiting an improvement in social competencies.
		Number of program youth with a new gang offense.
Juvenile Justice System Improvements	Number of program materials developed.	Average length of time between initial court appearance and disposition (in hours).
	Number of programs implemented.	Number of agencies sharing automated data.
	Number of system improvement initiatives.	Number of program youth exhibiting a decrease in antisocial behavior.
	Number of system-wide information technology improvements implemented.	Number of program youth exhibiting a decrease in substance use.
	Number of full and part-time employees and volunteers of the grantee agency receiving training.	Number of program youth exhibiting an improvement in family relationships.
		Number of programs modified based on evaluation / research study results.
		Number of full and part-time employees of the grantee agency with increased knowledge of training topics.
		Number of non-program (outside agency) personnel with increased knowledge of training topics.
Mentoring	Average tenure of mentors (in days).	Number of assignments lasting until case completion.
	Average time from assignment of case to first meeting with program youth (in hours).	Number of mentors satisfied with program.
	Number of mentors trained.	Number of program families satisfied with program.
		Number of program youth exhibiting a decrease in antisocial behavior.
		Number of program youth exhibiting a decrease in gang activity.
		Number of program youth exhibiting a decrease in substance use.
		Number of program youth exhibiting an improvement in family relationships.
		Number of program youth exhibiting an improvement in school attendance.
	Number of program youth exhibiting an improvement in social competencies.	

## FY 2009 OJJDP Title II Formula Grants Program Narrative

PERFORMANCE INDICATORS CONTINUED		
Program Area	Output Measure	Outcome Measure
Probation	No Additional Outputs	Number of program youth exhibiting a decrease in antisocial behavior.
		Number of program youth exhibiting a decrease in substance use.
		Number of program youth exhibiting an improvement in family relationships.
		Number of program youth exhibiting an improvement in school attendance.
		Number of program youth exhibiting an improvement in social competencies.
School Programs	No Additional Outputs	Number of program youth exhibiting a decrease in substance use.
		Number of program youth exhibiting an improvement in GPA.
		Number of program youth exhibiting an improvement in school attendance.
		Number of program youth exhibiting an improvement in social competencies.
		Number of program youth suspended from school.
		Percent change in school-related discipline incidents.

**Activities:** Provide funds and program assistance to local jurisdictions, law enforcement, school districts and social services agencies implementing programs targeting high-risk youth. Funded programs must coordinate with juvenile probation departments, social service agencies and the school district to implement a comprehensive approach to addressing DMC in their area.

BUDGET			
Fiscal Year	Formula Grant Funds (\$)	State/Local/Private Funds (\$)	Total
2009	\$700,000	\$0	\$700,000
2010	\$700,000	\$0	\$700,000
2011	\$700,000	\$0	\$700,000

# FY 2009 OJJDP Title II Formula Grants Program Narrative

## Phase IV: Evaluation

Page 33 of this plan shows that in FY 2011, CJD will incorporate an evaluation phase into the three year planning process.

## Phase V: Monitoring

### **(1) Include a description of how the state will monitor and track changes in DMC trends over time.**

CJD will continue to look at statewide RRI data on a yearly basis, which includes all 254 counties, to determine if significant amounts of DMC exist in a particular jurisdiction or at a specific contact point. Those jurisdictions that show significant amounts of DMC will be evaluated by CJD to determine if changes are necessary to address DMC issues.

### **(2) Indicate who will monitor these activities. If this is a DMC coordinator, please indicate if the position is full or part-time.**

These activities will be monitored by the DMC coordinator and the DMC Sub-Committee of the Juvenile Justice Advisory Board. The DMC coordinator has a full-time position within CJD, however DMC makes up 50% of the coordinator's responsibilities.

### **(3) Provide a timeline of current or future monitoring activities.**

FY	Action	Activity
2009	Perform statewide review of RRI data	<ul style="list-style-type: none"> <li>• Review results, update plan as necessary.</li> <li>• Increase/Decrease contact points as needed to ensure continual DMC reduction at each contact point.</li> </ul>
2010	Perform statewide review of RRI data	<ul style="list-style-type: none"> <li>• Review results, update plan as necessary.</li> <li>• Increase/Decrease contact points as needed to ensure continual DMC reduction at each contact point.</li> </ul>
2011	Perform statewide review of RRI data	<ul style="list-style-type: none"> <li>• Review results, update plan as necessary.</li> <li>• Increase/Decrease contact points as needed to ensure continual DMC reduction at each contact point.</li> </ul>

## **5. Coordination of Child Abuse and Neglect and Delinquency Prevention Programs**

### **A. Reducing Probation Officer Caseloads.**

Texas law allows the Texas Juvenile Probation Commission (TJPC) to apply for and accept gifts and grants from any public or private source to use in maintaining and improving probation services in the state. Financial aid will be given to juvenile boards to provide alternatives to the commitment of juveniles to establish and improve probation services.

### **B. Sharing Public Child Welfare Records with the Courts in Juvenile Courts.**

Texas law allows records and files concerning a child to be made available for the purpose of diagnosis, examination, evaluation, or treatment or for making a referral for treatment of a child by a public or private agency or institution providing supervision of a child by arrangement of the juvenile court or having custody of the child under order of the juvenile court.

## FY 2009 OJJDP Title II Formula Grants Program Narrative

### C. Establishing Policies and Systems to Incorporate Child Protective Services Records into Juvenile Justice Records.

Child welfare records, including child protective services records that are shared with juvenile courts must be for the specific purpose of establishing and implementing treatment plans for juvenile offenders. Records may be used for this purpose during the disposition phase of a juvenile court proceeding under Title 3 of the Texas Family Code. (Title 3 is the state's Juvenile Justice Code.) Detailed policies for establishing and implementing treatment plans for juvenile offenders are contained in Chapter 347 of the Texas Administrative Code. This chapter contains standards that apply to Title IV-E Federal Foster Care funds that the Texas Juvenile Probation Commission (TJPC) subcontracts to local juvenile probation departments. Standards and policies are reviewed periodically by TJPC and the Texas Department of Health and Human Services, which is the state's child welfare agency.

**Assurance that Juvenile Offenders Whose Placement is Funded Through Section 472 of the Social Security Act Receive Protections Specified in Section 471 of Such Act, Including a Case Plan and Review As Defined in Section 475 of the Act:** Chapter 347 of the Texas Administrative Code stipulates that contractors must meet the federal requirements for Title IV-E of the Social Security Act. Juvenile court orders must contain language specific to the requirements.

**Case Plan:** Section 347.15, Case Plan and Review System, requires a case plan that meets the requirements of 42 USC Sec. 675. "The case plan shall outline actions designed to facilitate the safe return of the child to his or her own home or other permanent placement and assure that the child receives safe and proper care while in substitute care."

**Case Review:** Section 347.15 further stipulates that "The status of each IV-E eligible child shall be reviewed periodically but no less frequently than once every six months from the date of actual placement." Purposes of the case review are to determine (A) the safety of the child; (B) the continuing necessity and appropriateness of the placement; (C) the extent of compliance with the case plan; (D) the extent of progress on issues that led to the child's removal from the home; and (E) to project a likely date for permanency. Chapter 347 provides for a system of program monitoring as well.

