

**TEXAS  
JUVENILE  
PROBATION  
STATISTICAL  
REPORT**



**Calendar Year 1998**

**TEXAS JUVENILE  
PROBATION COMMISSION**

# TEXAS JUVENILE PROBATION STATISTICAL REPORT



## **Statistical and Other Data on the Juvenile Justice System in Texas for Calendar Year 1998**

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## Acknowledgment

*The Texas Juvenile Probation Commission expresses its appreciation to the many juvenile probation officers, juvenile court judges and others whose prompt and continued submission of their statistical and other data have made this report possible.*

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## Forward

The Texas Juvenile Probation Commission's (TJPC) eighteenth annual statistical report provides information regarding the magnitude and nature of juvenile criminal activity and the juvenile probation system's response. This information is offered to help assist the state's effort to improve the juvenile justice system and reduce juvenile crime in Texas.

During calendar year 1998, police agencies in Texas arrested 172,441 juveniles between the ages of 10 and 17. Of this number, 66,648 were warned and released, handled in justice and municipal courts or diverted, and 105,793 were referred to juvenile probation departments. In addition to police agency referrals, social agencies, parents, schools, the Texas Youth Commission (TYC), and others referred another 19,815 juveniles, for a total of 125,608. This is a decrease of 524 (.4%) in total referrals from the previous year, which is the third decrease of referrals in Texas in three consecutive years.

All of the 254 counties in Texas received services through 164 juvenile probation departments in 1998. These departments were staffed by a total of 5,677 employees, 1,843 of whom carried a probation caseload.

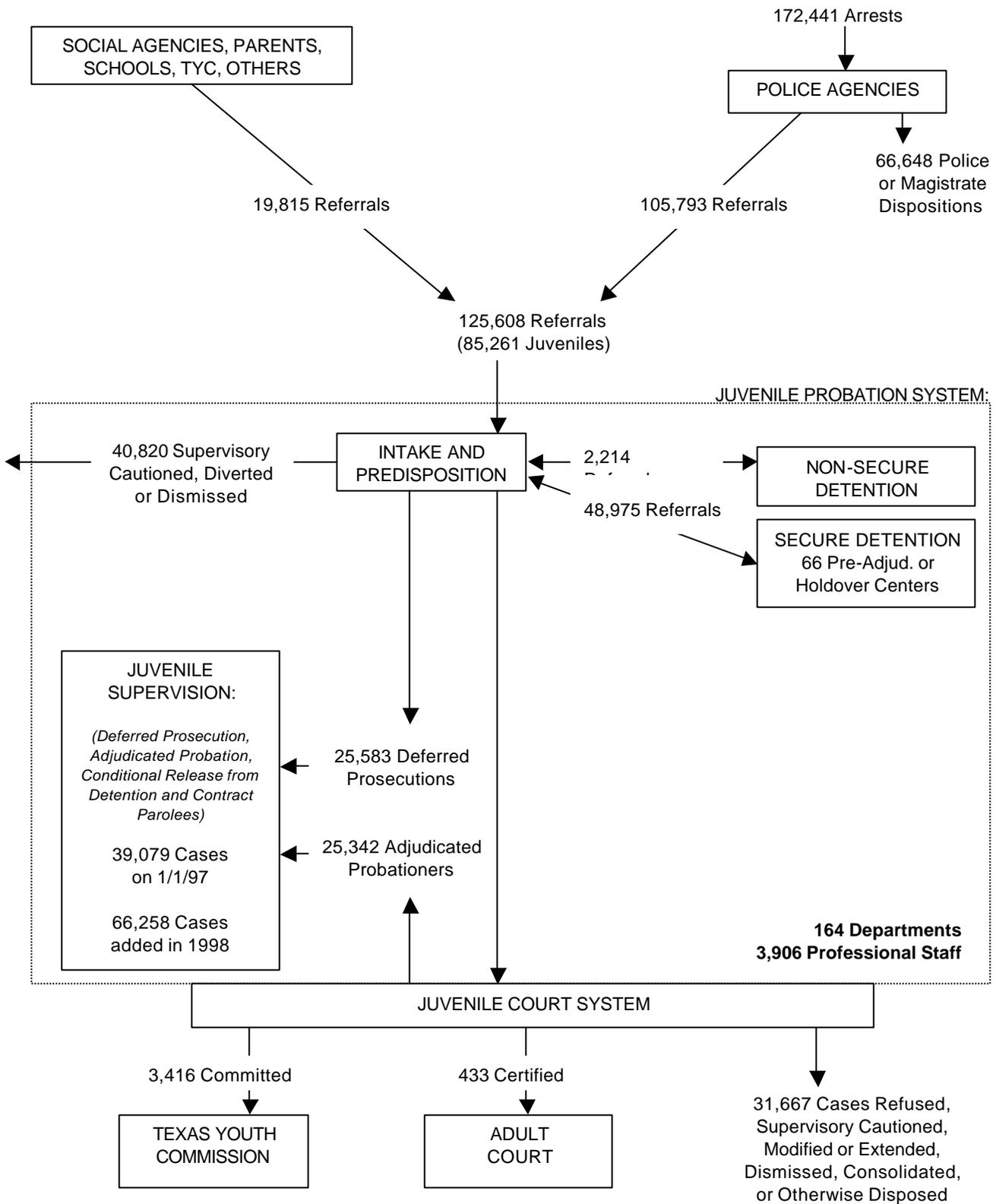
Counties operated 46 secure pre-adjudication residential facilities, seven holdover facilities, and 25 secure post-adjudication residential facilities in 1998. In addition to the county-operated facilities, private contractors provided services for juveniles in 12 pre-adjudication, one holdover, and 17 post-adjudication secure facilities. These facilities provided a total of 1,950 pre-adjudication, 40 holdover, and 1,811 post-adjudication beds.

In 1998, 51,189 juveniles were detained prior to adjudication hearings. A total of 48,975 were held in secure juvenile detention centers and 2,214 juveniles were served in non-secure detention such as foster homes and emergency shelters. An additional 956 could have been held in non-secure facilities if such facilities had been available. Approximately 33% of all juveniles in secure facilities were released in less than one day.

Juvenile probation departments disposed of 40,820 referrals by giving a supervisory caution, diverting to other agencies for treatment, or dismissing the complaints, and initiated 17,124 deferred prosecutions or other temporary supervisions under guidelines of their juvenile boards.

Juvenile prosecutors, independently or through their juvenile courts, entered 8,459 deferred prosecutions and 25,342 probation orders, bringing the total number of cases supervised to 66,258 (with additional conditional release from detention cases and contracted parolees). Juvenile courts also committed 3,416 juveniles to the Texas Youth Commission, certified 433 juveniles to stand trial as adults, and refused prosecution, dismissed, gave supervisory caution, modified/extended, consolidated, or otherwise disposed of another 31,667 cases.

