

**Texas Juvenile Justice Department  
Annual Report to the Governor and Legislative Budget Board**

**Community Juvenile Justice  
Appropriations, Riders,  
and Special Diversion Programs**

**December 2022**



TEXAS  
JUVENILE JUSTICE  
DEPARTMENT

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**Annual Report to the  
Governor and Legislative Budget Board**

**COMMUNITY JUVENILE JUSTICE  
APPROPRIATIONS, RIDERS, AND  
SPECIAL DIVERSION PROGRAMS**

**Texas Juvenile Justice Department**  
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## CERTIFICATE

**Agency Name: TEXAS JUVENILE JUSTICE DEPARTMENT**

This is to certify that the information contained in this agency Annual Report, filed with the Legislative Budget Board (LBB) and the Governor's Budget and Policy Division, is accurate to the best of my knowledge and that the electronic submission to the LBB and the bound paper copies are identical.

**Deputy Executive Director, Support Operations and Finance**

Handwritten signature of Emily Anderson in black ink.

\_\_\_\_\_  
Signature

Emily Anderson

\_\_\_\_\_  
Printed Name

11/30/22

\_\_\_\_\_  
Date

**Executive Director (Interim)**

Handwritten signature of Shandra Carter in black ink.

\_\_\_\_\_  
Signature

Shandra Carter

\_\_\_\_\_  
Printed Name

11/30/22

\_\_\_\_\_  
Date

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## INTRODUCTION

The mission of the Texas Juvenile Justice Department (TJJD) is to provide a single state juvenile justice agency that coordinates along the continuum of services including county probation and detention services, community services, and state-level care. Local county government, courts, and communities, along with state-level systems, promote public safety, including accountability and rehabilitation opportunities, by providing a range of effective supports and services to youth. This single-system support prioritizes keeping youth shallow in the juvenile justice system through local control processes, promoting programs and services that follow current trauma-informed research-based approaches, and providing safety and security for the youth and public by operating secure facilities to rehabilitate youth who cannot be served in another less-restrictive setting.

TJJD's core values include:

- JUSTICE: We do the right thing, in all things, with all people.
- SAFETY: We commit to a culture that protects youth, employees, and the public.
- INTEGRITY: We build trust through transparency and ethical behavior.
- PARTNERSHIP: We achieve best results through collaboration with counties, stakeholders, youth, and the families of youth.
- INNOVATION: We proactively create opportunities to improve the juvenile justice system.

TJJD's vision is an effective and integrated juvenile justice system that:

- Advances public safety through rehabilitation;
- Embraces a one-system approach that includes the significant voice of county probation offices, and allows for local control;
- Equitably affords youth access to services and trauma-informed care, matching their needs to enhance opportunities for a satisfying and productive life;
- Employs a stable and engaged workforce fully empowered to be agents of change and reinforce treatment goals for youth;
- Operates safe and therapeutic environments with positive peer cultures emphasizing mutual accountability; and
- Is a model system with innovative, data-driven, and successful programming.

This annual report is provided in compliance with Riders 26 and 27 of TJJD's 2022-2023 appropriations bill pattern and includes the impact of initiatives such as residential placements and community-based programs and services for youth in the juvenile probation system.

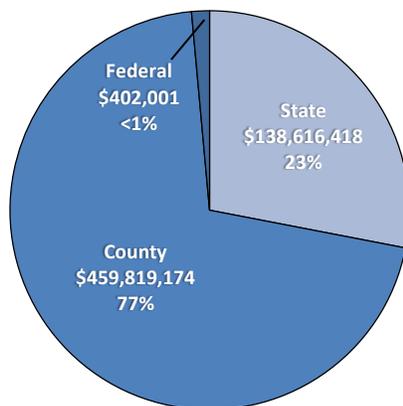
# DESCRIPTION OF FUNDING CONTRACT AND ALLOCATION METHODOLOGY

## Funding Overview

The Texas Juvenile Justice Department (TJJD) allocates funds appropriated by the Texas Legislature through grants to assist local juvenile boards in operating juvenile probation departments, juvenile detention and correctional facilities, and to assist in providing basic and special services to youth in the juvenile probation system. TJJD allocates these funds to local juvenile probation departments through the State Aid and Targeted Grants Contract and General Grant Requirements that encompasses grants to each of the 165 juvenile boards. The majority of the funding to the community-based juvenile probation system is provided by local county governments. In fiscal year 2022, county funding accounted for 77% of total juvenile probation funding while state funding accounted for 23% and federal funding accounted for less than 1%.

### County and State Funding Comparison

Fiscal Year 2022



Prior departmental funding disbursements by fiscal year and by county for all probation grants can be found online at <https://www.tjjd.texas.gov/index.php/doc-library/category/344-disbursements>. Beginning in fiscal year 2023, funding disbursements are no longer found online. Community-based program information by department and grant are located in the TJJD Program and Services Registry, which is available online at <https://www2.tjjd.texas.gov/programregistryexternal/members/searchprograms.aspx>.

### Strategy A.1.1. Prevention and Intervention

Established Fiscal Year 2012

**Total Amount Appropriated for Fiscal Year 2022: \$3,012,177**

**Description:** In January 2012, the TJJD Board approved \$1.4 million to fund prevention and early intervention services. In February 2012, the program announcement and submission guidelines related to prevention grants were distributed to all probation departments, and 23 departments received funding. The target population includes youth (ages 6 to 17) who are not currently under departmental supervision but are at increased risk of delinquency, truancy, dropping out of school, or referral to the juvenile justice system. The submission guidelines indicated a preference for evidence- or research-based or promising practices.

Services are expected to be culturally competent and designed to successfully engage a youth's family. The minimum required data include school attendance and juvenile justice referrals for students participating in the program. Counties are encouraged to engage in other data collection and analysis as possible. An agreement with the Texas Education Agency allows TJJD to match data for youth whose parents have signed consent forms, enabling TJJD to assess school attendance rates, discipline referral rates, and, ultimately, graduation rates for youth who participate in the TJJD-funded prevention programs.

**Funding Allocation Methodology:** Due to budget cuts requested by state leadership in response to the COVID-19 pandemic, no counties received this funding during fiscal year 2021. Strategy A.1.1. Prevention and Intervention funding was reinstated to provide this grant to counties in the 2022-2023 biennium. Beginning in fiscal year 2022, twenty-six juvenile probation departments received prevention and intervention grants. There is a competitive application process in order to receive prevention and intervention grant funding. Juvenile probation departments submit an application detailing the target population, service methods, and expected outcomes of the program or service they wish to provide. A panel of TJJJ staff evaluates each application and makes recommendations for grant funding awards to TJJJ’s executive director for final approval. Funded programs include activities or services designed to focus on families, school-based intervention, out-of-school time, mental health needs, and skills- or character-building activities for youth.