### 6. Collecting and Sharing Juvenile Justice Information

- A. CJD promotes a comprehensive strategic approach to prevention and juvenile justice interventions. This approach uses statistics, or crime indicators, as a basis for determining the most effective solutions. Equally important, CJD coordinates service systems and providers to expand the impact and scope of existing services, maximize the impact of programs, increase the amount and types of services available to end users, and ultimately reduce crime in Texas.

Texas has established the Texas Criminal Justice Statistical Analysis Center (SAC) to provide objective analysis and assessment of state criminal justice programs and initiatives. The SAC collects, analyzes and reports statewide criminal justice statistics in order to enhance the quality of criminal justice and crime prevention at all levels of government. The SAC is authorized access to the data bases of the Department of Public Safety, the Texas Department of Criminal Justice, the Texas Juvenile Probation Commission, the Texas Youth Commission, the Texas Department of State Health Services, and any other relevant agencies as needed.

CJD improves the coordination, administration, and effectiveness of the juvenile justice system by expanding the capacity of existing systems, promoting accountability, and supporting innovative programs. CJD continues to demonstrate success by targeting available resources, developing comprehensive strategies to address the root causes of crime, and funding programs and practices proven to work. CJD positively impacts juvenile justice trends by:

- Promoting and expanding capacity among community-based organizations, prevention initiatives, law enforcement and the justice system by encouraging partnerships and where appropriate, the use of volunteer-based organizations;
- Promoting and expanding drug court programs;
- Guiding and supporting prevention programs that reduce juvenile and drug crime; and

# FY 2009 OJJDP Title II Formula Grants Program Narrative

- Supporting safe school environments.

CJD will continue to develop partnerships at the state and local levels to promote comprehensive strategies and expand the capacity of existing service systems for juveniles. At this time, CJD has not encountered any barriers in the sharing of juvenile information of at-risk youth among state agencies, including local law enforcement, i.e. where state statute, regulation, or policy prohibits the sharing of this information.

- B. At this time, CJD has not encountered any barriers in the sharing of juvenile information of at-risk youth among state agencies, including local law enforcement, i.e. where state statute, regulation, or policy prohibits the sharing of this information.

## 7. PROGRAM DESCRIPTIONS

### DELINQUENCY PREVENTION AND EARLY INTERVENTION AT FIRST OFFENSE

PROGRAM AREA	
4 Children of Incarcerated Parents	21 Mentoring
9 Delinquency Prevention	27 School Programs
12 Gangs	32 Substance Abuse
20 Mental Health Services	

**Problem Statement:** Evidence shows that initial contact with the justice system predominantly occurs because youth have a disciplinary history at school, have an emotional or learning disability or are economically disadvantaged.<sup>27</sup>

Single parent families comprise nearly 14% of family households in Texas; and of this, female single-parent households accounted for over 78% of these families. Statistics also show Texas leading the nation in teen birth rates. Teenage mothers and fathers are more likely to complete fewer of schools, experience poverty and become dependent on welfare.<sup>28</sup> Children of teen mothers are more likely to experience behavioral and educational problems, drop out of school, have contact with the justice system and become teen parents themselves.

**Program Goal:** To positively impact youth prior to their involvement in the juvenile justice system or at their first offense and divert them from a path of serious, violent and chronic delinquency.

**Objective:** Through recognizing youth in high-risk categories and providing juveniles with the community resources necessary to divert them from a path of serious and chronic delinquency, sub-grantees will implement prevention and intervention programs such as alcohol and substance abuse education, after-school programs, mentoring and academic tutoring.

PERFORMANCE INDICATORS		
Program Area	Output Measure	Outcome Measure
All	Number of program youth served	Number of youth with whom an evidence-based program and/or practice was used
	Number of program youth completing program requirements	Number of program youth who offend or reoffend

<sup>27</sup> Texas A&M University, Public Policy Research Institute, *Study of Minority Over-Representation in the Texas Juvenile Justice System*, 2005

<sup>28</sup> Texas Department of State Health Services website: <http://www.dshs.state.tx.us/famplan/tpp.shtm>

## FY 2009 OJJDP Title II Formula Grants Program Narrative

PERFORMANCE INDICATORS CONTINUED		
Program Area	Output Measure	Outcome Measure
Children of Incarcerated Parents	Number of service hours completed	Number of program youth exhibiting a decrease in antisocial behavior
		Number of program youth exhibiting an improvement in family relationships
		Number of program youth exhibiting an improvement in social competencies
		Number of program youth formally placed out of home
Delinquency Prevention	Number of parents served	Number of program youth exhibiting a decrease in antisocial behavior
	Number of service hours completed	Number of program youth exhibiting a decrease in pregnancies
		Number of program youth exhibiting a decrease in substance use
		Number of program youth exhibiting an improvement in family relationships
		Number of program youth exhibiting an improvement in school attendance
Mental Health Services	Number of program youth referred	Number of program youth complying with aftercare plan
	Number of program youth screened or assessed	Number of program youth exhibiting a decrease in antisocial behavior
	Number of program youth with formal psychological or psychiatric evaluations	Number of program youth exhibiting a decrease in substance use
		Number of program youth exhibiting an improvement in family relationships
		Number of program youth exhibiting an improvement in social competencies
Mentoring	Average tenure of mentors (in days)	Number of assignments lasting until case completion
	Average time from assignment of case to first meeting with program youth (in hours)	Number of mentors satisfied with program
	Number of mentors trained	Number of program families satisfied with program
		Number of program youth exhibiting a decrease in antisocial behavior
		Number of program youth exhibiting a decrease in gang activity
		Number of program youth exhibiting a decrease in substance use
		Number of program youth exhibiting an improvement in family relationships
		Number of program youth exhibiting an improvement in school attendance
		Number of program youth exhibiting an improvement in social competencies

## FY 2009 OJJDP Title II Formula Grants Program Narrative

PERFORMANCE INDICATORS CONTINUED		
Program Area	Output Measure	Outcome Measure
School Programs	No additional Outputs	Number of program youth exhibiting a decrease in substance use
		Number of program youth exhibiting an improvement in GPA
		Number of program youth exhibiting an improvement in school attendance
		Number of program youth exhibiting an improvement in social competencies
		Number of program youth suspended from school
		Percent change in school-related discipline incidents
Substance Abuse	Number of program youth assessed	Number of program youth complying with aftercare plan
	Number of program youth referred	Number of program youth exhibiting desired change in substance use
	Number of program youth screened	

**Activities:** Provide funds and program assistance to local jurisdictions and social services agencies implementing delinquency prevention and intervention programs to youth.