## Movement of Juveniles 1998



# Texas Juvenile Probation System - 1998

## Introduction

During calendar year 1998, TJPC collected statistical data regarding juveniles referred to the juvenile justice system from the 164 probation departments that cover all Texas counties. TJPC also surveyed the departments to obtain supplemental information. The statistical activity reports and the 1998 resource survey are the primary sources of this report.

Caution should be used in drawing general conclusions from juvenile probation statistics. The following data portray neither everything juvenile probation departments or courts do, nor how much time they spend on activities not represented by the statistics. There is no reliable way to ascertain the time spent by juvenile probation officers or juvenile judges in counseling, study, and research.

At least three factors are not represented in the juvenile probation activity statistics, and should be considered when evaluating them:

1. Juvenile probation officers in multi-county departments spend more time traveling than do officers in single-county jurisdictions.
2. A number of the juvenile probation officers serve both adult and juvenile capacities due to limited resources, and often operate under widely varying authorities and policies.
3. The juvenile justice system operates under the rules and authority of Title 3 of the Texas Family Code. Emphasis is placed on the rehabilitation of the juvenile through accountability, guidance, counseling, diversion, and treatment. Many of the cases statistically reported as being disposed as "supervisory caution" or "dismissed or otherwise disposed," in fact occasion extensive rehabilitative efforts on the part of the juvenile probation system.

## Juvenile Boards

State law creates a juvenile board for every county, while some juvenile boards govern multiple counties. The board, consisting of district and county judges, is responsible for overseeing the operations of the juvenile justice system in that county, which includes designating juvenile judges, appointing the chief juvenile probation officer, and setting the policy and budget for the juvenile probation department. TJPC provides funding and technical assistance to juvenile boards.



## Juvenile Probation Departments

**Structure and Staffing.** Juvenile probation departments carry out the policies of juvenile boards and deliver services to juveniles referred to juvenile courts. There are 119 single county departments and 45 multi-county departments in Texas. Multi-county departments range from two to six counties. Eighteen departments served both adult and juvenile probationers, while 13 of these combined departments used separate juvenile probation officers. In 1998, 5,677 salaried employees managed the workload of juvenile probation. Seventeen departments had only one caseload-carrying probation officer; 26 had no clerical support. The following table illustrates the breakdown of department staff and their salaries.

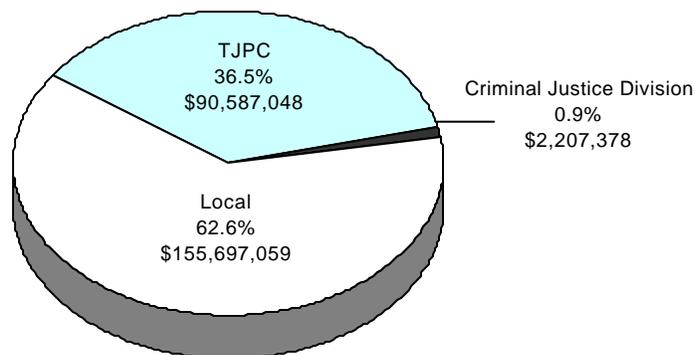
**Juvenile Probation Staff Size and Salaries**

Staff	# in State	Low	High	Average
Chief	164	\$18,264	\$116,280	\$47,025
Administrative	511	\$18,000	\$90,417	\$36,027
ISP Officer	259	\$19,000	\$43,440	\$28,262
Probation Officer	1,421	\$17,199	\$63,693	\$25,679
Detention Officer	903	\$13,500	\$42,889	\$22,535
Uncertified Detention Officer	700	\$5.15/hr	\$24.75/hr	\$7.97/hr
Correction Officer (not incl. drill instructors)	134	\$14,395	\$34,284	\$25,052
Correction Officer (residential drill instructors)	106	\$21,777	\$29,196	\$24,484
Non-Residential Drill Instructors	101	\$18,000	\$39,112	\$24,267
Residential Officer	307	\$8,014	\$48,888	\$26,541
Clerical	579	\$10,712	\$39,960	\$19,517
Other Staff	492	---	---	---

**Education, Training, and Certification.** TJPC requires that all Texas juvenile probation, detention, and corrections officers are certified as having earned necessary academic degrees and completed 40 hours annually of approved continuing education. During 1998, TJPC certified 537 juvenile probation officers and 514 detention and corrections child care workers and re-certified a total of 883 officers. Training is provided by TJPC for juvenile judges and all levels of juvenile probation personnel. The TJPC, through 65 regional, 53 statewide, 13 on-site training sessions, and 16 agency sessions conducted training for 4,667 participants for a total of 48,529 contact hours.

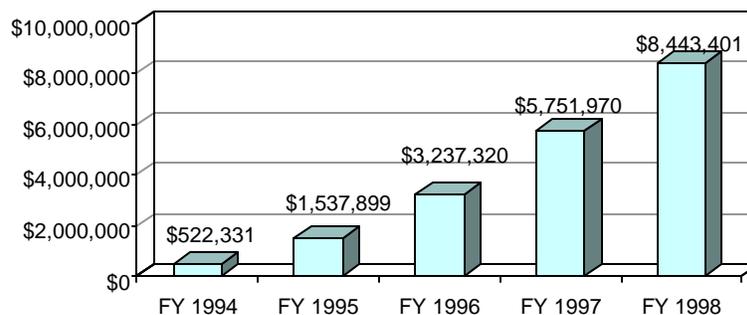
**Funding.** The chart below shows funding available for juvenile probation services. The Commission is the primary agency through which state funding for juvenile justice is channeled to the counties. During fiscal year 1998, TJPC sent over \$90 million dollars (more than 97% of its budget) to county juvenile probation departments for services to troubled youths and their families. Excluding the proceeds for construction bonds distributed in fiscal year 1997, the Commission allocated 39% more funds in fiscal year 1998 than the year before. Much of the increase in state funds went toward additional operational funding for the juvenile justice alternative education programs as well as new probation officers and new programs for youth.

**Juvenile Probation Funding - FY 1998**  
(Total Funds \$ 248,491,485)



**Federal Funding: Title IV-E.** Since late 1992, TJPC has contracted with the Texas Department of Protective and Regulatory Services to enable local juvenile probation departments to access Title IV-E Federal Foster Care funds. Through this program, departments may be reimbursed approximately 50% of placement costs for eligible placements. Related administrative costs are also reimbursable at 50%, and training expenses at 75%. In fiscal year 1998, 61 participating departments received over \$8.4 million in reimbursements for the placement costs of 530 children. As more counties have begun to realize the benefits of the program, the amount of funding has continued to significantly increase each year.

**Title IV-E Funding - FY 1994-FY 1998**



**Residential Placements.** A total of 10,287 juveniles were placed in residential facilities, not including secure pre-adjudication placements. These juveniles accounted for a total of 11,168 purchased, county-operated, and no-cost placements. Juveniles were placed for an average of 82.3 days at an average cost of \$83.44 per day. In fiscal year 1998, 20 percent of state probation funds were budgeted for placement services. Counties without residential placement funds are forced to seek out alternatives to residential placements, such as finding free placements in the private sector or committing to the Texas Youth Commission juveniles who need to be removed from their homes. In 1998, departments committed 421 juveniles to the Texas Youth Commission because insufficient residential placement resources were available.