<b>Strategy A.1.2. Basic Probation Supervision</b> <i>Total Amount Appropriated for Fiscal Year 2022: \$36,651,788</i>	Established Fiscal Year 1982
<b>Strategy A.1.3. Community Programs</b> <i>Total Amount Appropriated for Fiscal Year 2022: \$43,679,896</i>	Established Fiscal Year 2014
<b>Strategy A.1.4. Pre &amp; Post Adjudication Facilities</b> <i>Total Amount Appropriated for Fiscal Year 2022: \$24,782,157</i>	Established Fiscal Year 2014
<b>Strategy A.1.5. Commitment Diversion Initiatives</b> <i>Total Amount Appropriated for Fiscal Year 2022: \$19,492,500</i>	Established Fiscal Year 2010
<b>Strategy A.1.7. Mental Health Services</b> <i>Total Amount Appropriated for Fiscal Year 2022: \$14,178,353</i>	Established Fiscal Year 2014

## State Aid

**Description:** The State Aid grant is by far the largest source of state funds in support of local juvenile boards to: (1) provide basic juvenile probation programs and services that are effectively delivered and adhere to standards and policies; (2) divert youth from commitment to a state residential facility through new or expanded community-based programs; and (3) increase the availability of mental health services for youth referred to and under the supervision of juvenile probation departments, including screenings, assessments, evaluations, programs, and placements. These objectives are achieved through the five component grants of State Aid—Basic Probation Supervision, Community Programs, Pre & Post Adjudication, Commitment Diversion, and Mental Health Services—which align with TJJJ’s appropriations structure.

**Funding Allocation Methodology:** The largest portion of departmental State Aid grant allocations were determined by a funding formula that accounts for each jurisdiction’s juvenile population and referrals, with adjustments made for prior years’ allocations. The majority of each juvenile probation department’s total was allocated across the five funding categories noted above based on the department’s historical spending patterns. The remainder of each juvenile probation department’s allocation was assigned to a “Flexible Funds” category that the juvenile probation department could budget under any category. Additional funds may be distributed throughout the course of the fiscal year via the Supplemental and Emergent Needs (S&E) program. The S&E program responds to changing and unanticipated circumstances, principally in support of youth services to avoid increased commitments to TJJJ. These funds are allocated to and administered by probation regional associations, with TJJJ approving each grant funding distribution to an individual juvenile probation department.

The structure and budgeting requirements of the current State Aid program are designed to ensure funding flexibility as well as adherence to TJJJ’s budget structure and transfer limits. In fiscal year 2022, TJJJ distributed a total of \$130,756,610 through the State Aid program and \$725,000 through the S&E program.

**Special Needs Diversionary Programs (Grant M)**

Established Fiscal Year 2002

**Total Amount Appropriated for Fiscal Year 2022: \$1,895,175**

**Description:** The Special Needs Diversionary Program (SNDP) grant is designed to increase the availability of effective services to youth with mental health needs. TJJJ has worked in coordination with the Texas Correctional Office on Offenders with Medical or Mental Impairments (TCOOMMI) and in cooperation with local mental health authority (LMHA) agencies or other local mental health service providers to implement programs that provide services to youth under the supervision of 19 local juvenile probation departments during fiscal year 2022.

**Funding Allocation Methodology:** Consistent with historical awards, in fiscal year 2022, TJJJ distributed funds in the amount of \$1,895,175 for specialized probation officers to work with youth with mental health needs. Juvenile probation departments that utilize these funds enter into a cooperative arrangement for services with their LMHA agency or another local mental health service provider.

**Harris County Leadership Academy (Grant D)**

Established Fiscal Year 1996

**Total Amount Appropriated for Fiscal Year 2022: \$1,000,000**

**Description:** The Harris County Leadership Academy provides an intensive, cognitive-based residential program to redirect the thinking and behavior patterns of youth and remove barriers to their successful transition back to their families and communities.

**Funding Allocation Methodology:** As directed by Rider 31, TJJJ allocated \$1,000,000 in available grant funds for operation of the Harris County Leadership Academy.

**Strategy A.1.8. Regional Diversion Alternatives**

Established Fiscal Year 2016

**Total Amount Appropriated for Fiscal Year 2022: \$10,792,982**

**Description:** Section 203.017, Human Resources Code, was amended during the 84th legislative session to require TJJJ to implement a regionalization plan designed to keep youth receiving juvenile justice services closer to their homes and to improve outcomes through community-based services. The Regional Diversion Alternatives (RDA) program seeks to build capacity, regional collaboration, and access to programs and services with the goal to treat more youth closer to their homes and avoid youth commitment to state residential programs. TJJJ began the planning process for this initiative immediately following the conclusion of the 84th legislative session and included the collaborative work of the Regionalization Task Force. The task force involved the participation of probation practitioners, contract vendors, advocates, legislative stakeholders, judges, and prosecutors. Planning concluded in May 2016, and TJJJ began implementation of the resulting regionalization plan in June 2016. During the same Session, the Texas Legislature also amended Section 223.001, Human Resources Code, to require TJJJ to set aside a portion of appropriated funds for discretionary state aid to fund programs designed to address special needs or projects of local juvenile boards, including projects dedicated to specific target populations based on risk and needs, with established recidivism reduction goals.

In response to these mandates, TJJJ provides funding for RDA grants and for Discretionary State Aid (DSA) grants. The majority of funds are used to reimburse local juvenile probation departments for funds spent on community-based treatment services, placement, and aftercare services intended to divert approved youth from commitment to TJJJ.

- The RDA grant program (individual youth diversions) support an array of rehabilitative services for youth, including, but not limited to, community-based, residential, re-entry, and aftercare programs. Any juvenile probation department that would otherwise recommend a youth for commitment to TJJJ may propose an individual youth diversion plan for approval by TJJJ's Regionalization Department. Such plans specify the proposed youth programs and services, provide information regarding the juvenile probation department's prior efforts with the youth, and demonstrate how the proposed plan meets the specific needs of the youth in a research-driven way.

- The DSA grant program was created to comply with Section 223.001(c), Human Resources Code, and began in fiscal year 2017. The DSA grant program supports juvenile probation department programs and services with a clearly defined target population that use research-driven practices and have well-defined recidivism reduction goals.

Section 221.003(b), Human Resources Code, states that “a juvenile probation department must, before the disposition of a child’s case and using a validated risk and needs assessment instrument or process provided or approved by [TJJD], complete a risk and needs assessment for each child under the jurisdiction of the juvenile probation department.” In response to this mandate and in support of the juvenile probation departments, TJJD uses funds from Strategy A.1.8. Regional Diversion Alternatives to cover the costs of the validated risk and needs assessment tool used by all juvenile probation departments.