BUDGET			
Fiscal Year	Formula Grant Funds (\$)	State/Local/Private Funds (\$)	Total
2009	\$1,848,824	\$0	\$1,848,824
2010	\$1,848,824	\$0	\$1,848,824
2011	\$1,848,824	\$0	\$1,848,824

### DISPROPORTIONATE MINORITY CONTACT

PROGRAM AREA	
2 Alternatives to Detention	20 Mental Health Services
7 Court Services	24 Probation
9 Delinquency Prevention	27 School Programs
11 Diversion	

**Problem Statement:** Texas' juvenile population is projected to increase 15% between 2000 and 2020, with Hispanic youth representing 34% of this growth. Referrals to juvenile probation departments are projected to increase by as much as 21% with Hispanic youth representing 54% of this increase.<sup>29</sup> Compared to Anglos, Hispanic juveniles have a significantly higher probability of progressing through all four stages of case processing from initial contact through court action. African American youth have a higher probability of progressing through two stages including initial contact and prosecutorial review.

<sup>29</sup> Texas Juvenile Probation Commission website: <http://www.tjpc.state.tx.us/publications/reports/TJPCMISC0308.pdf>

## FY 2009 OJJDP Title II Formula Grants Program Narrative

**Program Goal:** To support programs and initiatives that will reduce the number of minority youth who come into contact with the juvenile justice system relative to non-minority youth.

**Objective:** Through targeting counties and regions in Texas with high rates of DMC, CJD will monitor changes in the relative rate index each year and target phases in the system where reduction in DMC would have the most impact, referral and diversion.

PERFORMANCE INDICATORS		
Program Area	Output Measure	Outcome Measure
All	Number of program youth served	Number of youth with whom an evidence-based program and/or practice was used
	Number of program youth completing program requirements	Number of program youth who offend or reoffend
Alternatives to Detention	Average length of stay in program (in days)	Number of program youth returning to court for scheduled hearing
	Number of detention alternative program options available	
Delinquency Prevention	Number of parents served	Number of program youth exhibiting a decrease in antisocial behavior
	Number of service hours completed	Number of program youth exhibiting a decrease in pregnancies
		Number of program youth exhibiting a decrease in substance use
		Number of program youth exhibiting an improvement in family relationships
		Number of program youth exhibiting an improvement in school attendance
Diversion	No additional Outputs	Number of program youth exhibiting a decrease in antisocial behavior
		Number of program youth exhibiting a decrease in substance use
		Number of program youth exhibiting an improvement in family relationships
		Number of program youth exhibiting an improvement in social competencies
Gangs - Juvenile	No additional Outputs	Number of program youth exhibiting a decrease in antisocial behavior
		Number of program youth exhibiting a decrease in substance use
		Number of program youth exhibiting an improvement in family relationships
		Number of program youth exhibiting an improvement in social competencies
		Number of program youth with a new gang offense
Juvenile Justice System Improvements	Number of program materials developed	Average length of time between initial court appearance and disposition (in hours)
	Number of programs implemented	Number of agencies sharing automated data
	Number of system improvement initiatives	Number of program youth exhibiting a decrease in antisocial behavior

## FY 2009 OJJDP Title II Formula Grants Program Narrative

PERFORMANCE INDICATORS CONTINUED		
Program Area	Output Measure	Outcome Measure
Juvenile Justice System Improvements (Continued)	Number of system-wide information technology improvements implemented	Number of program youth exhibiting a decrease in substance use
	Number of full and part-time employees and volunteers of the grantee agency receiving training	Number of program youth exhibiting an improvement in family relationships
		Number of programs modified based on evaluation / research study results
		Number of full and part-time employees of the grantee agency with increased knowledge of training topics
		Number of non-program (outside agency) personnel with increased knowledge of training topics
Mentoring	Average tenure of mentors (in days)	Number of assignments lasting until case completion
	Average time from assignment of case to first meeting with program youth (in hours)	Number of mentors satisfied with program
	Number of mentors trained	Number of program families satisfied with program
		Number of program youth exhibiting a decrease in antisocial behavior
		Number of program youth exhibiting a decrease in gang activity
		Number of program youth exhibiting a decrease in substance use
		Number of program youth exhibiting an improvement in family relationships
		Number of program youth exhibiting an improvement in school attendance
		Number of program youth exhibiting an improvement in social competencies
Probation	No additional Outputs	Number of program youth exhibiting a decrease in antisocial behavior
		Number of program youth exhibiting a decrease in substance use
		Number of program youth exhibiting an improvement in family relationships
		Number of program youth exhibiting an improvement in school attendance
		Number of program youth exhibiting an improvement in social competencies
School Programs	No additional Outputs	Number of program youth exhibiting a decrease in substance use
		Number of program youth exhibiting an improvement in GPA
		Number of program youth exhibiting an improvement in school attendance

## FY 2009 OJJDP Title II Formula Grants Program Narrative

PERFORMANCE INDICATORS CONTINUED		
Program Area	Output Measure	Outcome Measure
School Programs (Continued)		Number of program youth exhibiting an improvement in social competencies
		Number of program youth suspended from school
		Percent change in school-related discipline incidents

**Activities:** Provide funds and program assistance to local jurisdictions, law enforcement, school districts and social services agencies implementing programs targeting high-risk youth. Funded programs must coordinate with juvenile probation departments, social service agencies and the school district to implement a comprehensive approach to addressing DMC in their area.

BUDGET			
Fiscal Year	Formula Grant Funds (\$)	State/Local/Private Funds (\$)	Total
2009	\$778,404	\$0	\$778,404
2010	\$778,404	\$0	\$778,404
2011	\$778,404	\$0	\$778,404

### **GANG PREVENTION AND INTERVENTION**

PROGRAM AREA	
1 Aftercare/Reentry	21 Mentoring
9 Delinquency Prevention	27 School Programs
12 Gangs	32 Substance Abuse
20 Mental Health Services	

**Problem Statement:** Students along the Texas-Mexico Border region, in particular older students, have reported higher use of cocaine, crack, Rohypnol, tobacco and alcohol compared to students living elsewhere in the state.<sup>30</sup> Efforts to deter juvenile gang activity remains a part of the aggressive strategy to secure Texas' southern border; especially programs or initiatives relating to the recruitment of juvenile members; including information sharing, community programs and school-based programs aimed at reducing gang-related activities. The recruitment of new gang members in Texas' middle and high schools has become more prevalent over the years; and as many as 40% of youth incarcerated at the Texas Youth Commission admitted to having active involvement in a gang.<sup>31</sup>

**Program Goal:** To reduce street gang activity in communities throughout Texas and reduce the number of juveniles recruited for gang activity.

**Objective:** Through targeting those communities in which gang activity is prevalent, sub-grantees are encouraged to coordinate with local schools, law enforcement and juvenile probation departments to create prevention and intervention programs based on the needs identified by that community.

