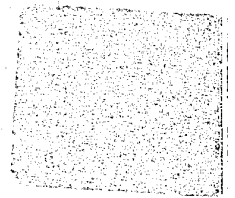


MFI CR-sept
8-23-88



ANNUAL REPORT

1986



CR-sept

111249

MAY 16 1988

MAY 16 1988

AUG 14 1988

TEXAS JUVENILE PROBATION COMMISSION

111 249



TEXAS JUVENILE PROBATION COMMISSION

P.O. Box 13547, Capitol Station, Austin, Texas 78711
Telephone (512) 443-2001

EXECUTIVE DIRECTOR
Bill Anderson

CHAIRMAN

Marshall Cooper
Whiteface

May 1987

COMMISSIONERS

Victoria Hunter Baldwin
Austin

F.P. (Pete) Benavides
Edinburg

Lois Carpenter
Midland

Margaret E. Dunn
San Marcos

Amos Landry, Jr.
Beaumont

William C. Martin, III
Longview

Scott D. Moore
Fort Worth

Roy E. Turner, Sr.
Amarillo

The Honorable William P. Clements, Jr.
Governor of Texas
State Capitol
Austin, Texas

The Honorable William P. Hobby
Lieutenant Governor
State Capitol
Austin, Texas

Members, Texas Senate and House of Representatives
70th Legislature, Regular Session

Section 75.049 of the Texas Human Resources Code mandates the Texas Juvenile Probation Commission to "make a report to the governor and to the legislature each year covering its operations and the condition of probation services in Texas during the previous year and making whatever recommendations it considers desirable."

We respectfully submit our Calendar Year 1986 Texas Juvenile Probation Commission Annual Report.

We are available to answer any questions and provide additional information about the commission and its operations.

Your support and interest is appreciated.

Respectfully,

Bill Anderson
Executive Director



This document has been reproduced exactly as received from the person or organization originating it. Points of view or opinions stated in this document are those of the authors and do not necessarily represent the official position or policies of the National Institute of Justice.

Permission to reproduce this copyrighted material has been granted by

Texas Juvenile Probation
Commission

to the National Criminal Justice Reference Service (NCJRS).

Further reproduction outside of the NCJRS system requires permission of the copyright owner.

Acknowledgment

The Texas Juvenile Probation Commission wishes to express its appreciation to the members of the Texas Legislature for their foresight in meeting the challenge of reducing crime by focusing attention on early intervention where the promise of prevention is greatest. The Commission wishes to further express its appreciation to the State's juvenile probation officers, juvenile detention workers, and juvenile judges for their belief in the need for a comprehensive juvenile justice system and their willingness to work toward that goal.

ANNUAL REPORT

1986



FIFTH ANNUAL REPORT OF THE TEXAS JUVENILE PROBATION COMMISSION

TEXAS JUVENILE PROBATION COMMISSION

Bill Anderson, Executive Director
P. O. Box 13547, Capitol Station
Austin, Texas 78711-3547

2015 South IH-35
512/443-2001

PUBLISHED MAY 1987

Creation and Purpose

THE TEXAS JUVENILE PROBATION COMMISSION WAS CREATED
BY THE 67th LEGISLATURE IN 1981 TO . . .

- △ MAKE PROBATION SERVICES AVAILABLE THROUGHOUT THE STATE FOR JUVENILES,
- △ IMPROVE THE EFFECTIVENESS OF PROBATION SERVICES,
- △ PROVIDE ALTERNATIVES TO THE COMMITMENT OF JUVENILES BY PROVIDING FINANCIAL AID TO JUVENILE BOARDS FOR THE ESTABLISHMENT AND IMPROVEMENT OF PROBATION SERVICES,
- △ ESTABLISH UNIFORM PROBATION ADMINISTRATION STANDARDS,
- △ IMPROVE COMMUNICATIONS BETWEEN STATE AND LOCAL ENTITIES WITHIN THE JUVENILE JUSTICE SYSTEM,

AND MANDATED
BY THE 69th LEGISLATURE IN 1985 TO . . .

- △ PROVIDE MINIMUM STANDARDS FOR JUVENILE DETENTION FACILITIES.

Philosophy

Through creation of the Texas Juvenile Probation Commission, the 67th Legislature laid the groundwork for an additional tool to help manage crime.

Youth crime transcends county lines. The failure of a county to address the problem has its impact throughout the State.

The programs of the Texas Juvenile Probation Commission are providing Texas with the opportunity to reduce crime by placing resources in an area which promises the greatest return for the money - prevention.

Strategy

To this end, the Texas Juvenile Probation Commission has adopted the following strategies:

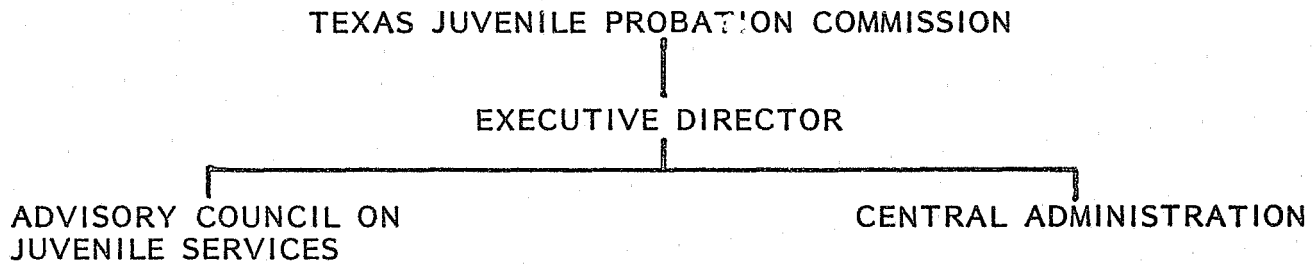
- We must develop a comprehensive system with a full range of services in every part of Texas.
- We must bring the juvenile justice system into its proper place as an integral part of the State's systematic program to manage crime.
- We must provide the public with the maximum level of protection from crime.
- We must ensure "due process" in our juvenile justice system.