**Funding Allocation Methodology:** There is an application process in order to receive RDA funding for individual youth diversion plans. A juvenile probation department identifies a youth meeting the target population, demonstrates prior efforts to treat the youth locally, and proposes additional programs and services within the region or a nearby region that would help divert the youth from commitment to TJJD. Additionally, the juvenile probation department must certify that, if not for the regional diversion program, the juvenile probation department’s recommendation would be for commitment to TJJD. Once an individual youth diversion plan is approved and its funding limit is set, the juvenile probation department begins providing the indicated services and requests reimbursement against the approved funding amount from TJJD.

There is a competitive application process in order to receive DSA grant funding. Juvenile probation departments submit an application detailing the target population, service methods, and expected outcomes of the program or service they wish to provide. A panel of TJJD staff evaluates each application and makes recommendations for grant funding awards to TJJD’s executive director for final approval.

For fiscal year 2022, TJJD approved \$13,095,779 to reimburse expenses for RDA individual youth diversions, \$3,743,291 for DSA awards to individual juvenile probation departments, and \$1,050,813 to support the validated risk and needs assessment tool costs.

<b>Strategy A.1.9. Probation System Support</b>	<b>Established Fiscal Year 2016</b>
<i>Total Amount Appropriated for Fiscal Year 2022: \$2,117,539</i>	

<b>Juvenile Justice Information Sharing</b>	<b>Established Fiscal Year 2010</b>
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**Description:** The Juvenile Case Management System (JCMS) is a comprehensive, web-based juvenile justice information and case management system providing common data collection, reporting, and case management for Texas juvenile probation departments. JCMS provides statewide data sharing between the 157 juvenile boards, the TJJD, and the Department of Public Safety. The system consists of core case management components (intake, referral, case management, etc.) and additional enhancement features such as detention, institution management, and juvenile justice alternative education programs (JJAEP). JCMS facilitates sharing of data between juvenile justice agencies both across and within jurisdictions to allow for better-focused programs and services to be offered to youth.

**Funding Allocation Methodology:** In fiscal year 2022, TJJD allocated \$500,000 toward the continued maintenance and operation costs of JCMS. Operation expenses include fees charged by the managed server hosting provider to host, operate, and maintain the physical servers; storage and network components of JCMS for the production, development/test and conversion environments; upgrades to the JCMS application to provide additional functionality; and the dedicated support staff that function as the JCMS support infrastructure. Maintenance-related expenses include the costs of correcting deficiencies in the existing programming or functionality of the software application.

## JUVENILE JUSTICE SYSTEM EFFECTIVENESS AND OUTCOMES

The Texas Juvenile Justice Department (TJJD) disburses funds appropriated by the Texas Legislature to local juvenile probation departments through grants and reimbursement programs encompassed in the State Aid and Targeted Grants Contract and General Grant Requirements. These funds are used to provide supervision, programs, services, and residential placements to youth under the jurisdiction of the 165 juvenile boards. Because each grant and reimbursement program includes specific expenditure requirements and spending limits, juvenile probation departments blend funds to support the most appropriate level of supervision or service for each youth.

Youth under supervision include those on informal deferred prosecution supervision as well as those on formal court-ordered probation supervision. During their time under formal probation supervision, youth typically receive numerous services and programs. In addition to the supervision provided by their probation officer, youth exiting formal probation supervision in fiscal year 2022 received the following programs and services during their time on probation:

- 78% participated in at least one community-based program
- 77% had been detained at least once
- 76% had at least one drug test
- 61% received at least one behavioral health service
- 31% had been in a residential placement at least once
- 15% received at least one non-residential service

As described above, each youth was provided supervision and services through numerous TJJD grants and local funding. No singular funding source, program, or service determines success or failure of youth under supervision. The combination of the supervision and services that youth receive while under supervision determines the impact juvenile probation has on the successful rehabilitation of youth.

This section provides information on the supervision, programs, and services provided through local juvenile probation departments as well as a report on the effectiveness of the juvenile probation system.

### Measuring Effectiveness

TJJD receives data from all juvenile probation departments through the monthly extract process (electronic data submission). Departments report individual-level data on all youth referred, disposed, detained, placed in a residential facility, and/or provided a program or service. Data reported must conform to TJJD's electronic data interchange (EDI) specifications. Because TJJD receives data on all youth served by juvenile probation departments statewide, analysis and evaluation of the juvenile probation system is completed using all statewide data available rather than relying on a sample of youth served. A copy of the TJJD EDI specifications can be found online at:

<http://www.tjjd.texas.gov/index.php/doc-library/category/336-electronic-data-interchange-edi>.

The efforts, effectiveness, and accountability of the juvenile probation system is evaluated by TJJD using the following measures—definitions and calculation methodologies can be found in Appendix B:

- Formal referrals to juvenile probation departments
- Average daily population (ADP) of youth on deferred prosecution and probation supervision
- Total youth served on deferred prosecution and probation supervision
- Supervision outcomes for youth exiting deferred prosecution and probation supervision
- Number of youth beginning programs or residential placements
- ADP of youth in secure and non-secure residential placement facilities
- Recidivism rates for youth under supervision or placed in a secure residential facility
- Commitments to TJJD
- Adult certifications

### Impact of COVID-19 Response on the Statistics within the Community Juvenile Justice Appropriations, Riders, and Special Diversion Programs 2022 Report

During fiscal year 2022, the juvenile justice system continued to be impacted by the COVID-19 pandemic. The number of referrals presented to juvenile probation departments increased since the March 2021 Executive Order by Governor Abbott to reopen the state. However, many local police departments continued to prioritize limiting exposure to and spread of the COVID-19 virus by taking custody of youth in only the most serious cases, court hearings and processing continued to be impacted, and juvenile probation departments continued their formal processing of referred cases to prioritize only the most serious to limit supervision contacts for the first several months of fiscal year 2022. There was a gradual increase and trend toward pre-COVID levels of local juvenile justice activities as the year progressed. Pre-adjudication detention facilities and post-adjudication correctional facilities maintained reduced operational capacity throughout fiscal year 2022 due to isolated outbreaks of COVID-19 and the general staffing shortage experienced after the pandemic.

All of these factors contributed to a substantial amount of variance between statistics in this report and statistics in reports for years prior to the COVID-19 pandemic—including, but not limited to, the number of formal referrals to juvenile probation departments, TJJD commitments, adult certifications, as well as the admissions, length of stay, and average daily population of supervision, detention, programs, and residential placement. The statistics within this report may not generally reflect data trends as observed within prior years.