<sup>30</sup> Texas Department of State Health Services website: <http://www.dshs.state.tx.us/famplan/tpp.shtm>

<sup>31</sup> Texas Youth Commission website: [http://www.tyc.state.tx.us/research/youth\\_stats.html](http://www.tyc.state.tx.us/research/youth_stats.html)

## FY 2009 OJJDP Title II Formula Grants Program Narrative

<b>PERFORMANCE INDICATORS</b>		
<b>Program Area</b>	<b>Output Measure</b>	<b>Outcome Measure</b>
All	Number of program youth served	Number of youth with whom an evidence-based program and/or practice was used
	Number of program youth completing program requirements	Number of program youth who offend or reoffend
Children of Incarcerated Parents	Number of service hours completed	Number of program youth exhibiting a decrease in antisocial behavior
		Number of program youth exhibiting an improvement in family relationships
		Number of program youth exhibiting an improvement in social competencies
		Number of program youth formally placed out of home
Gangs - Juvenile	No additional Outputs	Number of program youth exhibiting a decrease in antisocial behavior
		Number of program youth exhibiting a decrease in substance use
		Number of program youth exhibiting an improvement in family relationships
		Number of program youth exhibiting an improvement in social competencies
		Number of program youth with a new gang offense
Juvenile Justice System Improvements	Number of program materials developed	Average length of time between initial court appearance and disposition (in hours)
	Number of programs implemented	Number of agencies sharing automated data
	Number of system improvement initiatives	Number of program youth exhibiting a decrease in antisocial behavior
	Number of system-wide information technology improvements implemented	Number of program youth exhibiting a decrease in substance use
	Number of full and part-time employees and volunteers of the grantee agency receiving training	Number of program youth exhibiting an improvement in family relationships
		Number of programs modified based on evaluation / research study results
		Number of full and part-time employees of the grantee agency with increased knowledge of training topics
		Number of non-program (outside agency) personnel with increased knowledge of training topics
Mental Health Services	Number of program youth referred	Number of program youth complying with aftercare plan
	Number of program youth screened / assessed	Number of program youth exhibiting a decrease in antisocial behavior
	Number of program youth with formal psychological / psychiatric evaluations	Number of program youth exhibiting a decrease in substance use

## FY 2009 OJJDP Title II Formula Grants Program Narrative

PERFORMANCE INDICATORS CONTINUED		
Program Area	Output Measure	Outcome Measure
Mental Health Services (Continued)		Number of program youth exhibiting an improvement in family relationships
		Number of program youth exhibiting an improvement in social competencies
Mentoring	Average tenure of mentors (in days)	Number of assignments lasting until case completion
	Average time from assignment of case to first meeting with program youth (in hours)	Number of mentors satisfied with program
	Number of mentors trained	Number of program families satisfied with program
		Number of program youth exhibiting a decrease in antisocial behavior
		Number of program youth exhibiting a decrease in gang activity
		Number of program youth exhibiting a decrease in substance use
		Number of program youth exhibiting an improvement in family relationships
		Number of program youth exhibiting an improvement in school attendance
		Number of program youth exhibiting an improvement in social competencies
School Programs	No additional Outputs	Number of program youth exhibiting a decrease in substance use
		Number of program youth exhibiting an improvement in GPA
		Number of program youth exhibiting an improvement in school attendance
		Number of program youth exhibiting an improvement in social competencies
		Number of program youth suspended from school
		Percent change in school-related discipline incidents
Substance Abuse	Number of program youth assessed	Number of program youth complying with aftercare plan
	Number of program youth referred	Number of program youth exhibiting desired change in substance use
	Number of program youth screened	

**Activities:** Provide funds and program assistance to local schools, law enforcement and juvenile probation departments implementing gang prevention initiatives and intervention programs for youth actively involved in a gang.

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BUDGET			
Fiscal Year	Formula Grant Funds (\$)	State/Local/Private Funds (\$)	Total
2009	\$444,671	\$0	\$444,671
2010	\$444,671	\$0	\$444,671
2011	\$444,671	\$0	\$444,671

### SPECIALIZED TREATMENT SERVICES

PROGRAM AREA	
11 Diversion	32 Substance Abuse
20 Mental Health Services	

**Problem Statement:** The prevalence and use of licit drugs, illicit drugs and over-the-counter or prescription drugs among youth in grades 7-12 continues to be a primary concern for Texas. Texas eighth, tenth and twelfth graders were more likely to report lifetime use of cigarettes, alcohol cocaine, Ecstasy and methamphetamine than their peers nationally.<sup>32</sup>

In addition to substance abuse issues, youth with a mental illness often develop serious emotional and behavioral problems, develop severe mental illnesses and are more likely to wind up in the juvenile justice system. In 2008, nearly 33% of youth incarcerated at the Texas Youth Commission were diagnosed as having a serious mental health problem.<sup>33</sup> The Texas Juvenile Probation Commission estimated that approximately 26% of the juveniles referred to juvenile probation were in need of mental health service; and, 7% of the juveniles referred or supervised received a state funded behavioral health service in that same year.

**Program Goal:** To reduce the number of youth in Texas with substance abuse issues and to support programs and services that address the prevalence of mental health problems among youth in the juvenile justice system.

**Objective:** Through targeting youth with substance abuse issues and mental health problems in schools, communities and within the juvenile justice system, sub-grantees will implement programs and services including substance abuse counseling, anger management and psychological or psychiatric evaluations for at-risk youth and youth in the juvenile justice system.

PERFORMANCE INDICATORS		
Program Area	Output Measure	Outcome Measure
All	Number of program youth served	Number of youth with whom an evidence-based program and/or practice was used
	Number of program youth completing program requirements	Number of program youth who offend or reoffend
Children of Incarcerated Parents	Number of service hours completed	Number of program youth exhibiting a decrease in antisocial behavior
		Number of program youth exhibiting an improvement in family relationships
		Number of program youth exhibiting an improvement in social competencies

<sup>32</sup> Texas Department of State Health Services: <http://www.dshs.state.tx.us/famplan/tpp.shtml>

<sup>33</sup> Texas Youth Commission website: [http://www.tyc.state.tx.us/research/youth\\_stats.html](http://www.tyc.state.tx.us/research/youth_stats.html)

## FY 2009 OJJDP Title II Formula Grants Program Narrative

<b>PERFORMANCE INDICATORS CONTINUED</b>		
<b>Program Area</b>	<b>Output Measure</b>	<b>Outcome Measure</b>
Children of Incarcerated Parents (Continued)		Number of program youth formally placed out of home
Diversion	No additional Outputs	Number of program youth exhibiting a decrease in antisocial behavior
		Number of program youth exhibiting a decrease in substance use
		Number of program youth exhibiting an improvement in family relationships
		Number of program youth exhibiting an improvement in social competencies
Gangs - Juvenile	No additional Outputs	Number of program youth exhibiting a decrease in antisocial behavior
		Number of program youth exhibiting a decrease in substance use
		Number of program youth exhibiting an improvement in family relationships
		Number of program youth exhibiting an improvement in social competencies
		Number of program youth with a new gang offense
Mental Health Services	Number of program youth referred	Number of program youth complying with aftercare plan
	Number of program youth screened or assessed	Number of program youth exhibiting a decrease in antisocial behavior
	Number of program youth with formal psychological or psychiatric evaluations	Number of program youth exhibiting a decrease in substance use
		Number of program youth exhibiting an improvement in family relationships
		Number of program youth exhibiting an improvement in social competencies
Sex Offender Programs	Number of program youth with a new sex offense	Number of program youth exhibiting a decrease in anxiety
		Number of program youth exhibiting a decrease in depression
		Number of program youth exhibiting an improvement in self-esteem
		Number of program youth exhibiting an increase in coping skills
Substance Abuse	Number of new enrollments in the program (aka Number of program youth served)	Number of participants employed or enrolled in school at time of drug court graduation
	Number of program youth assessed	Number of participants that earn a GED, high school diploma, or vocational training credential while in the program
	Number of program youth referred	Number of program youth complying with aftercare plan
	Number of program youth screened	Number of program youth exhibiting a decrease in substance use

## FY 2009 OJJDP Title II Formula Grants Program Narrative

PERFORMANCE INDICATORS CONTINUED		
Program Area	Output Measure	Outcome Measure
Substance Abuse (Continued)		Number of program youth completing program requirements

**Activities:** Provide funds and program assistance to local jurisdictions and social services agencies implementing specialized treatment services for youth, including mental health services, substance abuse treatment, anger management and professional therapy and counseling.