Goals

By implementing the above strategies with adequate funding, the Texas Juvenile Probation Commission resolves to:

- Work toward developing a comprehensive juvenile justice system;
- Develop a program using proven methods to attack crime at the most vulnerable point - at the beginning of a criminal career;
- Help relieve the strain on the adult criminal system by diverting young offenders; and
- Promise a scheme where the State, local units of government, and the private sector can combine their resources and work together to reduce the rate of criminal activity.

Texas Juvenile Probation Commission



TEXAS JUVENILE PROBATION COMMISSION

"The commission consists of three judges of the district courts of Texas and six citizens of Texas who are not employed in the criminal or juvenile justice system, all to be appointed by the governor with the advice and consent of the senate." Tex. Hum. Res. Code Ann. § 75.022.

MARSHALL W. COOPER, CHAIRMAN

Whiteface

8/31/83 - 8/31/89

VICTORIA HUNTER BALDWIN

Austin

10/31/85 - 8/31/91

AMOS LANDRY, JR.

Beaumont

8/31/83 - 8/31/89

FORTUNATO P. BENAVIDES*

Corpus Christi

9/20/83 - 8/31/89

WILLIAM C. MARTIN, III*

Longview

9/1/81 - 8/31/87

LOIS CARPENTER

Midland

10/6/83 - 8/31/87

SCOTT D. MOORE*

Fort Worth

5/9/85 - 8/31/91

MARGARET E. DUNN

San Marcos

10/31/85 - 8/31/87

ROY E. TURNER, SR.

Amarillo

1/7/86 - 8/31/91

* Judicial appointments

ADVISORY COUNCIL ON JUVENILE SERVICES

"An advisory council to be appointed by the commission shall consist of two juvenile judges, three juvenile probation officers, two citizens knowledgeable of juvenile services, and a representative of the Texas Youth Commission to report to the director of the Texas Juvenile Probation Commission." Tex. Hum. Res. Code Ann. § 75.027.

<u>Juvenile Judges</u>	<u>Juvenile Probation Officers</u>	<u>Citizens</u>	<u>Texas Youth Commission</u>
Marilyn Aboussie Austin	John Cocoros Houston	Elizabeth Hall Cowles Dallas	Ron Jackson Austin
James M. Farris Beaumont	Celestino Mendiola Laredo	Charlotte Travis San Antonio	
	Bob Wakefield Abilene		

CENTRAL ADMINISTRATION

EXECUTIVE DIRECTOR

Bill Anderson

Deputy Executive Director

Steve Bonnell

Director of Reports and Statistics

Bob Logan

Auditor

Cecil Teston

Executive Assistant

Judy Culpepper

Training Director

Bernard Licarione

Accountant

Dorothy Streety

General Counsel

Debby Gardner

Systems Analyst

Richard Dyer

Secretaries

Amy J. McNaughton
Patrika McNeil
Julie E. Revers
Brenda Rivera

Financial Officer

Herb Hays

Program Specialists

Deborah J. Garza
Keith Rudeseal
Virginia F. Saenz
Harold Scogin, Sr.
Vicki L. Spriggs
Vonzo Tolbert