### PREVENTION AND INTERVENTION PROGRAMS

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In 2011, the 82nd Texas Legislature authorized TJJD to provide funds for services to at-risk youth in order to prevent or intervene in delinquency, truancy, dropping out of school, or referral to the juvenile justice system. To provide programming to at-risk youth, some juvenile probation departments collaborate with service providers to offer educational assistance, mentoring, character development, and skill-building programs after school or during the summer. Other departments focus on providing parents of at-risk youth the skills, services, and supports they need to better manage their child's challenging behaviors. Prevention and intervention programs often focus on truancy intervention and feature partnerships with local schools to provide services, supports, and resources to ensure students are and remain actively engaged in school. Successful demonstration projects are expected to reduce the likelihood that at-risk youth will be engaged in delinquency or truancy, drop out of school and/or be referred to the juvenile justice system. TJJD has provided prevention grant awards since fiscal year 2012. Due to budget cuts to TJJD, no youth participated in a TJJD-funded prevention and intervention program in fiscal year 2021.

In fiscal year 2022, 761 youth participated in a TJJD-funded prevention and intervention program. There were 657 youth who started a prevention and intervention program in the fiscal year. The average age of youth referred to a TJJD-funded prevention and intervention program was 12 years old, significantly younger than the average age of 15 years old for youth formally referred to juvenile probation departments in the fiscal year. Of the youth served in a TJJD-funded prevention and intervention program, 38% were Hispanic, 28% were White, and 22% were Black. The remaining 12% of youth served comprised the "Other" race category, including Asian and Native American youth. Over half, or 55%, of the youth served were male. A higher proportion of female youth were served in TJJD-funded prevention and intervention programs compared with the proportion of female youth formally referred to juvenile probation departments (45% versus 30%, respectively).

During fiscal year 2022, 369 youth exited a TJJD-funded prevention and intervention program. While 4% of participants exited the program because they failed to comply with program requirements, 96% of youth completed all program requirements. Youth exiting programs were enrolled for an average of 137 days. Program duration can range from a three-week summer school/social skills class to year-round after school and summer programs.

## Youth Beginning and Exiting a Prevention and Intervention Program

Fiscal Year 2021 and Fiscal Year 2022

	2021	2022
Youth Beginning a Program	0	657
Youth Exiting a Program	0	369
Youth Completing a Program	0	354
Percent Completing the Program	0%	96%

### REFERRALS AND DISPOSITIONS

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Some local juvenile justice activities have gradually increased toward levels prior to the COVID-19 pandemic. In fiscal year 2022, there were 42,485 formal referrals to juvenile probation departments throughout the state of Texas. This represents a 44% increase from the 29,570 formal referrals in fiscal year 2021. Of these referrals, 47% were for Class A or B misdemeanor delinquent conduct, 39% were for felony delinquent conduct, 9% were for violations of probation, and 5% were for conduct indicating a need for supervision (CINS). In fiscal year 2022, 14% of formal referrals were for violent felony delinquent conduct. The number of formal referrals for violent felony delinquent conduct increased from 4,838 in fiscal year 2021 to 5,952 in fiscal year 2022, a 23% increase.

These 42,485 referrals came from 32,891 youth, 70% of whom were male. Of all youth formally referred in the fiscal year, 49% were Hispanic, 28% were Black, and 22% were White. The average age of youth formally referred to juvenile probation departments was 15 years old. Of the 32,891 youth referred in fiscal year 2022, a majority, or 82%, had only one referral, while 12% had two referrals and 6% had three or more referrals. Of the youth referred to juvenile probation departments in fiscal year 2022, 33% had identified mental health needs.

At the time of referral, 79% of youth were attending regular, charter, home, private, or online school; another 9% of youth were attending school in a disciplinary alternative education program (DAEP) or in a juvenile justice alternative education program (JJAEP). Formally referred youth are assessed at the time of intake to determine if they have a need for substance use disorder services. The youth had a known substance use disorder in 16% of referrals in fiscal year 2022; a need for substance use disorder services was suspected in another 10% of referrals.

There were dispositions by juvenile probation departments, prosecutors, and juvenile courts in 37,378 cases in fiscal year 2022. This represents a 23% increase from the 30,367 dispositions in fiscal year 2021. Juvenile case dispositions include supervisory caution, deferred prosecution supervision, probation supervision, TJJD commitment, or adult certification. Juvenile cases may also be dismissed, transferred, or consolidated with another court disposition.

In fiscal year 2022, TJJD commitment accounted for 1% of total dispositions. Commitment dispositions decreased from 535 in fiscal year 2021 to 525 in fiscal year 2022, a 2% decrease. Of the commitment dispositions, 44% were for a violation of a felony probation court order, 41% were for violent felony delinquent conduct, and 15% were for non-violent felony delinquent conduct.

Accounting for less than 1% of all dispositions, 140 youth were certified as adults in fiscal year 2022. Compared with fiscal year 2021, this represents a 4% increase in adult certifications. While all youth certified as adults committed the alleged conduct while under the age of 17, not all cases were referred to juvenile court before the youth turned age 18, which is the age at which the juvenile court loses jurisdiction. Of youth certified as adults, 66% were age 17 or younger at the time of the referral to juvenile court, while 34% were age 18 or older. The average age at certification was 18 years old. Because the juvenile court loses jurisdiction at age 18, the only mechanism to pursue a felony case referred after the person has turned 18 is certification. The case is dismissed if certification is not sought, if certification is sought but not granted, or if the case is ineligible for certification (i.e., not a felony).

**Referrals and Dispositions**  
Fiscal Year 2019 through Fiscal Year 2022

	2019	2020	2021	2022
Formal Referrals to Juvenile Probation Departments	53,152	40,398	29,570	42,485
Youth Referred	38,503	29,823	22,484	32,891
Referrals for Felony Delinquent Conduct	16,077	13,701	11,601	16,618
Referrals for Violent Felony Delinquent Conduct	6,437	5,385	4,838	5,952
<b>Total Dispositions</b>	<b>53,795</b>	<b>41,501</b>	<b>30,367</b>	<b>37,378</b>
Youth Committed to TJJD	735	573	535	525
Youth Certified as an Adult	145	88	135	140

**YOUTH UNDER SUPERVISION**

Youth referred to a juvenile probation department may be placed under supervision in the community through deferred prosecution or court-ordered probation. In fiscal year 2022, 19,818 youth began deferred prosecution or probation supervision. During the year, 28,375 youth were served on deferred prosecution or probation supervision. Of the youth served on deferred prosecution or probation supervision, 53% were referred for felony delinquent conduct, with 40% of those youth referred for violent felony delinquent conduct.

Deferred prosecution is a voluntary supervision where the youth, the parent/guardian, the prosecutor, and the juvenile probation department agree on conditions of supervision. If the youth violates the conditions of the deferred prosecution agreement, the juvenile probation department may decide to proceed with a formal court adjudication and begin probation supervision. Deferred prosecution supervision can last up to six months, and youth are eligible to receive services and programming offered by the juvenile probation department. Of the 11,448 youth who began deferred prosecution supervision in fiscal year 2022, 61% were assessed as having a low risk to reoffend.