#### Juvenile Probation Placements

Type of Facility	Number of Juveniles	Number of Placements	Average Days In Placement	Average Cost per Day
No Cost – Secure Post-Adjudication*	82	82	86.9	NA
No Cost – All Other*	1,109	1,178	94.5	NA
County Operated – Secure Post-Adjudication	1,455	1,688	78.8	\$101.74
County Operated – All Other	2,669	3,037	56.3	\$82.45
Purchased – Secure Post-Adjudication	1,100	1,168	94.5	\$70.57
Purchased – All Other	3,872	4,015	96.1	\$79.01
<b>TOTAL</b>	<b>10,287</b>	<b>11,168</b>	<b>82.3</b>	<b>\$83.44</b>

\* Services provided by state facility, charities, insurance, etc.

\*\* Table does not include secure pre-adjudication placements.

**Juvenile Justice and Education.** Probation departments worked closely with independent school districts. Of the 125,608 referrals in 1998, 88.7% were attending regular school at the time of the referral, 4.5% were in an alternative education setting, 4.2% had dropped out of school, and 2.6% were suspended or expelled. There were 46,476 referrals failing or behind one or more grade levels in school.

Juvenile boards in counties with populations greater than 125,000 are mandated to operate juvenile justice alternative education programs (JJAEPs) for certain expelled youth. During fiscal year 1998, there were 22 mandatory JJAEPs operated in Texas that admitted 4,165 juveniles, while 259 juveniles were admitted to nine JJAEPs funded with grant money in counties with populations of less than 125,000. An additional 159 youth were served in non-mandated JJAEPs operated by departments that were not funded with grant money.

Services. All departments provide at least basic services to some degree. The table below shows the extent of some services available.

#### Probation Services

Services Provided	Depts. Reporting Service Available Outside the Dept.	Depts. Reporting Service Available Within the Dept.
Electronic Monitoring	20	89
School Truancy Program	82	74
In-Home Family Preservation	90	28
Cultural Sensitivity Training	50	16
HIV/AIDS Education	75	46
Primary Prevention Program	48	73
First Offender Program	71	66
Intensive Supervision Program (ISP)	3	133
Sex Offender Services/Program	86	35
Victims Services	52	99
Victim/Offender Mediation	42	30
Conflict Resolution/Social Skills Training	61	53
Teen Court	107	45
Parenting Classes	116	11
Emergency Shelter	22	6
Court Certified Foster Home Program	NA	158
Financial Restitution (collected approx. \$2,376,423 from 23,313 juveniles)	NA	158
Community Service Restitution (approx. 25,688 juveniles performed 589,520 hours)		

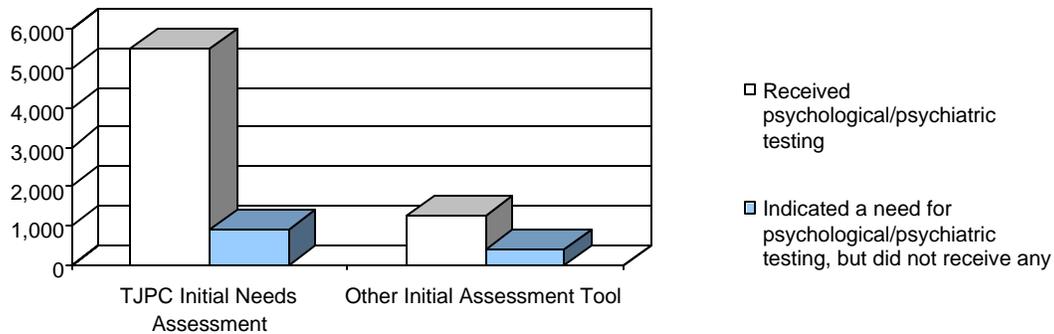
Probation departments work closely with state child protective services and mental health and mental retardation service providers. In 1998, of the 85,261 juveniles referred, 4,783 were suspected of being a victim of sexual abuse, 9,252 physical abuse, and 11,463 emotional abuse. Also, juvenile probation departments reported that they were unable to provide services to 3,449 runaways to due inadequate resources.

As required by the 70th Texas Legislature, probation departments assess court and probation fees against adjudicated juveniles. Probation fees are also permissible in deferred prosecution cases.

In 1998, departments collected \$150,993 in court disposition fees in 9,049 cases; \$948,716 in probation fees in 14,268 cases; and \$358,660 in deferred prosecution fees in 9,575 cases.

**Assessment Instruments.** TJPC Case Management Standards require that, beginning on January 1, 1999, all juvenile probation departments complete a standard initial assessment tool for all referrals and an SJS (Strategies for Juvenile Supervision) assessment for all Progressive Sanctions Level 4 or 5 juveniles. In 1998, prior to this requirement, 128 probation departments utilized the TJPC Initial Needs Assessment (now known as *Compass*) on 30,152 juveniles, while 29 departments utilized another initial assessment tool approved by TJPC on 27,711 juveniles. The following table illustrates the number of juveniles both who received psychological or psychiatric testing based on the results of the assessment and who indicated a need for testing, but did not receive any.

Testing Based on Initial Assessment Instruments



Fifty departments indicated they utilized the SJS tool, not only on Level 4 and 5 juveniles, but also on Level 3, and in a limited number of departments, on Levels 1 and 2. Departments assessed approximately 3,632 juveniles using the SJS in 1998.

**Substance Abuse.** Of the 125,608 referrals local probation departments handled in 1998, it was estimated that 22,672 were known or suspected to have committed a specific offense that may have been attributed to their substance abuse. Of the total referrals, 2,456 showed symptoms of inhalant abuse, 18,783 of drug abuse and 11,930 of alcohol abuse. Drug or alcohol tests were utilized in nearly all (98%) of the juvenile probation departments and were administered on approximately 34,734 referrals statewide. Of all the substance abuse screening instruments used, the SASSI was used 75% of the time.

Local probation departments provided substance abuse services to 14,995 juveniles and spent \$14,062,262 on treatment services. This was a decrease of 22% from the number served in 1997, while the amount spent on treatment increased 41%.

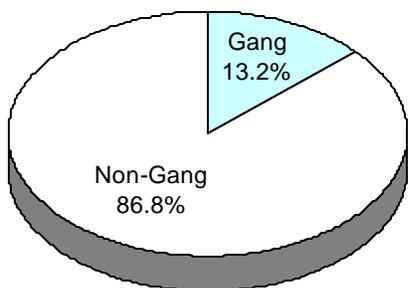
**Gangs.** While all violent crimes may not be directly attributed to gang activity, analysis indicates that much of the violent behavior in the last fifteen years was directly related to two major factors: growth in gang related crimes and involvement in substance abuse. These impacted both violent and property crimes. Urban and rural counties alike experience problems with gangs and substance abuse.