Executive Secretary

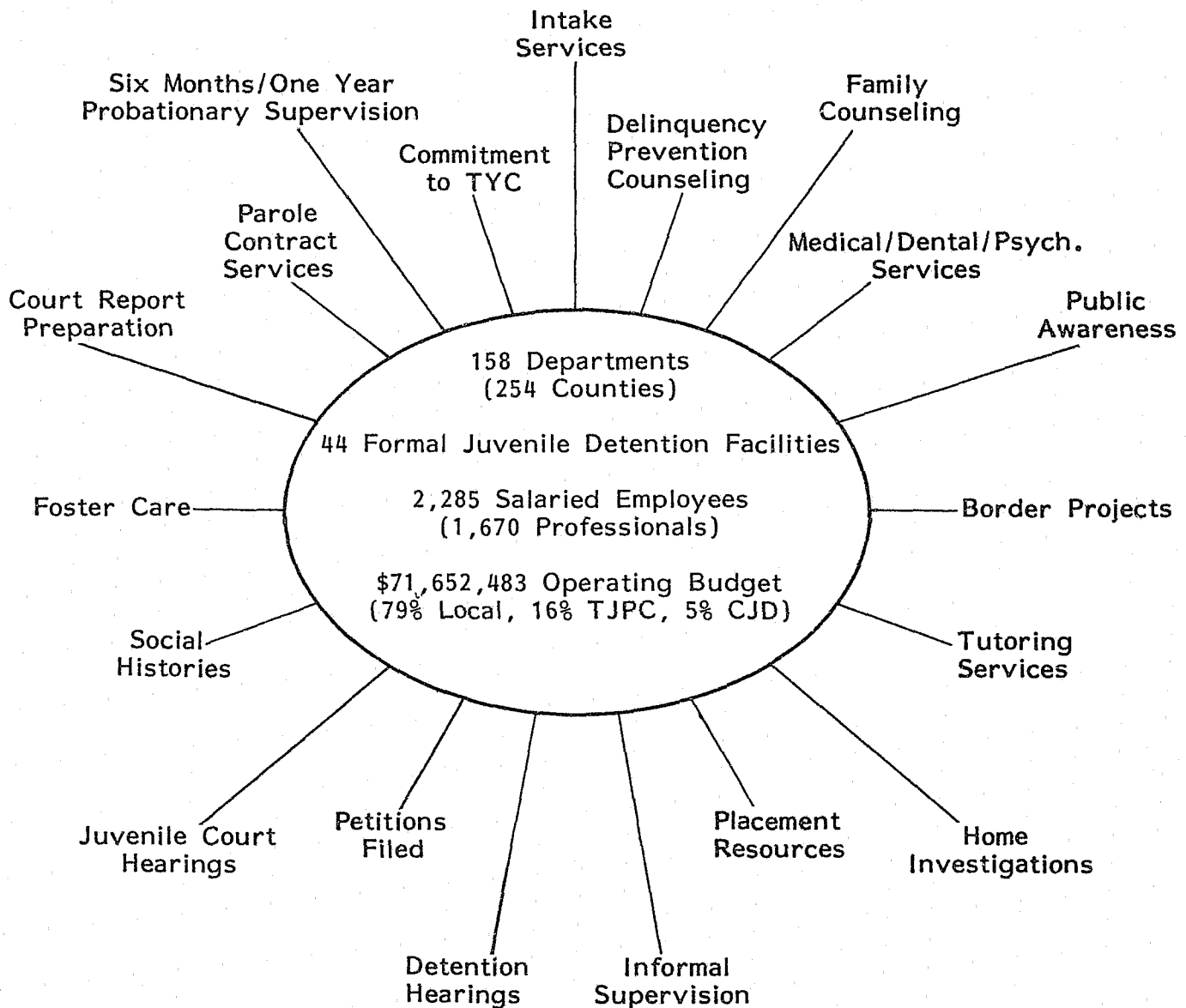
Rae Tregilgas

Administrator of Contracts

Jack Shirley

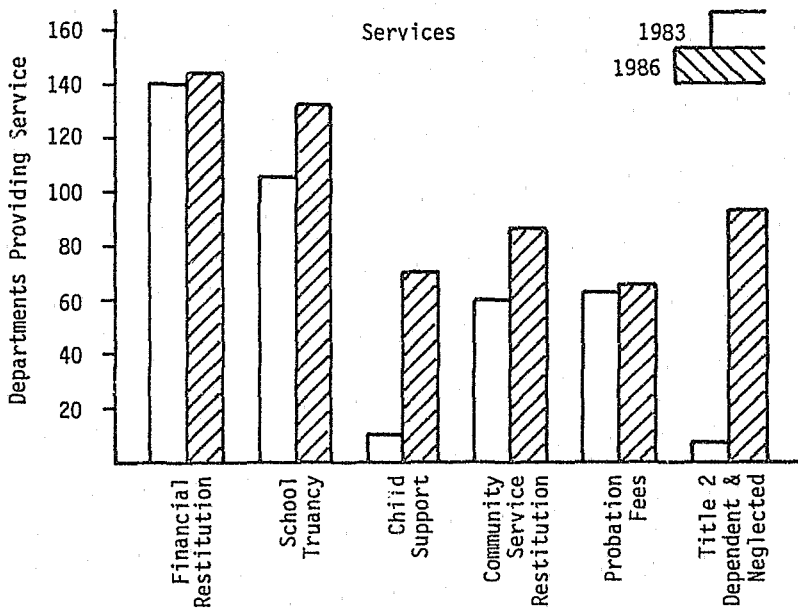
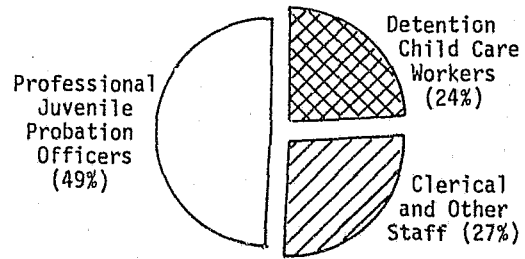
Juvenile Probation Services

"[M]ake probation services available throughout the state for juveniles . . . improve the effectiveness of probation services . . . [and] provide alternatives to the commitment of juveniles" Tex. Hum. Res. Code Ann. § 75.001



Juvenile Probation Departments

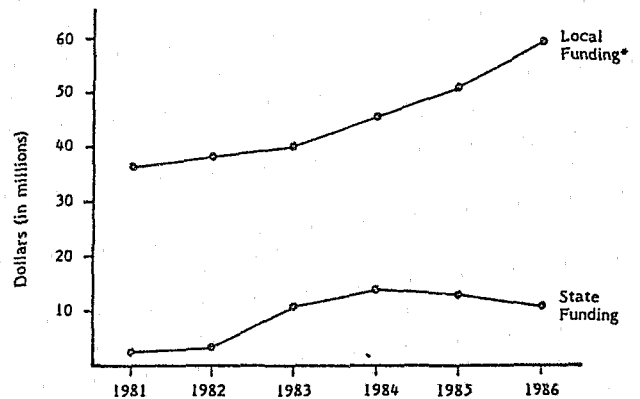
In 1986 there were 2,285 salaried employees in the 158 juvenile probation departments statewide. These 108 single county and 50 multi-county departments, all operating under the authority of a local juvenile board, provided direct service to juveniles in all of the state's 254 counties.



The day-to-day delivery of services to juveniles and the local community has expanded in the past few years to include more than counseling or supervision of youths referred.

While local government has historically provided the greater share of the funding necessary to ensure adequate minimal services to juveniles, 1986 was the second year in a row that state government assistance fell below its previous year's appropriation to the overall program of juvenile justice services in Texas.

Juvenile Probation Funding



* Includes county, city, schools, federal and other sources of funding.

Allocation of State Aid

TJPC funds are allocated to counties with juvenile boards that demonstrate to the satisfaction of the commission that the amount of local or county funds budgeted for juvenile services are at least equal to or greater than the amount expended for those services in the 1980 fiscal year.

In FY 1987 TJPC's state aid appropriation was \$10,737,619, providing funding assistance to 251 counties.

DISCRETIONARY

To provide funds to meet special needs of juvenile probation departments.

"A portion of the funds appropriated to the commission for state aid may be set aside for programs designed to address special needs as projects of local juvenile boards." Tex. Hum. Res. Code Ann. § 75.063.

Funds for these programs were transferred from unexpended funds in other categories.

MATCH

To provide incentive to counties to increase funding of juvenile probation services by providing matching state funds.

"The legislature shall determine and appropriate the amount of state aid necessary to supplement local funds for maintenance and improvement of state-wide juvenile services" Tex. Hum. Res. Code Ann. § 75.063.

The FY 1987 allocation was \$899,273.

POPULATION

To allocate funds to counties in proportion to juvenile-age population.

"The allocation of funds shall be based on juvenile population and other factors" Tex. Hum. Res. Code Ann. § 75.063.

The FY 1987 allocation was \$4,481,269.

BASE

To provide a funding base for all counties in Texas. Each county will be eligible to receive adequate funds for minimum services.

"The purposes of this chapter are to make probation services available throughout the state for juveniles." Tex. Hum. Res. Code Ann. § 75.001.