Youth placed on adjudicated probation receive court-ordered supervision and must abide by the conditions of supervision stipulated in their court order. Youth are most often placed on probation supervision for a term of one year but may be placed on probation supervision until their eighteenth birthday. In fiscal year 2022, 8,370 youth began probation supervision. Of these youth, 25% were assessed as having a high risk to reoffend, and 30% were assessed as having a medium risk to reoffend. Youth under probation supervision may be served on a regular, specialized, or intensive caseload. Specialized caseloads target youth with special needs by providing additional supervision, contacts, and services. Examples of specialized caseloads include those for youth with mental health needs, youth with substance use disorders, youth who engaged in delinquent sexual conduct, youth who are gang members, and female youth.

**Youth under Supervision**  
Fiscal Year 2021 and Fiscal Year 2022

	2021	2021	Change
Youth Beginning Deferred Prosecution Supervision	7,911	11,448	+45%
Youth Beginning Probation Supervision	7,179	8,370	+17%
<b>Total Youth Beginning Deferred Prosecution or Probation Supervision</b>	<b>15,090</b>	<b>19,818</b>	<b>+31%</b>
Youth Served on Deferred Prosecution Supervision	10,658	14,642	+37%
Youth Served on Probation Supervision	13,591	13,733	+1%
<b>Total Youth Served on Deferred Prosecution or Probation Supervision</b>	<b>24,249</b>	<b>28,375</b>	<b>+17%</b>
Average Daily Population of Youth on Deferred Prosecution Supervision	3,327	4,400	+32%
Average Daily Population of Youth on Probation Supervision	6,917	6,881	-1%

In fiscal year 2022, 15,224 youth exited deferred prosecution or probation supervision. Possible supervision outcomes include successful completion, termination due to failure to comply with the conditions of supervision, TJJD commitment, or transfer to the adult system. During the fiscal year, 84% of youth exited deferred prosecution supervision successfully, and 84% of youth exited probation supervision successfully. Of all youth exiting supervision in the fiscal year, only 2% were committed to TJJD.

### Youth Exiting Deferred Prosecution and Probation Supervision

Fiscal Year 2021 and Fiscal Year 2022

	Fiscal Year 2021				Fiscal Year 2022			
	Successful		Not Successful		Successful		Not Successful	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
<b>Deferred Prosecution</b>	5,811	85%	1,028	15%	7,986	84%	1,475	16%
<b>Probation</b>	5,566	84%	1,077	16%	4,827	84%	936	16%
<b>Total</b>	<b>11,377</b>	<b>84%</b>	<b>2,105</b>	<b>16%</b>	<b>12,813</b>	<b>84%</b>	<b>2,411</b>	<b>16%</b>

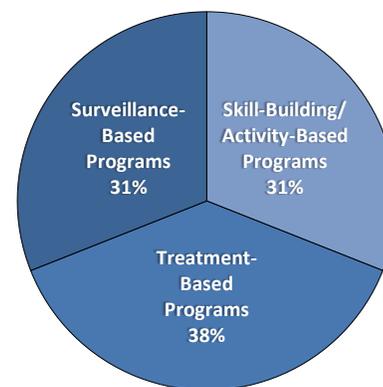
### YOUTH IN COMMUNITY-BASED PROGRAMS

In order to keep youth closer to their home communities, juvenile probation departments have been charged with the task of pairing youth with appropriate community-based resources, services, and programming. In fiscal year 2022, juvenile probation departments offered 1,196 community-based programs to youth under their jurisdiction, at-risk youth, and the families of these youth.

Programs offered by juvenile probation departments are designed to meet the needs of a wide array of youth. Of program participants in fiscal year 2022, 38% participated in a treatment-based program, 31% participated in a skill-building/activity-based program, and 31% participated in a surveillance-based program.

### Community-Based Program Participation

Fiscal Year 2022



Juvenile probation departments do not always wait until disposition to enroll a youth in needed programming. Across the state, 622 programs allow youth who are awaiting disposition to participate. Of the 6,866 youth enrolled in a pre-disposition program, 44% were under temporary pre-court monitoring or conditional pre-disposition supervision in fiscal year 2022. The most common pre-disposition programs were electronic monitoring and counseling services

Of the youth served in a community-based program during fiscal year 2022, 80% were under deferred prosecution or probation supervision. Of the youth under deferred prosecution or probation supervision and enrolled in programming, 57% were referred for felony delinquent conduct and 41% were referred for Class A or B misdemeanor delinquent conduct. On average, these youth had three prior referrals to a juvenile probation department and entered programming at the age of 15 years old. Youth may participate in numerous programs during their supervision. In fiscal year 2022, 14,024 youth under deferred prosecution or probation supervision added up to 27,883 program enrollments. During the fiscal year, 24% of youth were enrolled in three or more programs.

**Number of Programs Provided to Youth on Deferred Prosecution  
And Probation Supervision by Program Type**

Fiscal Year 2021 and Fiscal Year 2022

Program Type	Program Approach or Delivery	Programs Provided	
		2021	2022
Aftercare Management	Surveillance-Based	459	370
Anger Management	Treatment-Based	541	706
Border Justice Project	Surveillance-Based	2	2
Counseling Services	Treatment-Based	2,796	3,063
Cognitive Behavioral	Treatment-Based	734	821
Extended Day Program/Day Boot Camp	Treatment-Based	66	92
Drug Court	Treatment-Based	247	288
Educational	Skill-Building/Activity-Based	1,453	2,010
Electronic Monitoring	Surveillance-Based	2,899	3,688
Early Intervention/First Referral	Skill-Building/Activity-Based	218	440
Animal/Equine Therapy	Treatment-Based	129	127
Experiential Education	Skill-Building/Activity-Based	354	75
Family Preservation	Treatment-Based	644	678
Female Offender	Skill-Building/Activity-Based	68	69
Gang Prevention/Intervention	Skill-Building/Activity-Based	121	126
Home Detention	Surveillance-Based	906	919
Intensive Case Management	Surveillance-Based	705	898
Intensive Supervision	Surveillance-Based	2,547	2,456
Life Skills	Skill-Building/Activity-Based	2,251	2,653
Mental Health Court	Treatment-Based	118	91
Mentor	Skill-Building/Activity-Based	765	787
Mental Health	Treatment-Based	2,609	2,825
Other	Skill-Building/Activity-Based	298	258
Parenting (for juveniles)	Skill-Building/Activity-Based	8	8
Runaway/Truancy	Skill-Building/Activity-Based	3	2
Substance Abuse Prevention/Intervention	Skill-Building/Activity-Based	1,177	1,525
Sex Offender	Treatment-Based	1,151	1,175
Substance Abuse Treatment	Treatment-Based	1,174	1,290
Victim Mediation	Skill-Building/Activity-Based	74	88
Vocational Employment	Skill-Building/Activity-Based	77	92
Victim Services	Skill-Building/Activity-Based	163	261
<b>Total Programs Participation</b>		<b>25,289</b>	<b>27,883</b>
<b>Total Youth Served*</b>		<b>12,278</b>	<b>14,024</b>