BUDGET			
Fiscal Year	Formula Grant Funds (\$)	State/Local/Private Funds (\$)	Total
2009	\$829,246	\$0	\$829,246
2010	\$829,246	\$0	\$829,246
2011	\$829,246	\$0	\$829,246

### JUVENILE JUSTICE SYSTEM IMPACT

PROGRAM AREA	
1 Aftercare/Reentry	11 Diversion
2 Alternatives to Detention	17 Jail Removal
5 Community Assessment Centers (CACs)	24 Probation
7 Court Services	33 Youth or Teen Courts
8 Deinstitutionalization of Status Offenders	

**Problem Statement:** The juvenile justice system continues to face challenges as the juvenile population increases and the demographic makeup of Texas youth changes, especially along the Texas-Mexico border. According to Annie E. Casey Foundation, Texas was in the top third of states with the highest rates of youth ages 10-15 in custody at juvenile justice facilities, a statistic that reveals the over-reliance of incarcerating youth.<sup>34</sup>

**Program Goal:** To improve the practices, policies and procedures within the juvenile justice system, and fund programs that will reduce recidivism among juveniles and improve offender accountability.

**Objective:** Through supporting programs that target youth involved in the juvenile justice system, sub-grantees will implement programs and services that rehabilitate and educate youth to reduce the recidivism rate; and , through supporting new initiatives and practices that impact the efficiency and effectiveness of the juvenile justice system, including court services, training, funding for prosecutors and juvenile probation departments.

<sup>34</sup> Annie E. Casey Foundation website: <http://www.aecf.org/>

## FY 2009 OJJDP Title II Formula Grants Program Narrative

PERFORMANCE INDICATORS		
Program Area	Output Measure	Outcome Measure
All	Number of program youth served	Number of youth with whom an evidence-based program and/or practice was used
	Number of program youth completing program requirements	Number of program youth who offend or reoffend
Aftercare / Reentry	Average length of time from program entrance to the completion of a finalized reentry plan (in days)	Number of program staff with increased knowledge of program area
	Number of full and part-time agency staff trained in offender reentry	Number of program youth exhibiting a decrease in substance use
		Number of program youth exhibiting an improvement in employment status
		Number of program youth exhibiting an improvement in family relationships
		Number of program youth exhibiting an improvement in school attendance
Alternatives to Detention	Average length of stay in program (in days)	Number of program youth returning to court for scheduled hearing
	Number of detention alternative program options available	
Community Assessment Center	Number of program youth screened / evaluated	
	Number of referrals made for program youth	
Court Services	Number of full and part-time employees of the grantee agency trained in court services	Average length of time between intake and referral for program youth (in hours)
	Number of post-adjudication service options funded by the grant	Number of full and part-time employees of the grantee agency with increased knowledge of court services
	Number of pre-adjudication service options funded by the grant	
Diversion	No additional Outputs	Number of program youth exhibiting a decrease in antisocial behavior
		Number of program youth exhibiting a decrease in substance use
		Number of program youth exhibiting an improvement in family relationships
		Number of program youth exhibiting an improvement in social competencies
Gangs - Juvenile	No additional Outputs	Number of program youth exhibiting a decrease in antisocial behavior
		Number of program youth exhibiting a decrease in substance use
		Number of program youth exhibiting an improvement in family relationships

## FY 2009 OJJDP Title II Formula Grants Program Narrative

PERFORMANCE INDICATORS CONTINUED		
Program Area	Output Measure	Outcome Measure
Gangs – Juvenile (Continued)		Number of program youth exhibiting an improvement in social competencies
		Number of program youth with a new gang offense
Juvenile Justice System Improvements	Number of program materials developed	Average length of time between initial court appearance and disposition (in hours)
	Number of programs implemented	Number of agencies sharing automated data
	Number of system improvement initiatives	Number of program youth exhibiting a decrease in antisocial behavior
	Number of system-wide information technology improvements implemented	Number of program youth exhibiting a decrease in substance use
	Number of full and part-time employees and volunteers of the grantee agency receiving training	Number of program youth exhibiting an improvement in family relationships
		Number of programs modified based on evaluation / research study results
		Number of full and part-time employees of the grantee agency with increased knowledge of training topics
Mental Health Services	Number of program youth referred	Number of program youth complying with aftercare plan
	Number of program youth screened / assessed	Number of program youth exhibiting a decrease in antisocial behavior
	Number of program youth with formal psychological / psychiatric evaluations	Number of program youth exhibiting a decrease in substance use
		Number of program youth exhibiting an improvement in family relationships
		Number of program youth exhibiting an improvement in social competencies
Probation	No Additional Outputs	Number of program youth exhibiting a decrease in antisocial behavior
		Number of program youth exhibiting a decrease in substance use
		Number of program youth exhibiting an improvement in family relationships
		Number of program youth exhibiting an improvement in school attendance
		Number of program youth exhibiting an improvement in social competencies
Sex Offender Programs	Number of program youth with a new sex offense	Number of program youth exhibiting a decrease in anxiety
		Number of program youth exhibiting a decrease in depression
		Number of program youth exhibiting an improvement in self-esteem

## FY 2009 OJJDP Title II Formula Grants Program Narrative

PERFORMANCE INDICATORS CONTINUED		
Program Area	Output Measure	Outcome Measure
Sex Offender Programs (Continued)		Number of program youth exhibiting an increase in coping skills
School Programs	No additional Outputs	Number of program youth exhibiting a decrease in substance use
		Number of program youth exhibiting an improvement in GPA
		Number of program youth exhibiting an improvement in school attendance
		Number of program youth exhibiting an improvement in social competencies
		Number of program youth suspended from school
		Percent change in school-related discipline incidents
Substance Abuse	Number of new enrollments in the program (aka Number of program youth served)	Number of participants employed or enrolled in school at time of drug court graduation
	Number of program youth assessed	Number of participants that earn a GED, high school diploma, or vocational training credential while in the program
	Number of program youth referred	Number of program youth complying with aftercare plan
	Number of program youth screened	Number of program youth exhibiting a decrease in substance use
		Number of program youth completing program requirements
Youth Courts	Average time from assignment of case to first meeting with program youth (in hours)	Number of assignments lasting until case completion
		Number of defendants satisfied with program
		Number of program youth exhibiting a decrease in antisocial behavior
		Number of victims satisfied with program

**Activities:** Provide funds and program assistance to local jurisdictions and social services agencies that will enhance and improve the efficiency and effectiveness of the Texas Juvenile Justice system.