The 1998 statewide resource survey resulted in 90% of the departments being able to clearly identify a total of 3,401 juvenile gangs in their combined jurisdictions. One hundred thirty three, or 81%, of the departments in Texas reported evidence of juvenile gangs in their jurisdictions. The impact of these gangs is evident. According to the same survey, approximately 13% of all referrals were known or suspected gang members, while only 2% of the referrals were for a gang-related offense. In addition, gang members represented 14% of all probationers and more than 31% of all commitments to TYC. Gang members are not a large part of total activity, but their involvement continues to be in the more serious felony crimes resulting in both formal probation and commitment to TYC.

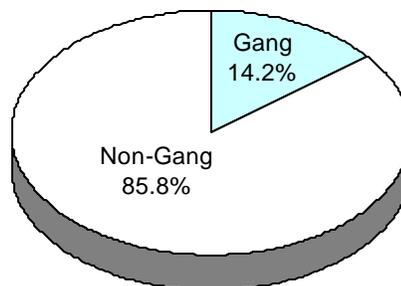
While 81% of the juvenile probation departments showed evidence of gang activity, more than half of the departments, 53%, had no gang programs in their community. Sixteen departments operated a gang program in their area, 69 departments had access to a program operated by local law enforcement, and 10 departments had access to a program operated by an agency other than the department or local law enforcement.

#### Juvenile Gang Involvement

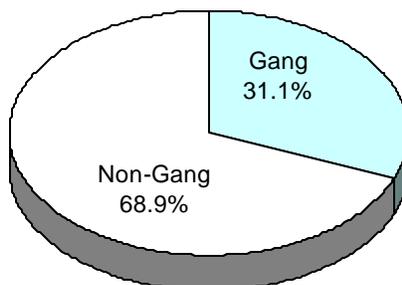
**Gang Member Referrals**



**Gang Member Probationers**



**Gang Member Commitments**



# Juvenile Probation Referral Activity

## SUMMARY OF 1998 REPORTED ACTIVITY STATEWIDE TOTALS

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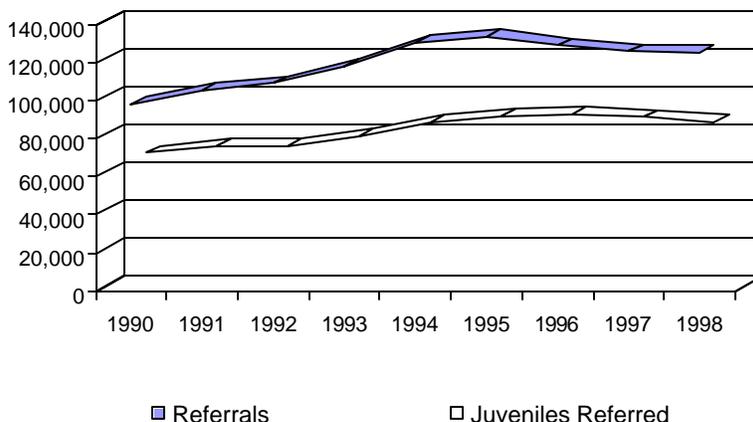
## Statewide Juvenile Activity - 1998

Statewide data on referrals, detentions, disposition activities, and supervision workloads are contained in the four subsections that follow. Data from previous years for comparison is available from TJPC. An abbreviated county-by-county summary of each of the four parts is located in the appendix.

### Juvenile Referral Activity

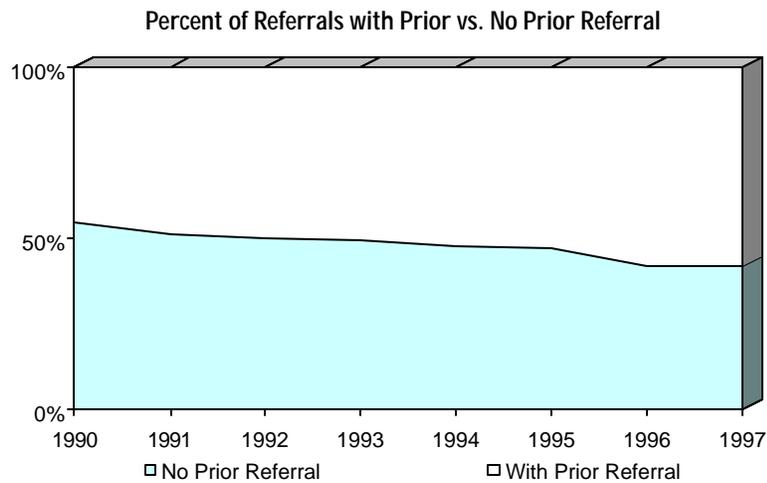
There were 125,608 referrals to juvenile probation authorities in Texas, a decrease of 0.4% from 1997, the third decrease in total referrals since 1988. The number of juveniles referred decreased in 1997 for the first time since reporting began. In 1998, the number again decreased from 87,712 (69.5% of the total referrals) in 1997 to 85,261 (67.9% of the total referrals) in 1998. Most juveniles referred were residents of the county in which they were referred (97 percent). Police agencies made more than eight out of ten referrals.

Referrals vs. Juveniles Referred



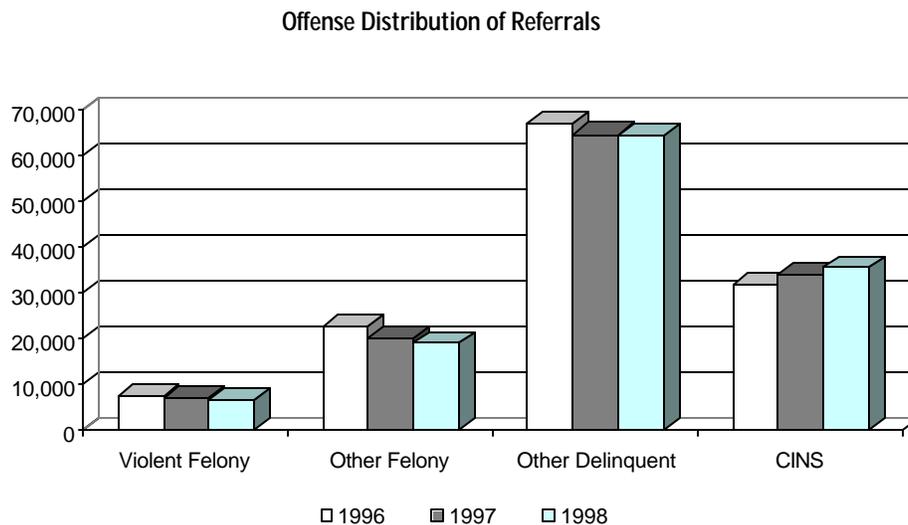
More than half of the referrals (57%) had been referred before, with 35% having been previously adjudicated by the courts and 1.3% having been previously committed to the Texas Youth Commission. The following chart illustrates that since 1990, the percent of total referrals with no prior

referral has continually decreased. While the total number of referrals steadily decreased in the last three years, there were fewer juveniles entering the system for the first time.