*\*Youth may have participated in more than one program during the year.*

## SPECIAL NEEDS DIVERSIONARY PROGRAMS

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The Special Needs Diversionary Program (SNDP) was created in 2001 to provide mental health treatment and specialized supervision to rehabilitate youth with mental health needs and to prevent their further penetration into the juvenile justice system. SNDP is administered in a collaborative model by TJJ and the Texas Correctional Office on Offenders with Medical or Mental Impairments (TCOOMMI) or local community mental health providers. Juvenile probation officers and local mental health providers coordinate community-based case management services. The program offers mental health services (including individual and group therapy), probation services (such as life skills, anger management, and mentoring), and parental support and education. This program requires in-home contact with the youth, involvement with the family, and small, specialized caseloads. SNDP began providing services in eight counties at the beginning of fiscal year 2002 and expanded to an additional 11 counties later that year. In fiscal year 2022, SNDP operated in 19 juvenile probation departments.

In fiscal year 2022, SNDP served 847 youth with a diagnosed mental disorder other than substance use, intellectual disability, or autism spectrum disorder. During the fiscal year, 525 youth began the program, while 533 youth exited the program. The average daily population of youth in SNDP in fiscal year 2022 was 311.

### Youth Beginning and Exiting a Special Needs Diversionary Program

Fiscal Year 2021 and Fiscal Year 2022

	2021	2022
Youth Beginning SNDP	562	525
Youth Exiting SNDP	553	533
Youth Completing SNDP Successfully	392	372
Percent Completing Program Successfully	71%	70%

Of youth participating in SNDP in fiscal year 2022, 32% had three or more referrals prior to beginning the program, 66% had felony delinquent conduct in their history, and 10% had a prior residential placement coordinated through a local juvenile probation department.

The most frequent diagnoses were Disruptive, Impulse-Control, and Conduct Disorders, which accounted for 20% of youth participating in SNDP during fiscal year 2022. Other common diagnoses included Depressive Disorders at 18% and Neurodevelopmental Disorders (primarily Attention Deficit Hyperactivity Disorder) at 15%. Of youth served in SNDP, 5% had co-occurring diagnoses involving both a mental disorder and a substance use disorder.

## YOUTH IN RESIDENTIAL PLACEMENTS

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The average daily population of youth in residential placement in fiscal year 2022 was 984. This represents a 1% decrease from the 993 average daily population of youth in residential placement in fiscal year 2021. Youth under supervision may be placed in an emergency placement if there is no suitable living arrangement available or into a secure or non-secure residential facility as a condition of their deferred prosecution or probation supervision.

In fiscal year 2022, there were 2,364 youth admitted in emergency, secure, and non-secure residential facilities. Because a youth may enter more than one residential facility in a year, those youth accounted for 2,729 total placement admissions during the fiscal year.

Because residential placement removes youth from their home, it is generally reserved for those youth with the greatest need for services or those youth whose conduct and/or prior history warrants a more severe sanction than can be afforded in the community. In fiscal year 2022, 28% of youth placed outside of the home were assessed as having a high need for services, and 44% were assessed as having a high risk to reoffend. Of the youth placed in fiscal year 2022, 48% were placed outside of the home for engaging in felony delinquent conduct; another 21% entered placement after a referral for the violation of a court order.

## Youth in a Residential Placement

Fiscal Year 2021 and Fiscal Year 2022

	2021	2022	Change
Average Daily Population in Secure Placement	618	612	-1%
Average Daily Population in a Non-secure Placement	357	347	-3%
Average Daily Population in an Emergency Placement	17	25	+48%
<b>Average Daily Population in Residential Placement</b>	<b>993</b>	<b>984</b>	-1%
Secure Placements Beginning in Fiscal Year*	1,224	1,310	+7%
Non-secure Placements Beginning in Fiscal Year*	874	858	-2%
Emergency Placements Beginning in Fiscal Year*	516	561	+9%

*\*A youth may begin an emergency, non-secure, or secure placement more than once during the fiscal year.*

Youth entering a residential placement may be provided special programming while they are in the facility. About 13% of placements beginning in fiscal year 2022 provided “general correctional” services. More specialized services may also be provided, with 8% of placements offering mental health treatment, another 22% providing treatment for substance use disorders, and 7% offering sexual behavior specialized treatment.

### Youth Beginning Residential Placement by Placement and Service Type

Fiscal Year 2021 and Fiscal Year 2022

Placement Service Type	Non-secure		Secure		Total	
	2021	2022	2021	2022	2021	2022
Boot Camp	0	0	241	248	241	248
Correctional	0	0	262	274	262	274
Female Offender	27	55	41	40	68	95
Mental Health	91	61	122	122	213	183
Other	20	16	4	11	24	27
Pregnant Female	1	0	0	0	1	0
Substance Abuse	389	360	140	126	529	486
General Treatment	255	278	345	422	600	700
Sex Offender	91	88	69	67	160	155
<b>Total</b>	<b>874</b>	<b>858</b>	<b>1,224</b>	<b>1,310</b>	<b>2,098</b>	<b>2,168</b>

## HARRIS COUNTY LEADERSHIP ACADEMY

The Harris County Leadership Academy (HCLA) provides co-ed, residential correctional programming for adjudicated youth, ages 14 to 17, who have been determined by the court to need a highly structured behavioral management program. HCLA is adaptable to Harris County’s specific needs for treatment and rehabilitation and provides an alternative to TJJD commitment.

HCLA utilizes the Intensive Behavioral Treatment (IBT) program, which is a comprehensive model incorporating evidence-based behavior modification practices with a multidisciplinary team approach. IBT’s focus is to redirect the thinking and behavior patterns of youth by instilling in them a healthy self-concept, respect for others, authority, and personal accountability. HCLA strives to provide youth with the tools for a successful reintegration into the community. Educational classes are provided by teachers from the Excel Academy Charter School. Therapeutic services include individual and family counseling, as well as group interventions for youth who have a history of trauma. Youth with drug and/or alcohol problems receive treatment provided through Turning Point of Houston. Volunteer- and staff-facilitated programs introduce changes in thinking, promote pro-social behaviors, and reinforce rehabilitation efforts. The facility’s intense physical training program aims to increase the physical fitness level, well-being, self-esteem, and healthy behaviors of youth. HCLA has a capacity of 24 female and 72 male beds.