The FY 1987 allocation was \$5,357,077.

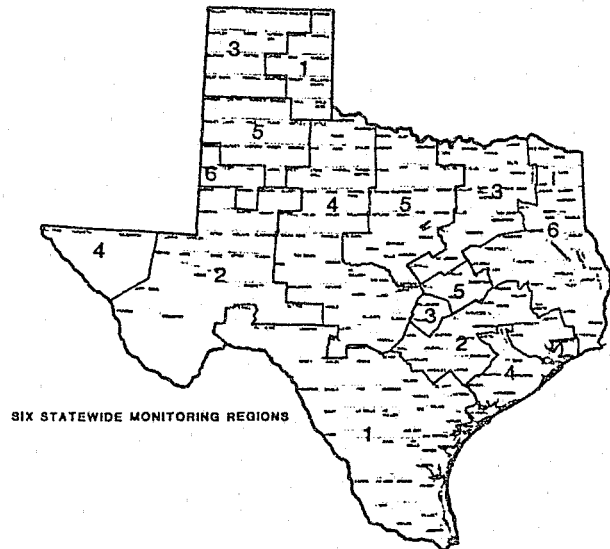
Due to legislative cuts in state aid funding the Fiscal Year 1987 appropriation was \$1,743,889 below that of Fiscal Year 1986.

Monitoring and Technical Assistance

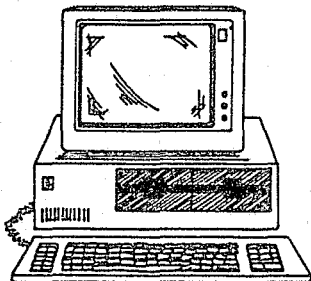
In order to "provide educational training and technical assistance to counties, juvenile boards, and probation offices to promote compliance with the standards required under this chapter and to assist the local authorities in improving the operation of probation, parole, and detention services" (Tex. Hum. Res. Code Ann. § 75.043) and "inspect and evaluate [monitor] any juvenile board" [Tex. Hum. Res. Code Ann. § 75.047(a)], during 1986 the commission:

Made 85 on-site visits to determine the extent of compliance with TJPC standards and to review fiscal and program operations for the purpose of providing effective technical assistance in such areas as:

- budget preparation and administration,
- issues of legal liability,
- case records management and planning,
- personnel development and education,
- interdepartmental exchange of innovative programs, and
- community involvement and public relations.



The 48 percent decline in on-site monitoring visits from 1985 to 1986 was a direct result of restrictions placed on travel as an economy measure in compliance with Executive Order MW-36. However, through the implementation of TJPC's self-evaluation monitoring procedures, monitoring of compliance to the 75 program and 50 fiscal standards was obtained for all 156 juvenile probation departments.



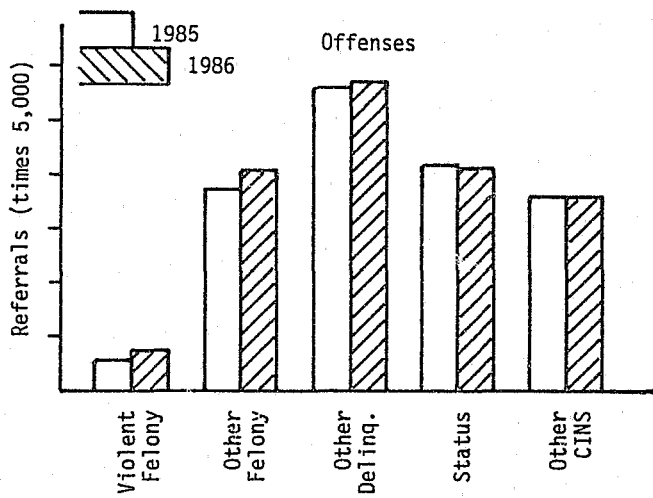
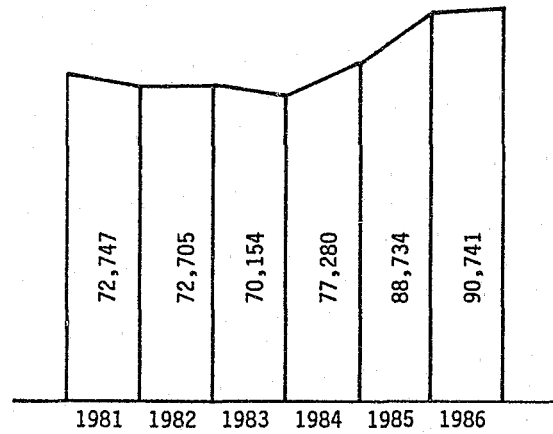
TJPC continued to revise and enhance the Personal Computer software packages in use by the juvenile probation departments. The two software packages consisting of a Juvenile Statistical Information System and a Financial Data Information System are now operational in 33 departments statewide with another 7 departments planning implementation. TJPC staff performed 19 on-site installation and training visits to the juvenile probation departments. TJPC is planning enhancements to the Juvenile Statistical Information System as well as develop a software package for the operation of a juvenile detention facility.

Juvenile Probation Statistics

JUVENILE REFERRALS

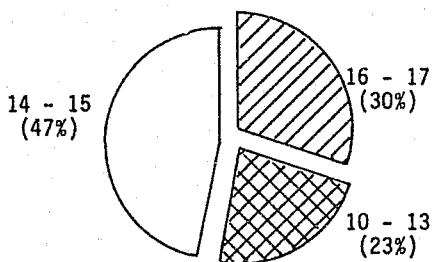
During Calendar Year 1986 referrals to juvenile probation departments in Texas increased by more than 2 percent, to 90,741 statewide.

Referral Trends

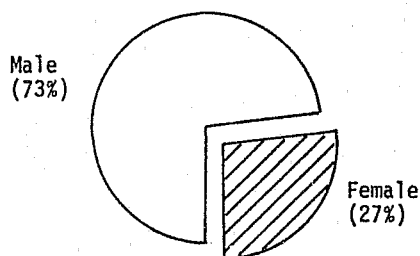


While the overall increase in referrals was only slightly over 2 percent in 1986, juvenile involvement in serious violent crime increased by over 11 percent.