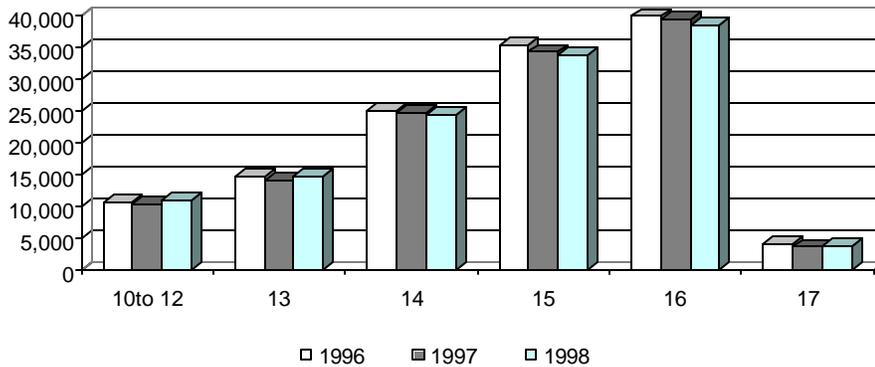
**Offense Distribution.** Texas experienced its third year in a row of decreasing juvenile referrals. Total referrals were down 0.4% in 1998 from the year before. Notable changes in delinquent referrals of 1998 over 1997 were the decreases in violent felony referrals of 9.8% and in non-violent felony referrals of 6.0%. For the first time in reporting history, the number of homicides was less than 100 (96), and the rate of homicide referrals per juvenile population was less than 0.5%. Attempted homicides also decreased significantly (33.3%) from 1997. Other (non-felony) delinquent offenses decreased by only 0.2%.

There was an overall increase in CINS offenses, consistent with previous years. Status offenses decreased by 7.1%, but non-status CINS offenses increased over 19%. The greatest percentage change was experienced by inhalant and DWI/DUID offense categories, each decreasing nearly 48%.



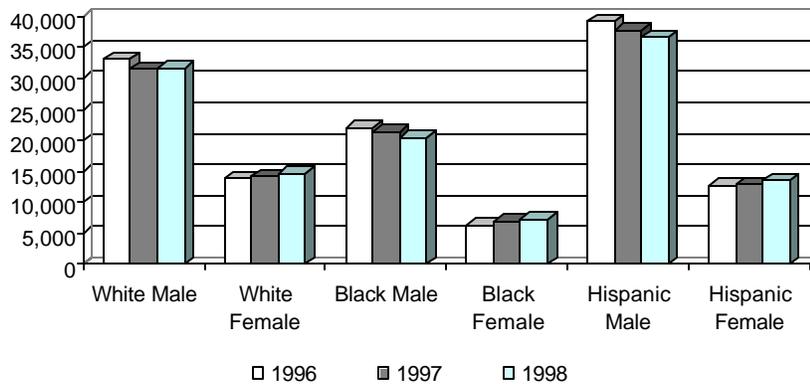
**Age, Sex, Race Distribution.** Ages 10 to 13 and age 17 categories showed slight increases in the number of referrals from the previous year, while all other age categories (14 to 16) showed slight decreases. Age 12 had the greatest increase of 6.0%, while age 16 had the greatest decrease of 2.1% from 1997.

**Age Distribution of Referrals**



In the sex and race categories, all female categories (as well as the “white male” category) showed an increase in referrals from 1997 to 1998. Each of the other male categories decreased. For the third consecutive year, the category of “black female” had the greatest increase in referrals, increasing 5.4% in 1998. The “black male” category showed the greatest decrease of 4.5 percent.

**Sex and Race Distribution of Referrals**



**Juvenile Probation Detention Activity**  
**SUMMARY OF 1998 REPORTED ACTIVITY**  
**STATEWIDE TOTALS**

This table is not available through the TJPC web site for the 1998 Statistical Report. Please contact TJPC if you would like a copy of the table.

**Juvenile Detention Activity**

Of the 125,608 juveniles referred, 74,419 were immediately released to their parents or other responsible adults. The remaining 51,189 were detained: 48,975 were held in the 66 pre-adjudication secure residential facilities or holdover facilities, and 2,214 were placed in non-secure alternatives to detention.

Corresponding with the decrease in referrals from 1997, the incidence of secure detention decreased 1.0% in the state. The use of non-secure alternatives also continued to decrease 7.2% from the preceding year due to the expansion of secure facility options. Thirty-three percent of all juveniles securely detained were released in less than one day. Only two percent, or 956, of the juveniles securely detained could have been placed in alternative non-secure settings had they been available.

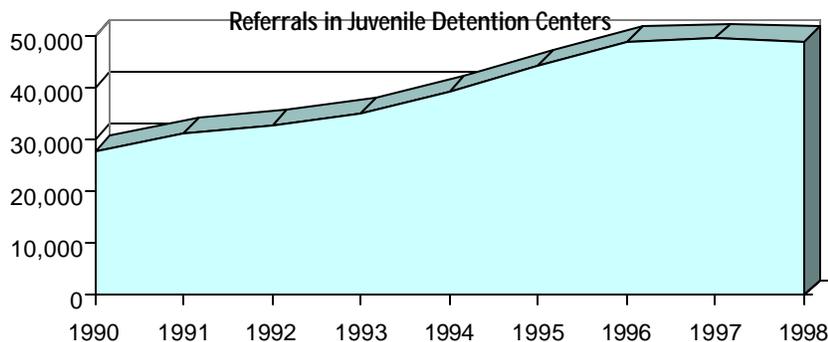
## Secure Juvenile Residential Centers

### Secure Residential Facilities in Texas:

- H 34 counties that have both a pre- and post- facility
- I 30 counties with only pre-adjudication or holdover secure facilities
- n 1 county with only a post-adjudication secure facility

This table is not available through the TJPC web site for the 1998 Statistical Report. Please contact TJPC if you would like a copy of the table.

These 108 secure facilities provided 3,801 beds (1,990 pre-adjudication/holdover and 1,811 post-adjudication). There were 45,168 juveniles detained for 500,770 days at an average contract cost of \$78.51 for pre-adjudication/holdover and 3,840 juveniles placed for 280,748 days at an average contract cost of \$84.75 in secure post-adjudication (includes probation referrals, TYC juveniles, those under federal jurisdiction and juveniles in transit). Thirty were operated privately; counties operated 78. Some pre- and post-adjudication centers may be located in the same location, but operate separately.