BUDGET			
Fiscal Year	Formula Grant Funds (\$)	State/Local/Private Funds (\$)	Total
2009	\$688,094	\$0	\$688,094
2010	\$688,094	\$0	\$688,094
2011	\$688,094	\$0	\$688,094

# FY 2009 OJJDP Title II Formula Grants Program Narrative

## PLANNING AND ADMINISTRATION FUNDS

PROGRAM AREA	
23 Planning and Administration	

**Problem Statement:** Not Applicable

**Program Goal:** To maintain adequate statewide planning and coordination of juvenile justice and delinquency prevention activities and for implementation of the provisions of the Juvenile Justice and Delinquency Prevention Act of 2002.

**Objective:** Through strategic planning and statewide coordination the Governor's Criminal Justice Division, Juvenile Unit will administer funds under the Juvenile Justice and Delinquency Prevention Act of 2002 for programs that reflect the priorities set by the Governor, the Juvenile Unit and the State Advisory Group.

PERFORMANCE INDICATORS	
Output Measures	Outcome Measures
Funds allocated for planning and administration	Number and percent of programs funded directly in line with the Three Year Plan and the Juvenile Justice priorities set by the State Advisory Group
Number of sub-grants awarded	Percent change in technically acceptable grant proposals received
Number of Request For Applications (RFA) developed that support programming identified in the Three Year Plan	Average time from receipt of sub-grant application to date of award
Number and percent of programs monitored	

**Activities:** Funds used for planning and administration will support the salary for the Texas Juvenile Justice Specialist, including travel to attend mandatory conferences or workshops held by the Office of Juvenile Justice and Delinquency Prevention.

Funds will also cover the cost of necessary office supplies to support the efficient administration of the Juvenile Justice and Delinquency Prevention Act funds.

BUDGET			
Fiscal Year	Formula Grant Funds (\$)	State/Local/Private Funds (\$)	Total
2009	\$513,300	\$513,300	\$1,026,600
2010	\$513,300	\$513,300	\$1,026,600
2011	\$513,300	\$513,300	\$1,026,600

## STATE ADVISORY GROUP ALLOCATION

PROGRAM AREA	
31 State Advisory Group Allocation	

**Problem Statement:** Not Applicable

## FY 2009 OJJDP Title II Formula Grants Program Narrative

**Program Goal:** To ensure compliance with Title II Part B Formula Grants Program of the JJDP Act of 2002 Section 223(a) (3) relating to the State Advisory Board.

**Objective:** Through comprehensive support the State Advisory Group will serve in an advisory capacity to the Governor's Criminal Justice Division, Juvenile Unit, on matters pertaining to juvenile justice and delinquency prevention for effective statewide planning and coordination.

PERFORMANCE INDICATORS	
Output Measures	Outcome Measures
Number of grants funded with Formula Grant funds	Number and percent of programs directly in line with the Juvenile Justice and Delinquency Prevention Three Year Plan
Number of grant applications reviewed and commented on by the State Advisory Group	Number of Formula grant funded programs sustained after three years
Number of State Advisory Group and sub-committee meetings held in a fiscal year	Number of State Advisory Group members who show an increase in knowledge of the programs for which they have oversight
Annual Report submitted to the Governor	

**Activities:** Participate in the development and review of the State's Juvenile Justice and Delinquency Prevention Three-Year Plan, which may be updated annually as needed.

Submit to the Governor and the Legislature recommendations regarding state compliance with the requirements of Subchapter II, Part B, Section 223(a)(11)(12)(13) and (14) of the Juvenile Justice and Delinquency Prevention Act of 2002.

Set priorities in the area of juvenile justice and delinquency prevention.

Review, comment and prioritize grant applications submitted for funding from the Governor's Criminal Justice Division.

BUDGET			
Fiscal Year	Formula Grant Funds (\$)	State/Local/Private Funds (\$)	Total
2009	\$30,000	\$0	\$30,000
2010	\$30,000	\$0	\$30,000
2011	\$30,000	\$0	\$30,000

### G. SMART System

Texas has established an account with the SMART database system. Attachment 6 demonstrates that Texas has queried this system for information on 2004 Juvenile Arrest Rates.

### 8. Subgrant Award Assurances

The Governor's Criminal Justice Division (CJD) assures that continuation funding will not be provided to programs that fail during the previous 2-year period to demonstrate the program achieved substantial success in meeting goals specified in the original subgrant application.