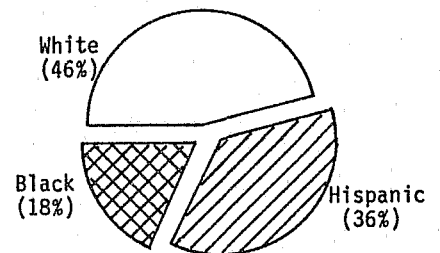
Referral Age



Referral Sex

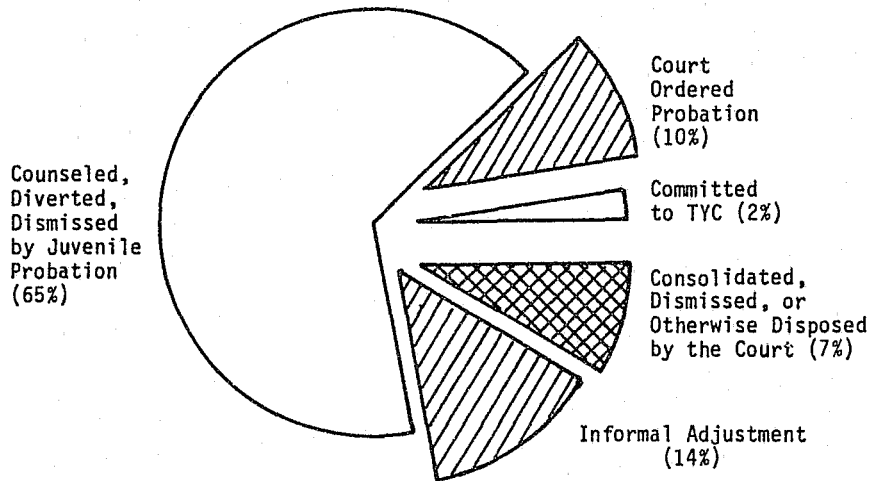


Referral Race



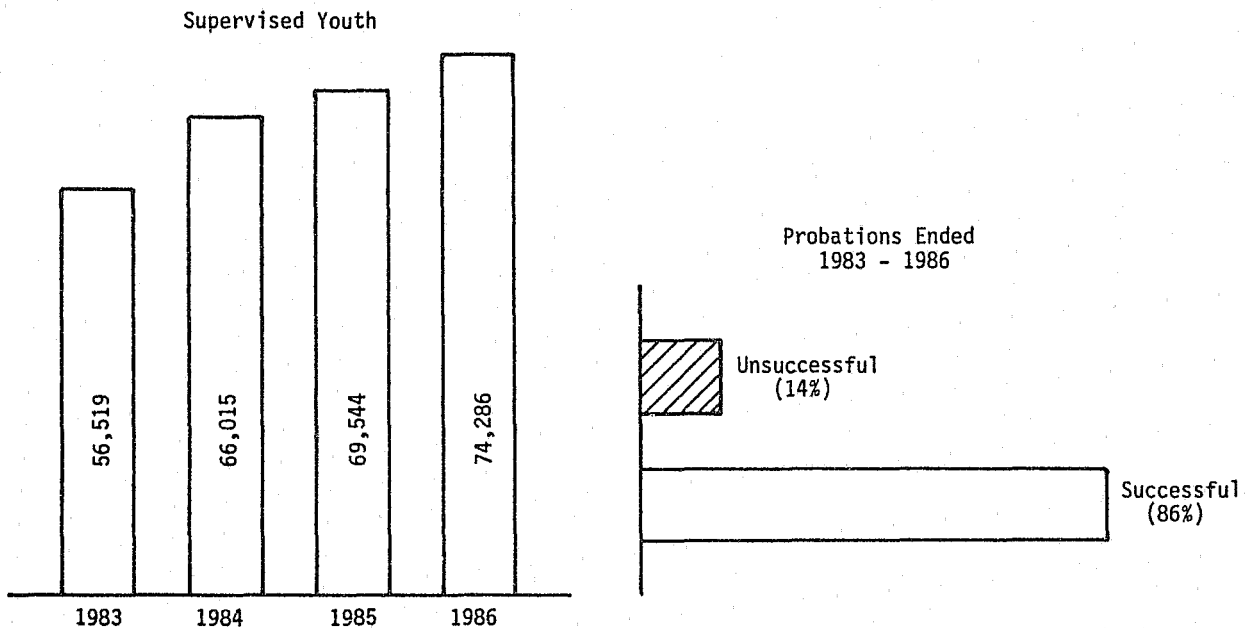
JUVENILE DISPOSITIONS

During Calendar Year 1986 there were 90,741 referrals and 88,209 dispositions reported. Ninety-eight percent of all cases were handled locally with just over 2 percent resulting in commitments to TYC.