In fiscal year 2022, HCLA served 169 youth, 74% of whom were placed in HCLA due to felony delinquent conduct. Youth in HCLA during the fiscal year had, on average, five prior referrals and were age 16 at their time of entry. In fiscal year 2022, 139 youth entered HCLA, while 141 exited the placement. The average length of stay for youth exiting HCLA in fiscal year 2021 was 98 days. Of those exiting HCLA, 84% completed all program requirements, while 8% exited due to failure to comply. Other youth exited HCLA because they were moved to a less restrictive residential placement or transferred out of the jurisdiction.

**Youth Beginning and Exiting the Harris County Leadership Academy**

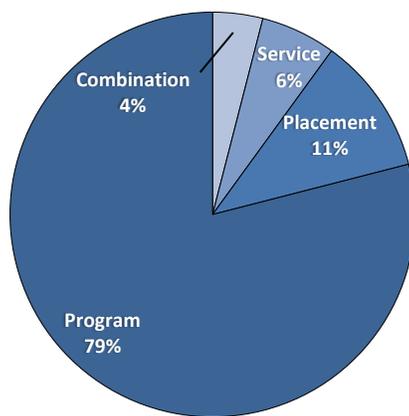
Fiscal Year 2021 and Fiscal Year 2022

	2021	2022
Youth Beginning HCLA	145	139
Youth Exiting HCLA	138	141
Youth Completing HCLA	145	132
Youth Failing to Comply	4	12

**COMMITMENT DIVERSION INITIATIVES**

Created in 2009, the Commitment Diversion Initiatives are designed to provide funding for an array of community-based rehabilitation services intended to divert youth from commitment to state-operated secure facilities. For Commitment Diversion funded programs and placement in fiscal year 2022, the average daily population was 695 and the cost per day was \$40.62.

**Youth Participating in Commitment Diversion Funded Service**  
Fiscal Year 2022



In fiscal year 2022, 2,712 youth participated in programs, placements, or services funded completely or in part with Commitment Diversion funds. The majority, or 79%, of youth participated in a program, 11% participated in a placement, 6% participated in a service, and 4% participated in a combination of two or more of these types.

Of the youth served with Commitment Diversion funds in fiscal year 2022, 80% were male and 20% were female. Of the youth served, 50% were Hispanic, 35% were Black, and 15% were White. The average age of youth served by Commitment Diversion funds was 15 years old, which mirrors the age of 15 for youth formally referred to juvenile probation departments.

Of the youth served by Commitment Diversion funds in fiscal year 2022, 66% were on probation supervision and 24% were on deferred prosecution supervision. Juvenile probation departments utilized Commitment Diversion funds to serve youth referred for a variety of different conduct. Of these youth, 34% were on supervision for engaging in violent felony delinquent conduct, 32% for non-violent felony delinquent conduct, and 31% for Class A or B misdemeanor delinquent conduct.

During fiscal year 2022, 1,387 youth exited the supervision associated with the program, placement, or service funded by Commitment Diversion. Of the youth exiting supervision, 75% successfully completed their supervision, 16% failed to comply with the terms of their supervision, and 6% were absent without permission. The juvenile courts committed 51 youth to TJJD and transferred 5 youth to the adult system.

Commitment Diversion funded services to 242 youth in fiscal year 2022. Of those youth, 44% received two or more grant-funded services, accounting for 1,074 Commitment Diversion funded services. Of these services, 48% were behavioral health services (e.g., crisis intervention, psychological evaluation, and single counseling session), 41% were non-residential services (e.g., clothing, dental appointments, and educational assessments), and 11% were drug tests.

In fiscal year 2022, 2,072 youth were enrolled in a community-based program funded by Commitment Diversion. Approximately 22% participated in two or more grant-funded programs, bringing the total of Commitment Diversion funded programs provided to 3,245. Commitment Diversion funds were most often used to fund electronic monitoring, life skills, and mentoring programs. Youth exited 2,468 grant-funded programs during the fiscal year. Of the youth exiting a program, 70% successfully completed their program and 23% failed to comply with program requirements.

Commitment Diversion funded the residential placement of 326 youth during fiscal year 2022. Of these youth, 62% entered placement after engaging in felony delinquent conduct and 24% entered placement after a violation of probation. During the fiscal year, 2% of youth participated in two or more grant-funded placements, accounting for 337 Commitment Diversion funded placements. Of these placements, 63% were in a secure facility and 35% were in a non-secure facility. Youth exited 285 grant-funded placements during the fiscal year. Of the youth exiting a placement, 64% successfully completed their placement and 25% failed to comply with the placement requirements. The average length of stay for youth exiting a Commitment Diversion funded placement was 242 days. At the end of fiscal year 2022, 116 youth had completed at least 180 days in a secure post-adjudication facility, or were in the sixth month of their placement.

## **REGIONAL DIVERSION ALTERNATIVES PROGRAM**

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In 2015, the 84th Texas Legislature instructed TJJD, in consultation with local juvenile probation departments, to develop and adopt a regionalization plan for keeping youth closer to their home in lieu of committing them to TJJD.

The Regional Diversion Alternatives (RDA) Program provides resources to juvenile probation departments to obtain rehabilitative services for youth including, but not limited to, the following programs: evidence-based, community-based, residential, reentry, and aftercare programs.

The RDA Program diverts appropriate youth from commitment to TJJD to:

- An evidence-based program;
- A post-adjudication secure correctional facility;
- A non-secure correctional facility;
- A residential child-care facility; or
- Any other post-adjudication residential facility.

The Regionalization Department includes seven staff: one manager, five regional county program administrators, and one community mental health administrator. This department:

- Approves plans and related protocols to administer the developed regional model;
- Assists in research-based program development;
- Monitors contract and program measures for the regionalization plan;
- Analyzes department data to provide clear guidance to local probation departments on outcome measures;
- Reports on performance of specific programs and placements to assist in implementing best practices and maximize the impact of state funds;
- Provides training on best practices for all local probation departments affected by the regionalization plan; and
- Provides consultative services, technical assistance, and support to probation departments regarding division activities related to mental and behavioral health and other special population programs and services.

### **Target Population for Diversion**

The goal of regionalization is to reduce the number of TJJD commitments and, at the same time, ensure that the most severe juvenile justice dispositions are limited to youth with the highest risk of recidivism. From a research-informed

perspective, the appropriate target population for TJJD commitment is youth with high risk of recidivism for whom less restrictive alternatives have been attempted prior to TJJD commitment. Consequently, an important focus of regionalization is to divert youth from TJJD commitment, particularly youth with a low to moderate risk to reoffend.