# FY 2009 OJJDP Title II Formula Grants Program Narrative

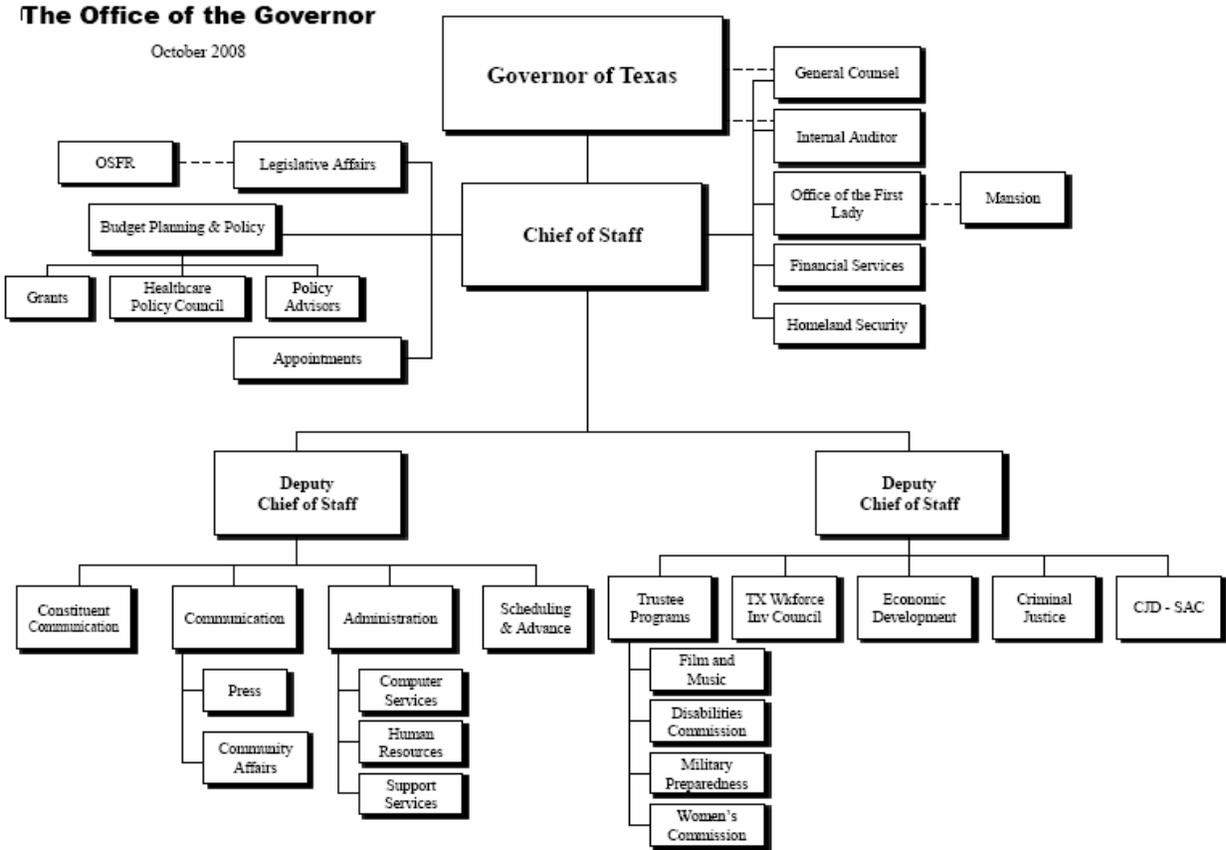
## 9. State Advisory Group Membership

Board Member	Represents	Full-Time Government	Youth Member	Date of Appointment	Contact Information
Chief Charles Brawner, Chair	G			December 2001	9009 Ruland Houston, Texas 77055
Mr. Kevin Knight, DMC Subcommittee Chair	E		X	December 2001	Post Office Box 272742 Houston, Texas 75219
Ms. Tammy Hawkins, Compliance Monitoring Subcommittee Chair	D			December 2001	201 North Grant Avenue Odessa, Texas 79761
Mr. Milton Duntley	B	X		December 2001	10724 Aldama Court El Paso, Texas 79936
The Honorable Harold Gaither	B	X		December 2001	9876 Cherokee Trail Quinlan, Texas 75474
Ms. Elizabeth Godwin	B			December 2001	7887 Broadway #203 San Antonio, TX 78209
Mr. David Gutierrez	C			December 2001	2907 Caleb Austin, Texas 78725
Mr. Felix Mejia, Jr.	C			December 2001	234 Country Creek Lane Fredericksburg, Texas 78624
Ms. Vicki Spriggs	B	X		December 2001	4900 North Lamar Austin, Texas 78751
Mr. Mario Watkins	C	X		December 2001	1149 Pearl Street, 4 <sup>th</sup> Floor Beaumont, Texas 77701
Ms. Jane Wetzel	E			December 2001	4250 Westway Dallas, Texas 75205
Mr. Jim Kester	B			December 2007	4905 Canyonwood Drive Austin, Texas 78735
Mr. Christopher Demerson	E		X	September 2008	8411 Quail Run Court Missouri City, Texas 77489
Mr. Luke Lowenfield	E		X	September 2008	907 Duncan Lane, #204 Austin, Texas 78705
Ms. Magdalena Manzano	E		X	September 2008	801 Spring Loop, #1100-D College Station, Texas 77840
Mr. Matt Mims	E		X	September 2008	5221 North O'Connor Boulevard Irving, Texas 77093
Ms. Stacey Parker	E		X	September 2008	4705 Spicewood Springs Road, #200 Austin, Texas 78759
Mr. James Smith	B	X		September 2008	4900 North Lamar Austin, Texas 78751
Mr. Glenn Brooks	D			December 2008	1501 West Anderson Lane Austin, Texas 78757
Ms. Cherie Townsend	B	X		March 2009	4900 North Lamar Austin, Texas 78751

# FY 2009 OJJDP Title II Formula Grants Program Narrative

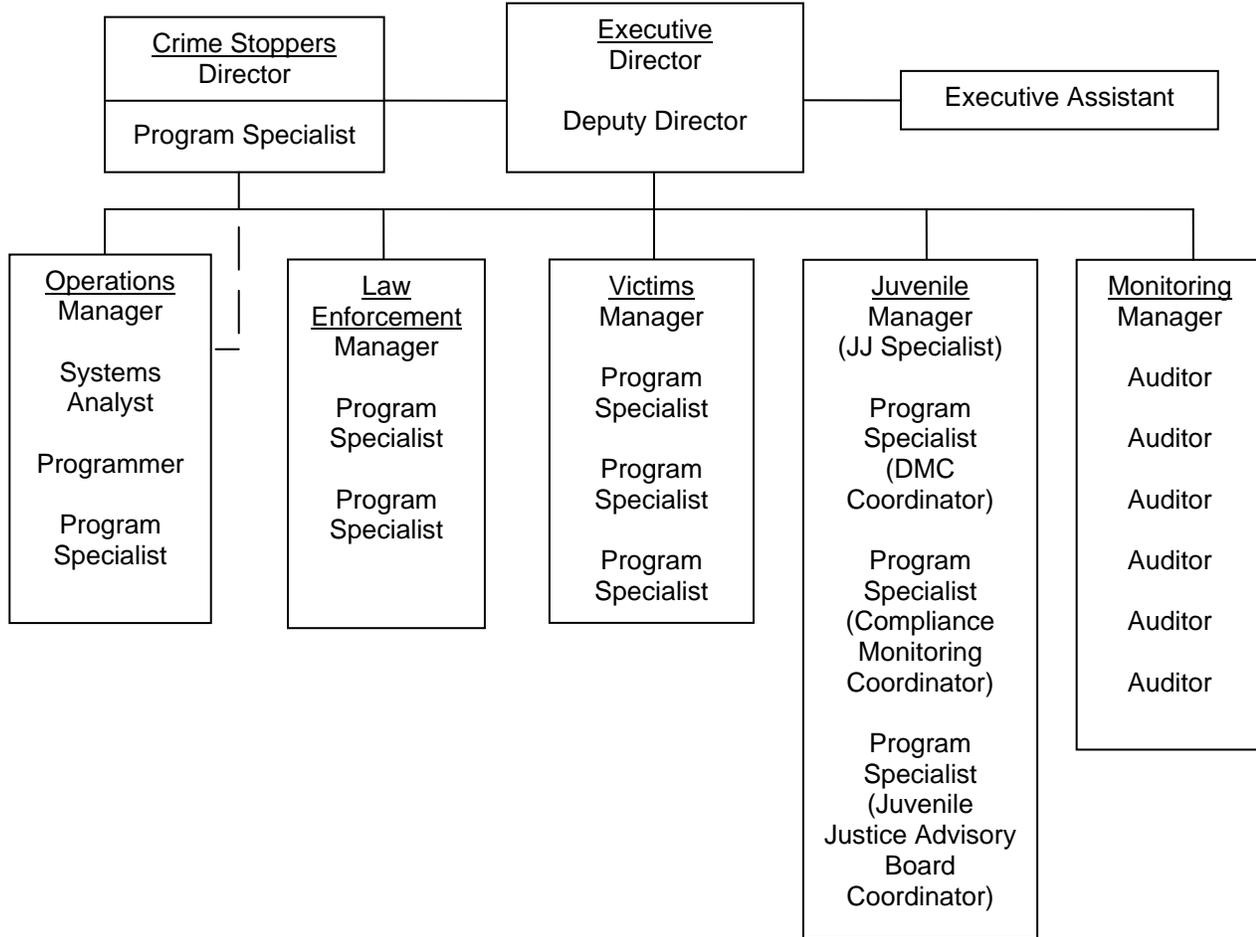
## 10. Formula Grants Program Staff

The October 2008 chart below depicts the current organizational set up for the Office of the Governor for the State of Texas. The Governor's Criminal Justice Division is the designated state administering agency for the Juvenile Justice Delinquency Prevention Act Formula Grants program.