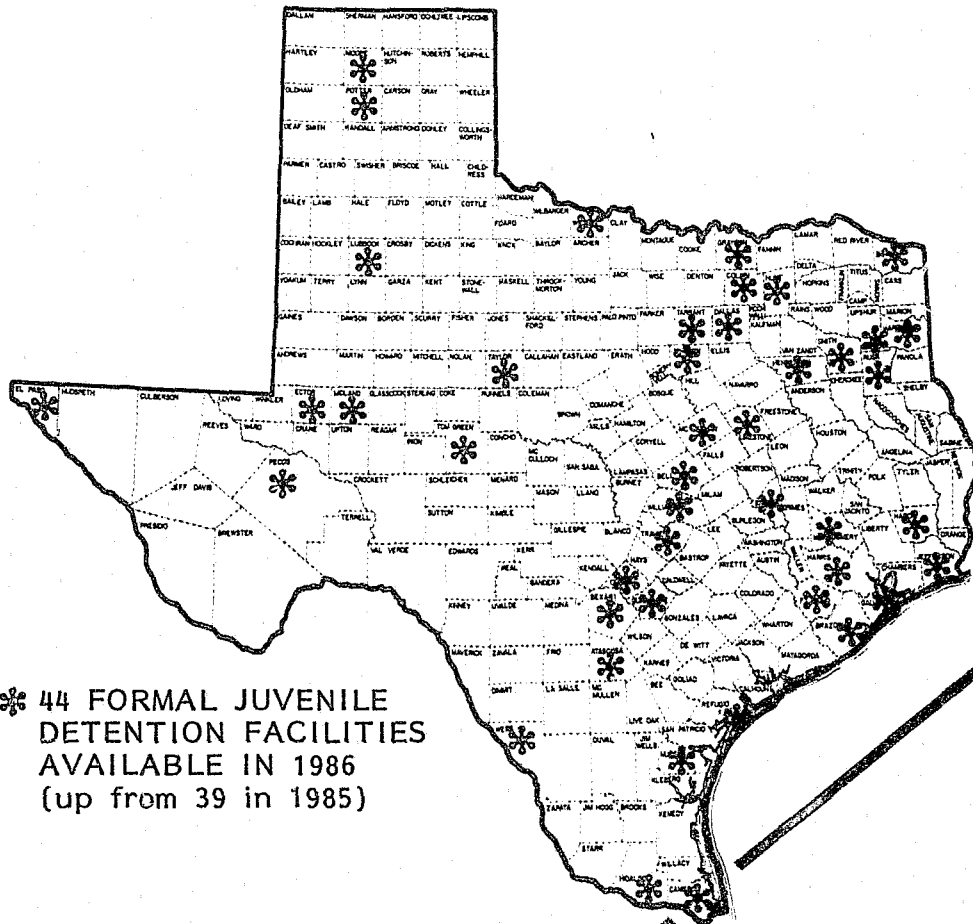


SUPERVISION WORKLOAD

While the number of youth receiving supervision by probation departments in Texas has increased steadily, the number of formal probations terminated as unsuccessful has remained low.



Juvenile Detention Statistics



In 1986 there were 23,825 juveniles formally held in secure detention in Texas. Over 99 percent were detained in the 44 formal juvenile detention facilities. Thirty-nine youth were held in either a city or county jail.

Seventy-three percent of the juveniles were detained for delinquent conduct and 27 percent were detained for conduct indicating a need for supervision. Fifty-one percent of the total were detained for a period of less than 24 hours.

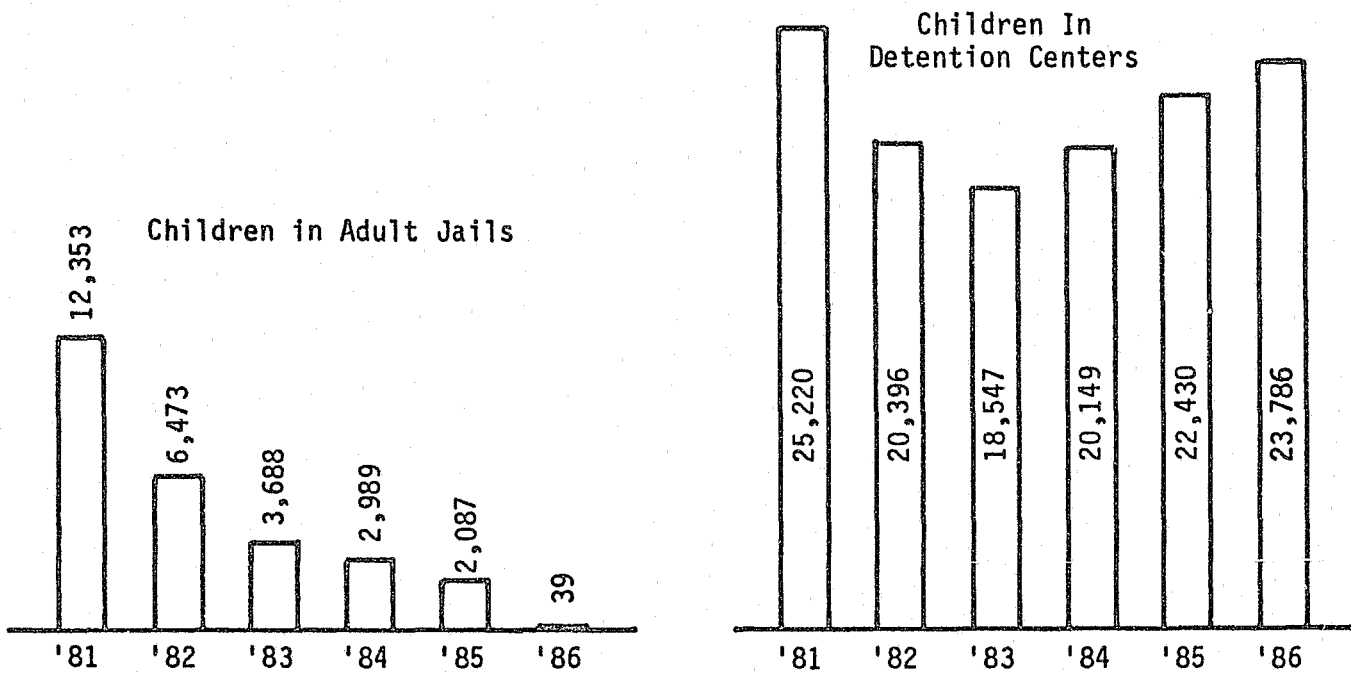
While the number of referrals in 1986 was up 2 percent over 1985, the use of secure detention declined 3 percent and the use of adult jails continued to decline - down 98 percent from 1985. This decrease in secure detention is due in part to the increased use of non-secure alternative placements. During 1986, 1,556 (7 percent) of the juveniles held in secure detention were detained solely because no non-secure alternative placements were available; 3,429 youth were diverted to non-secure settings.

Jail Removal

The Jail Removal Planning and Technical Assistance Program grew out of the State's need to comply with the jail removal mandate contained in the federal Juvenile Justice and Delinquency Prevention Act. TJPC is the primary source for information, coordination, referral, and other forms of assistance to counties as they move toward compliance. TJPC gathers and analyzes statistical information relating to the Act. This program has resulted in considerable momentum towards compliance.

While the counties have reduced their use of jails to detain children, the use of formal juvenile detention centers has increased.

Detention of Referrals



1981

- 29 separate detention facilities operating.
- 24 counties purchased separate detention services.
- 152 adult jails used.