# Juvenile Probation Disposition Activity

## SUMMARY OF 1998 REPORTED ACTIVITY

### STATEWIDE TOTALS

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## Juvenile Disposition Activity

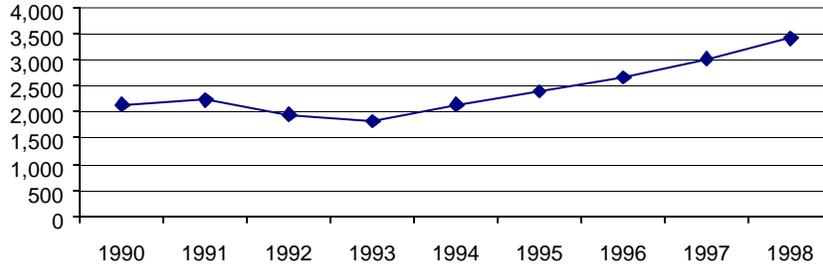
Dispositions were made in 127,261 juvenile cases. Juvenile probation departments disposed of 57,944 of these cases, with 6,760 cases dismissed or withdrawn, 34,060 cases given supervisory caution, and 17,124 cases placed on deferred prosecution.

Juvenile prosecutors resolved an additional 16,772 cases. Prosecutors disposed of 1,475 cases with supervisory caution and 6,447 with deferred prosecution. No probable cause was deemed on 3,760 cases, while 5,090 cases were refused and non-suited.

The remaining 52,545 cases were resolved by the juvenile court. Of these, the court ordered supervisory caution to 1,082 cases; deferred prosecution on 2,012 cases; adjudicated to probation 25,342 cases; certified and transferred to adult court 433 cases; adjudicated and committed to TYC 3,416 cases (3,142 with indeterminate sentences and 274 with determinate sentences); and refused, consolidated, dismissed or otherwise disposed of 20,260 cases.

The number of juveniles certified to stand trial as an adult decreased 7.3% from 467 in 1997 to 433 in 1998. While certifications decreased, the rate at which juvenile courts committed offenders to TYC as a percentage of delinquent referrals has continued to increase from 2.74% in 1996, to 3.00% in 1997, and 3.79% in 1998.

### Commitments to the Texas Youth Commission

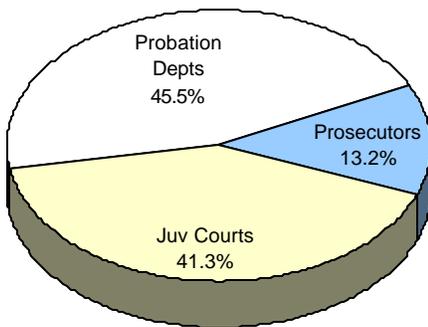


The increase in commitments to TYC was partly due to several factors. One major factor is the lack of viable alternatives to commitment of children to TYC. In 1998, 421 of the 3,416 commitments to TYC were due to lack of suitable alternative placement resources available at the time of disposition. Another factor is that public sentiment to *Age tough* on crime has added pressure to the juvenile justice system to remove juvenile offenders from their communities. However, there are also several factors that contributed to the diversion of a number of juveniles from commitment to TYC.

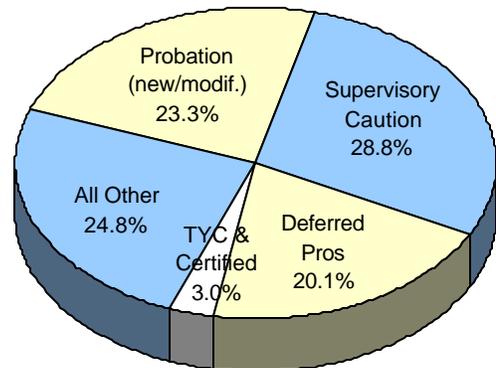
- T *2,637 juveniles on probation were placed in secure post-adjudication correctional facilities during fiscal year 1998;*
- T *Over 6,100 referrals were diverted using Intensive Supervision Programs;*
- T *89 juvenile probation departments in the state utilized electronic monitoring devices;*
- T *Nearly 1,400 referrals were placed in residential placement centers using state provided community corrections funding.*

### Breakdown of Juvenile Dispositions

**Dispositions by Source**



**Types of Dispositions**



**Juvenile Probation Supervision Workload Activity**  
**SUMMARY OF 1998 REPORTED ACTIVITY**  
**STATEWIDE TOTALS**

**Juveniles Adjudicated to Probation:**

Beginning of Period		Added to Supervision During Period		Left Supervision During Period		End of Period	
Cases	Children	Cases	Children	Cases	Children	Cases	Children
22,569	21,349	25,041	22,730	24,286	21,640	23,324	22,439

Unsuccessful Terminations	
Cases	Children
4,208	3,913

**Juveniles Placed on Deferred Prosecution:**

Beginning of Period		Added to Supervision During Period		Left Supervision During Period		End of Period	
Cases	Children	Cases	Children	Cases	Children	Cases	Children
8,677	8,622	23,480	22,646	22,857	21,986	9,300	9,282

Unsuccessful Terminations	
Cases	Children
4,890	4,800

**Juveniles on Conditional Release from Detention:**

Beginning of Period		Added to Supervision During Period		Left Supervision During Period		End of Period	
Cases	Children	Cases	Children	Cases	Children	Cases	Children
7,562	7,116	17,360	15,416	16,214	14,535	8,708	7,997

**Juvenile Parolees Supervised by Probation Under TYC Contract:**

Beginning of Period		Added to Supervision During Period		Left Supervision During Period		End of Period	
Cases	Children	Cases	Children	Cases	Children	Cases	Children
271	270	377	347	302	271	346	346

**Notes:**

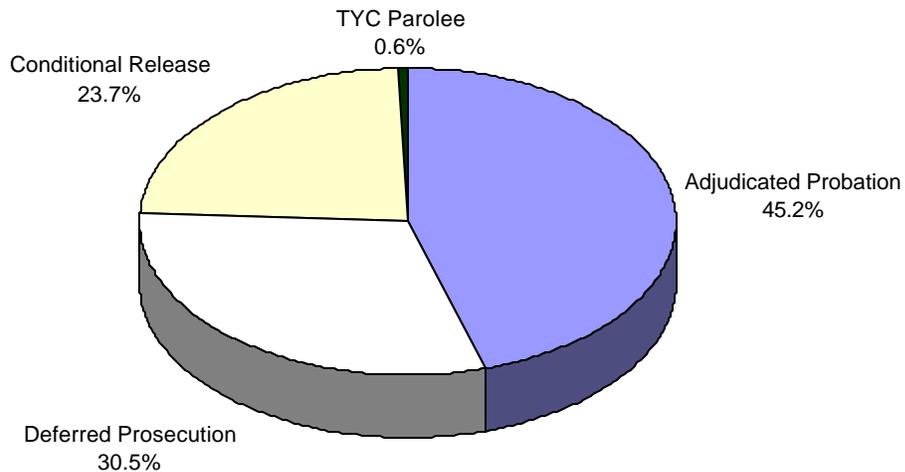
- ' Cases shown as added to supervision include both cases originally filed in a jurisdiction and cases transferred from other jurisdictions in or outside Texas.
- ' The numbers of children shown indicate the caseloads on supervision. If a child was added to two supervisions at the same time for two referrals, that child would count as two cases, but one child.
- ' It is possible that a juvenile may be counted in more than one category.