# FY 2009 OJJDP Title II Formula Grants Program Narrative

The chart below depicts the organizational set up for the Governor's Criminal Justice Division (CJD).



## Federal and State Grant Programs Administered by the Criminal Justice Division

### Federal Programs

- Juvenile Justice Delinquency and Prevention Act program
- Coverdell Forensic Science Improvement Act program
- Juvenile Accountability Block Grant program
- Title V – Juvenile Justice and Delinquency Prevention Funds program
- Residential Substance Abuse Treatment Act grant program
- Victims of Crime Act program
- Violence Against Women Act program
- Byrne Memorial Justice Assistance Grant program
- Safe and Drug-Free Schools and Communities Act
- Post Conviction DNA grant program

### State Programs

- Crime Stoppers Assistance Fund program
- State Criminal Justice Planning Fund program
- Drug Courts grant program
- County Essentials grant program
- State Planning Assistance grant program

## FY 2009 OJJDP Title II Formula Grants Program Narrative

### CJD Staffing

Section	Title	Name	Salary Source	% Devoted to JJDP Formula
Executive Administration	Executive Director	Christopher Burnett	100% State Funds	10%
	Deputy Director	Aimee Snoddy	100% State Funds	
	Executive Assistant	Scott Hutchinson	100% State Funds	
	Assistant General Counsel	Kevin Green	100% State Funds	
Crime Stoppers	Director	Betty Bosarge	100% State Funds	0%
	Program Specialist	Byron Bullock	100% State Funds	0%
Operations	Manager	Christina Grady	100% State Funds	10%
	Systems Analyst	Heather Morgan	100% State Funds	10%
	Programmer	Adrian Lazau-Igna	100% State Funds	10%
	Program Specialist	Jeffrey Badre	100% State Funds	10%
Juvenile	Interim Program Manager	Angie Martin	100% State Funds	75%
	Program Specialist	LaTanya Tatum	100% State Funds	75%
	Program Specialist	Jackie Bowmen	100% State Funds	75%
	Program Specialist	Lance White	100% State Funds	75%
Law Enforcement	Program Manager	Judy Switzer	25% State Funds 75% Federal Funds (Byrne Memorial Grant Program)	0%
	Program Specialist	Kris Krueger	100% State Funds	0%
	Program Specialist	Raoul Rivera	100% State Funds	0%
Victims	Program Manager	Angie Martin	100% State Funds	0%
	Program Specialist	Mary Hightower	100% State Funds	0%
	Program Specialist	Helen Martinez	100% State Funds	0%
	Program Specialist	Leslie Holems	100% State Funds	0%
Grants Monitoring	Manager	Rebecca Martinez	100% State Funds	10%
	Auditor	Margaruite Cooke	100% State Funds	10%
	Auditor	Ed Harry	100% State Funds	10%
	Auditor	Toni Kanetzky	100% State Funds	10%
	Auditor	Cherryl Charlet	100% State Funds	10%
	Auditor	Jean-Jacques Bouillet	100% State Funds	10%
	Auditor	Michelle Baines	100% State Funds	10%

### Juvenile Justice and Delinquency Prevention Staff

#### Executive Administration Staff

Executive Administration Staff spend an approximate combined total of 10% of time on activities related to the administration of the Juvenile Justice and Delinquency Prevention Act (JJDP) Formula Grant program.

Specific duties include:

- Setting programmatic and operational goals for the agency that coincide with the Governor's overall mission for the state.
- Creating strategies to appropriately implement activities to achieve goals.

# FY 2009 OJJDP Title II Formula Grants Program Narrative

## Operations Staff

Operations Staff spend an approximate combined total of 10% of time on activities related to the administration of the Juvenile Justice and Delinquency Prevention Act (JJDP) Formula Grant program.

Specific duties include:

- Implementing operational goals for the agency that coincide with the Governor's overall mission for the state.
- Implementing strategies to achieve goals.

## Juvenile Staff

Juvenile Staff are responsible for the day to day management of 5 federal and state fund sources. The following positions are directly involved in the administration of the JJDP Formula Grant program:

### **Juvenile Program Manager (Juvenile Justice Specialist) – 75% of Time**

- Provides supervision/administration over the Juvenile section within the Criminal Justice Division
- Set internal deadlines for juvenile justice related tasks
- Maintains administrative oversight for state and federal grant programs including the JJDP Formula Grant program.
- Provides executive briefing materials and funding recommendations to executive director.
- Give final programmatic approval of applications with a juvenile justice focus
- Submit federal applications, reports and other documents
- Track the unspent balance of federal juvenile justice funds

### **Juvenile Program Specialist (DMC Coordinator) – 75% of Time**

- Oversee the JJAB DMC Sub-Committee
- Ensure the state remains in compliance with Section 223(a)(22) of the Juvenile Justice and Delinquency Prevention Act of 1974 (JJDP Act) relating to DMC
- Write the DMC section of the JJDP 3-Year Plan
- Review grant applications for budget and programmatic compliance
- Manage assigned grants and provide assistance to current and potential grantees

### **Juvenile Program Specialist (Compliance Monitoring Coordinator) – 75% of Time**

- Oversee the JJAB Compliance Monitoring Sub-Committee
- Ensure the state remains in compliance with Section 223(a)(11)(12)&(13) of the Juvenile Justice and Delinquency Prevention Act of 1974 (JJDP Act) relating to Deinstitutionalization of Status Offenders (DSO), Separation, and Removal
- Write the Compliance Monitoring section of the JJDP 3-Year Plan
- Oversee contract with G4S Youth Services which provides monitoring of adult and juvenile correctional facilities and youth group homes for compliance with the JJDP Act.
- Review grant applications for budget and programmatic compliance
- Manage assigned grants and provide assistance to current and potential grantees

### **Juvenile Program Specialist (Juvenile Justice Advisory Board Coordinator) – 75% of Time**

- Primary point-of-contact for the Juvenile Justice Advisory Board (JJAB) and JJAB subcommittees
- Liaison between the Criminal Justice Division and other Office of the Governor divisions for board related matters
- Review grant applications for budget and programmatic compliance
- Manage assigned grants and provide assistance to current and potential grantees

## Grants Monitoring Staff

Grants Monitoring Staff spend an approximate combined total of 10% of time on activities related to the administration of the JJDP Formula Grant program.

Specific duties include:

- Perform on-site monitoring visits and desk reviews of sub-grantee organizations to ensure compliance with state and federal rules and guidelines, including the JJDP Formula Grant program.