1986

- 44 separate detention facilities operating.
- 174 counties purchased separate detention services.
- 16 adult jails used.

Detention Standards Project

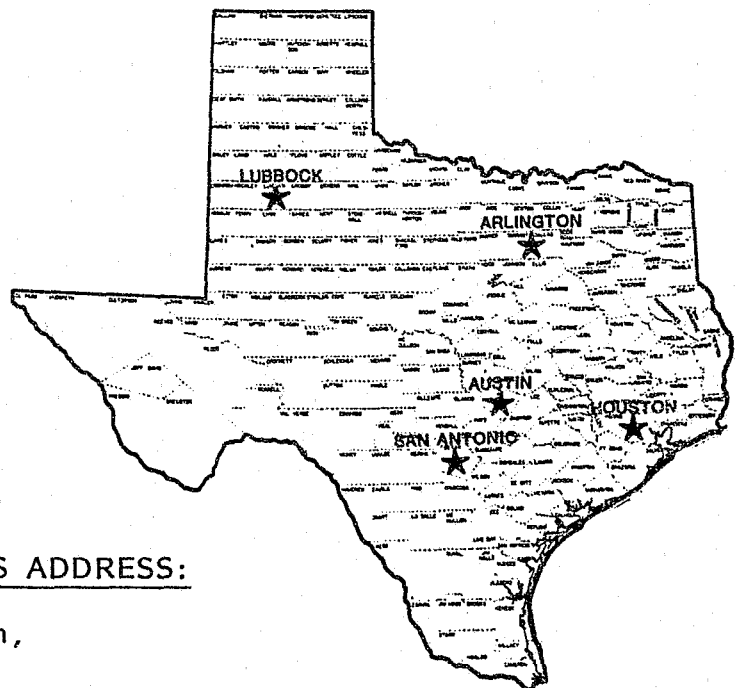
"In each county, the judge of the juvenile court and the members of the juvenile board shall personally inspect the detention facilities at least annually and shall certify in writing to the authorities responsible for operating and giving financial support to the facilities that they are suitable or unsuitable for the detention of children in accordance with . . . recognized professional standards for the detention of children deemed appropriate by the board, which may include minimum standards promulgated by the Texas Juvenile Probation Commission. The juvenile board shall annually provide to the Texas Juvenile Probation Commission a copy of the standards used under this section." Texas Family Code § 51.12(c)(3).

STANDARDS TASK FORCE

5 member drafting committee
37 member task force

Made up of district judges, county judges and commissioners, chief juvenile probation officers, detention administrators, and citizen members.

PUBLIC HEARINGS



TJPC DETENTION STANDARDS ADDRESS:

- Administration, Organization, and Management
- Fiscal Management
- Personnel
- Training and Staff Development
- Management Information Services
- Records
- Physical Plant
- Security and Control
- Rules and Discipline
- Food Services
- Hygiene
- Medical Services
- Intake, Admission and Release
- Communications
- Juvenile Rights
- Programs
- Citizen and Volunteer Involvement

TYC Commitment Study

"The Texas Juvenile Probation Commission shall compile information for use by the Seventieth Legislature, 1987, which indicates the effectiveness of juvenile probation in terms of the reduction in commitments to the Texas Youth Commission." H. B. 20, 69th Legislature, Regular Session (General Appropriations Act) Article I-164.

In response to this mandate the commission made a detailed study of youth committed to TYC during Fiscal Year 1986. For each youth reported as being committed, the study considered: the source of the referral, the offense charged in the petition, the adjudication offense, prior referrals, prior attempts to rehabilitate the child, prior commitments to TYC, and the reasoning of the court which supported the order of commitment.

BY-OFFENSE CHARACTERISTICS
OF COMMITTED YOUTH - FY 1986

Offense	Number committed to TYC	Currently on probation	No prior criminal history	Prior referrals per youth No. / Avg.		Previous commitment to TYC	Previous informal adjustment	Previous formal probation	Previous placements	Judicial rationales
Homicide	21	1	9	12	4	1	3	5	0	(a) (b)
Sexual assault	68	15	15	53	4	3	9	35	29	(a) (b)
Robbery	107	24	23	84	5	9	19	55	39	(a) (b) (c)
Aggravated assault	135	39	21	114	5	4	24	85	78	(a) (b) (d)
Burglary	587	261	30	557	5	20	154	444	318	(a) (b) (c) (d)
Felony theft	159	56	8	151	6	3	48	126	125	(a) (b) (c)
Motor vehicle theft	155	61	11	144	6	11	32	117	76	(a) (b) (d)
Felony drugs	20	6	1	19	4	0	1	13	4	(b)
Other felony	62	20	10	52	5	4	21	44	33	(a) (b)
Weapons violations	29	15	0	29	7	4	3	22	12	(b)
Assault	40	21	2	38	6	1	14	36	31	(a) (b) (e)
Theft	69	36	2	67	6	0	9	55	37	(a) (b) (g)
Drug	42	28	2	40	5	1	6	34	48	(a) (b)
Other	90	35	5	85	6	5	12	59	101 ⁽¹⁾	(a) (b)
Violation of lawful court order	295	295	0	295	7	1	67	321 ⁽¹⁾	256	(b) (f)

(a)	Protection of public and/or child
(b)	Need for structured rehabilitative environment
(c)	Lack of local resources
(d)	Habitual offender
(e)	Lack of local alternatives
(f)	Probation violation
(g)	Unstable home
(1)	More than once prior

The results of this study as reported to the legislature showed:

- Over 97 percent of all youth "at risk" are successfully diverted by local probation departments, with less than 3 percent being committed.
- TJPC-developed "Rationale for Commitment" helps to ensure that only appropriate commitments are made.
- Texas ranks 36th among all states in per capita commitments to state training schools.
- Except for the most serious and violent youth, few first time offenders are committed to TYC. Those non-violent youth committed are juveniles who have demonstrated a history of repetitive criminal behavior and have exhausted all locally available resources.

Diversions From TYC

"provide alternatives to the commitment of juveniles by providing financial aid to juvenile boards for the establishment and improvement of probation services" Tex. Hum. Res. Code Ann. § 75.001.