## Supervision Workload Activity

On January 1, 1998, there were 39,079 cases of juveniles receiving active supervision from juvenile probation departments. During the year, 25,041 court ordered probations, 23,480 deferred prosecutions, 17,360 conditional releases, and 377 TYC parolees supervised under contract were added for a total of 66,258. This number of juveniles supervised is 4.5% greater than the total number supervised of 63,407 in 1997.

During 1998, 4,208 (17%) of the 24,286 court ordered probations were unsuccessful in their completion of the program. These probationers were either committed to the Texas Youth Commission, transferred to an adult criminal trial, absconded and did not return to the program, or terminated early due to persistent non-compliance to program requirements. On December 31, 1998, 41,678 juveniles were under active supervision. Juvenile probation departments accepted 125,608 referrals and supervised 105,337 cases.

Supervision Workload

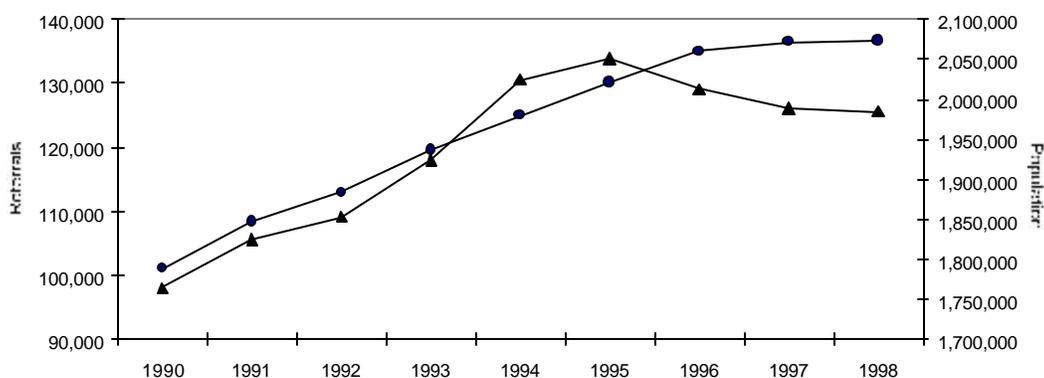


## Summary

For the third consecutive year, total referrals decreased. The 0.4% decrease in 1998 follows a 2.3% decrease in 1997, and a 3.6% decrease in 1996. Likewise, most serious categories of offense referrals were also down, including violent felonies (down 9.8%), total felonies (down 7.0%), misdemeanor classes A and B (down 4.4%), and status offense categories (down 7.1%). Increases were indicated in violation of probation orders and contempt of magistrate orders (up 16.6%) and CINS that were "other than status offenses" (up 4.4%). While the total number of referrals decreased by less than one half of a percent, the number of juveniles referred decreased 2.8%. Of the juveniles referred, there were fewer entering the system for the first time.

Generally, changes in referrals reflect changes in population growth. The chart below compares the growth trends of referrals and population. Referral rates grew at a faster rate than population rates during the mid 1990's, but declined in the later years. Forecasts by the Texas Criminal Justice Policy Council imply that rates may steadily begin to increase again, with referrals increasing to over 134,000 in 2003. The peak of historical data occurred in 1995, with 133,866 referrals.

Trends of Referrals vs. Juvenile Population\*  
1990 - 1999



\* Source of Referrals Population population projections: Texas State Data Center

Limited funds for alternative out of home placements or community based programs and local communities' tough on crime attitudes are direct causes of increased commitments to the Texas Youth Commission. Since 1996, while referrals decreased 2.7%, commitments increased 28.5%. However, the number of juveniles certified for transfer to the adult criminal justice system decreased 26.5% in the same period.

## Glossary of Juvenile Justice Terminology

**Adjudicated Probation** - after going to court for an adjudication hearing on the facts, a judge may order this form of community-based supervision for a specified period of time, based on such reasonable and lawful terms as the court may determine. While on adjudicated probation, the offender may be required to participate in any program deemed appropriate, such as an intensive supervision program or residential placement.

**Adjudication Hearing** - hearing held after the announcement hearing where it is determined whether the child committed the offense named in the petition; the juvenile equivalent of a criminal trial.

**Announcement Hearing** - the first hearing in the Juvenile Court process at which time the judge determines if the Court needs to appoint an attorney, or if the family can retain their own.

**Appeal** - a complaint to a higher Court urging that it overturn the decision of a lower Court.

**Certification Hearing** - hearing held to determine whether the juvenile court will waive its jurisdiction so that an accused juvenile felony offender can be prosecuted as an adult. Certification is permissive and not mandatory under Texas law. Depending upon the type of felony committed, a juvenile as young as either 14 or 15 years of age can be certified to stand trial as an adult.

**Child** - in Texas, a person who is 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 CINS as a result of acts committed before becoming 17 years of age.

**Commitment** - a child committed to the care, control and custody of the Texas Youth Commission (TYC). All commitments to the TYC, except under the determinate sentencing act, are for an indeterminate term not to extend beyond the child's 21st birthday.

**Commitment Performance Target** - the target number of juveniles a probation department should recommend annually to the juvenile courts for commitment to the Texas Youth Commission.

**Conduct Indicating a Need for Supervision (CINS)** - public intoxication, truancy, running away from home, fineable only offenses that have been transferred to

a juvenile court from a municipal or justice court, inhalant abuse, expulsion for violating a school disciplinary code, or a violation of a court order under the Services to At Risk Youth Programs.

**Deferred Prosecution** - a voluntary alternative to adjudication where the child, parent(s), prosecutor and the juvenile probation department agree upon probation conditions. Deferred prosecution can last up to six months. If the child violates any of the probation conditions, the state may elect to proceed with formal court adjudication.

**Delinquent Conduct** - 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 by truancy, running away, or fineable only offenses), contempt of magistrate orders, D.W.I. and other related offenses and third offense driving under the influence of alcohol by a minor.

**Department** - a juvenile probation department organized in one or more counties and supervised by one or more juvenile boards.

**Detention Hearing** - hearing held to determine if a child will be held in detention pending future disposition of the case. A child shall be detained only upon an Order of the Juvenile Court or an alternative magistrate.

**Determinate Sentence** - sentence imposed on a juvenile offender for up to 40 years. The juvenile will first serve time in TYC but may later be transferred to adult prison and become subject to adult parole laws. A determinate sentence is only available for certain types of felony offenses.

**Directive to Apprehend** - an order issued by a juvenile court judge upon recommendation by a peace officer or juvenile probation officer to have a child apprehended and detained. A directive to apprehend must be based on probable cause.

**Disposition Hearing** - hearing held after adjudication where the judge decides what probation conditions will be imposed upon the child (and the child's family) or whether to commit the child to the Texas Youth Commission.

**Diversionsary Placement** - residential placement program for juvenile referrals using the state Community Corrections Assistance Fund. This placement is intended to be the last alternative to

sending the offender to the Texas Youth Commission.

**Guardian Ad Litem** - an adult appointed by the Court to represent a child's interest in a judicial proceeding. A guardian ad litem is appointed when the child's parent is either not present or is incapable of making decisions in the child's best interest.