In compliance with our legislative mandate and in concurrence with the least restrictive appropriate alternative doctrine and a belief in the efficacy of local community based programs, TJPC developed various alternative placement programs.

ALTERNATE PLACEMENT OF JUVENILES

In 1986, 5,962 juveniles were placed in non-secure alternative placement facilities.

- 15 percent of the placements were at no cost and averaged 107 days.
- 17 percent of the placements were in county operated facilities at an average cost of \$44 per day and averaged 156 days.
- 59 percent of the placements were in residential facilities at an average cost of \$34 per day and averaged 99 days.
- 9 percent of the placements were in foster homes at an average cost of \$15 per day and averaged 98 days.
- 1,586 youth were diverted from TYC because at the time of disposition, adequate non-secure placement services and/or funds were available. Only 116 departments had funds to purchase placement services. TJPC was either totally or partially the source of funds for 76 of these departments.
- 347 youth were committed to TYC in 1986 because adequate placement facilities or funds were not available.

The average cost of placement in a secure juvenile detention center was \$49 per day in 1986.

- 3,429 non-secure placements were made as an alternative to secure detention.
- 1,556 additional juveniles could have been placed in non-secure placement if additional facilities or funds had been available.
- 313 juveniles were granted probation rather than commitment conditioned on intensive supervision with placement as at-home confinement.
- Many youth could be placed on probation if adequate placement in a temporary secure setting were available. A total of 322 youth were diverted from TYC and placed on probation because adequate bed space in the local secure facility was available.

FOSTER CARE PROGRAM

TJPC's foster care program began in late 1984 as a response to the crisis created for county juvenile probation departments when the Department of Human Resources increased its daily rate for residential treatment beds to \$61 per day. With TJPC foster care funds, counties could pay up to \$20 per day for foster care placements developed in the county and certified by the juvenile courts. This special discretionary program was discontinued in 1986, due to state aid funding reductions; however, a number of juvenile probation departments, using local funds, have continued foster home placements. During 1986, use of foster home care resulted in:

<u>Number of Placements</u>	<u>Average Days In Placement</u>	<u>Average Per Day Cost</u>
556	98	\$15

BORDER PROJECTS

The Border Children Justice Projects were conceived to address the problem of juvenile crime in a zone on each side of the border of Texas and Mexico. The zone is called the Frontera in Mexico and usually referred to as the border area in the United States. Both Mexicans and Americans have almost unlimited access to this zone.

The projects propose a program for a more humane and rational response in dealing with children who violate laws in the United States. The programs are designed to enhance rehabilitation and effect an economic savings by combining the resources of Texas and Mexico.

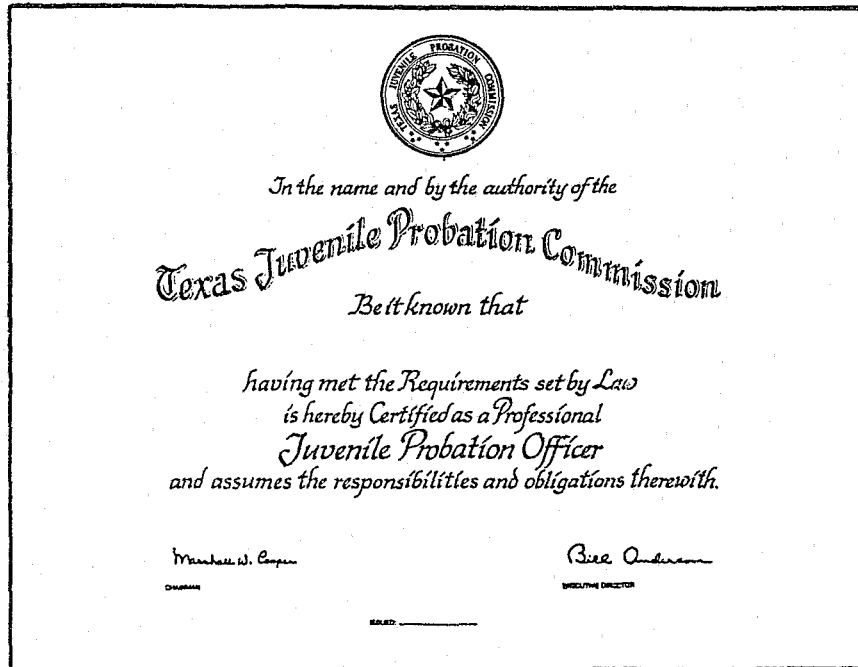
TJPC continues to provide discretionary funds to Cameron County for this project. In addition, projects in Webb and El Paso Counties have been established.

BORDER CHILDREN JUSTICE PROJECT PERFORMANCE SINCE INCEPTION TO 12/8/86

<u>County</u>	<u>Date Began</u>	<u>Referrals</u>	<u>Adults Transferred</u>	<u>Released to Home</u>	<u>Placed in Mexican Facility</u>	<u>Committed to TYC</u>	<u>Not Aliens</u>	<u>Placed on Probation</u>
Cameron	5/84	443	44	334	46	16	6	42
El Paso	6/85	228	17	163	0	23	NA	40
Webb	1/85	<u>117</u>	<u>14</u>	<u>95</u>	<u>6</u>	<u>2</u>	<u>10</u>	<u>19</u>
TOTALS		788	75	592	52	41	16	101

Education, Training and Certification

"The commission shall promulgate reasonable rules . . . establishing appropriate educational, preservice and inservice training and certification standards for probation officers" Tex. Hum. Res. Code Ann. § 75.041.



- In 1986, professional probation staff received 57,106 hours of training.
- To date TJPC has certified 1,605 applicants as professional juvenile probation officers.

The commission has developed a training menu of 51 separate training topics. Utilizing this menu TJPC, in 1986 directly conducted and sponsored:

- 20 regional training programs throughout the state,
- 18 statewide training conferences,
- 325 hours of training for 1,156 participants for a total of 9,082 contact hours.

TJPC training workshops, evaluated by participants as to relevance, activities and presentation, have consistently been rated at near maximum in excellence.

In 1986, TJPC promulgated standards for the training and certification of professional detention officers.