**Ideal Commitment** - a commitment to TYC of a child whose Progressive Sanctions Guideline Level is a six or a seven.

**Intensive Supervision Program** - type of probation that is a cost-effective means of diverting juvenile offenders from committal to the Texas Youth Commission. Services provided vary from department to department, but common elements include reduced caseloads by specially trained probation officers and more frequent contacts between the juvenile and his or her probation officer.

**Juvenile Board** - a body established by law to provide juvenile probation services to a county or counties.

**Juvenile Court** - a court designated under Section 51.04 of the Texas Family Code, or by other law, to exercise jurisdiction over proceedings under Title 3 of the Texas Family Code.

**Modification Hearing** - hearing held when a child has been placed on court ordered probation and due to a change in circumstances, the original disposition requires amending. The disposition order is modified to reflect the change.

**Petition** - document filed by the District Attorney containing the child's name, date of birth, address, parent's name, and alleged offense.

**Progressive Sanctions Guidelines** - statutory guidelines for juvenile dispositions designed to give uniformity and predictability to juvenile punishments. There are seven progressively more restrictive sanction levels under the guidelines. An offender's sanction level will be based on the severity of the offense, the offender's prior history, individual circumstances and needs as well as the effectiveness of prior interventions.

**Referral** - (also called formal referral) any occasion when a child is brought to a juvenile probation department's attention for alleged delinquent conduct or conduct indicating a need for supervision (CINS) and some contact by visit or interview occurs between the department and the juvenile or parents.

**Residential Placement** - child is placed in a non-secure facility (i.e., foster homes, alcohol and drug treatment facilities, halfway houses, MHMR facilities, etc.) or a secure facility (i.e., boot camps, secure county, state, or private facilities, etc.) either with or without a court proceeding.

**Respondent** - the juvenile who is the subject of a petition.

**Revocation Hearing** - hearing held to revoke a probation order and give a new disposition when a child has violated the conditions of his/her probation.

**Sealing** - the closure of juvenile records from inspection made upon petition to the court, or upon the court's own motion.

**Status Offenses** - juvenile offenses that are not criminal when committed by adults; e.g. runaway or truancy.

**Summons** - advises the child's parents/guardian/custodian of when and where the child's court hearing is to take place (date, time and location). Summons is served to both the child and the parents(s) with copies of the petition attached.

**Supervisory Caution** - descriptive term for a wide variety of summary, nonjudicial dispositions that intake may make of a case. This may include referral of the child to a social agency or a community based first offender program run by law enforcement, contacting parents to inform them of the child's activities, or simply warning the child about his or her activities.

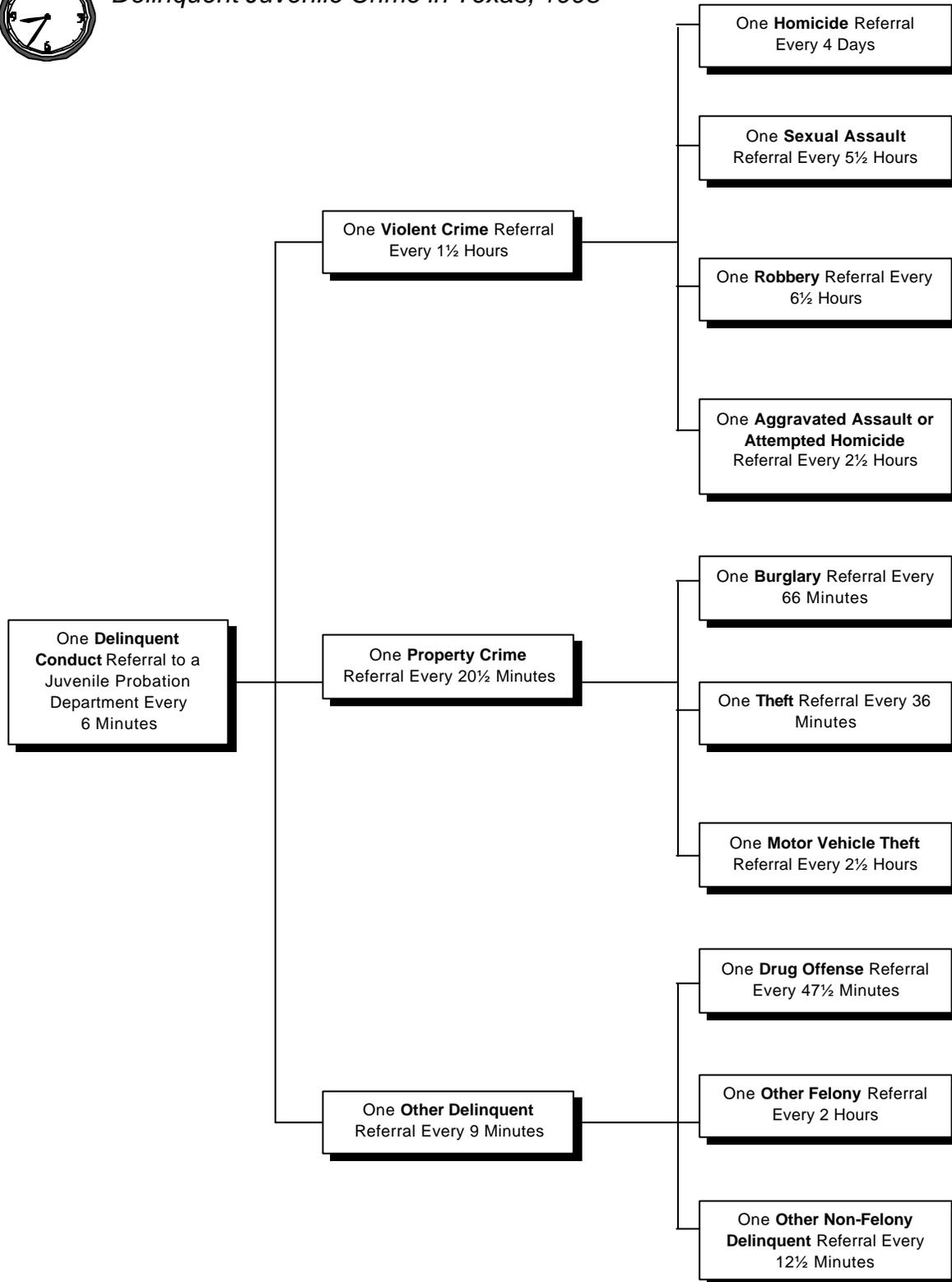
**Writ** - an order issued by a Court commanding that a certain act or acts be done or not done.

**Writ of Habeas Corpus** - an extraordinary writ ordering a public officer holding a person in confinement to bring the person before the Court. This is used to secure the release from custody of minors or adults being illegally held.

# TEXAS JUVENILE CRIME CLOCK



*Delinquent Juvenile Crime in Texas, 1998*



# Appendix (by County)

Individual county data is not available through the TJPC web site for the 1998 Statistical Report. Please contact TJPC if you would like a copy of the information.