The initial target population of youth appropriate for regionalization diversion are all youth who are eligible, and under consideration, for commitment to TJJD. In order to qualify, the juvenile probation department must demonstrate a prior effort to provide appropriate intervention, with priority given to the treatment needs of the youth. Interventions should be commensurate with county resources.

Youth who may be especially appropriate for diversion include:

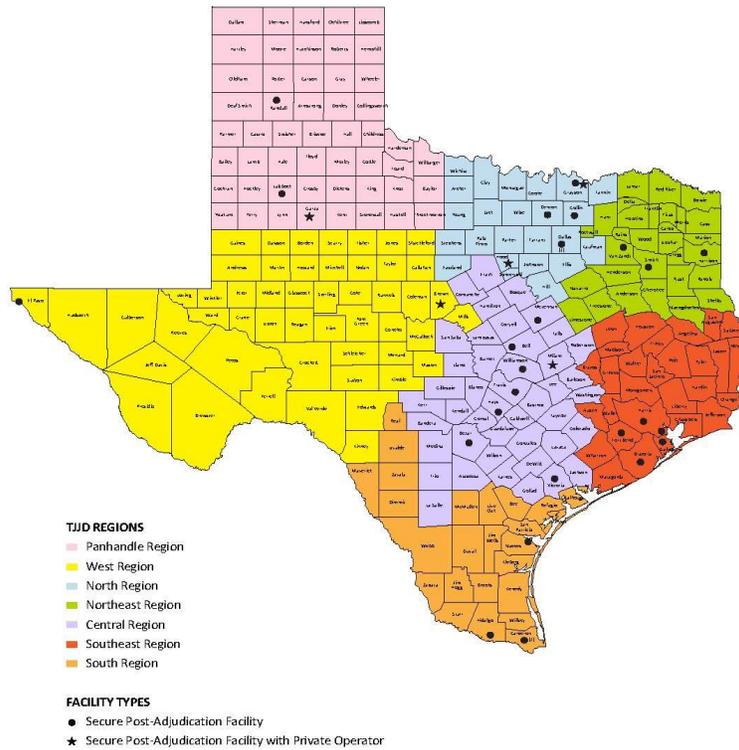
- Younger youth (those between the ages of 10-14);
- Youth with a serious mental illness;
- Youth with a developmental or intellectual disability;
- Youth with only non-violent conduct;
- Youth with low to moderate risk levels for re-offense;
- Youth for whom there is clear concern they have been, will be, or are being sex trafficked, as defined in Section 20A.02, Penal Code; or
- Youth who have four or more adverse childhood experiences (ACEs).

As risk and needs assessments increasingly guide programming and placement decisions and local services are developed and enhanced, TJJD expects to see changes in the youth whom counties are committing to state facilities and those whom counties are seeking to divert to regional alternatives. As these changes occur, TJJD will reevaluate the target population and application parameters for regional diversions to include more high-risk and moderate-high-risk youth.

### **The Seven Regions of Texas**

Historically, the 165 juvenile probation departments have been divided into seven regional associations. These regional associations are the basis for the seven regions used for the regionalization plan. The leadership within each region plays a vital role in successfully implementing the regionalization effort. Each region contains considerable diversity. In more densely populated areas, juvenile probation departments often can offer more robust and varied programs and services, while smaller departments often have fewer program and service options.

## TJJD Post-Adjudication Facilities



All post-adjudication correctional facilities within each region offer some form of behavioral intervention or therapeutic programming; however, the availability of specialized treatment services or programs varies among facilities. Specialized programming may include substance use, sexual behavior, or mental health treatment or programming for special populations such as female youth, young youth, or youth with intellectual or developmental disabilities. Determining the types of programming and the intensity of the services provided are important factors in appropriately matching the treatment needs of a youth with a program.

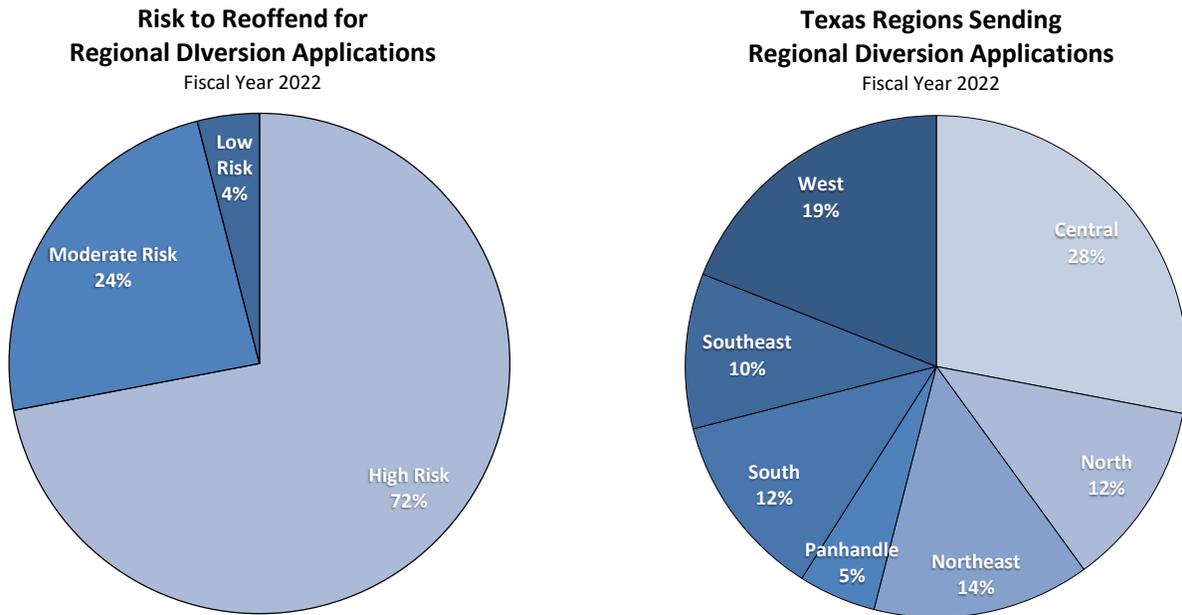
The regions' juvenile probation departments provide various community programs and services, which are operated directly by the departments or through service-provider contracts. Community programs and services vary greatly within departments and regions and may include: specialized substance use, mental health, and sexual behavior treatment, programs for female youth or for youth who engage in violent delinquent conduct, and various psychoeducational and skills-building services for youth.

### Regional Diversion Applications

During fiscal year 2022, 312 regional diversion applications were submitted to the Regionalization Department. Of those 312 applications, 272 were approved for the RDA Program; however, not all youth who are approved for the RDA Program are subsequently placed in a residential facility. The final disposition remains with the local judiciaries. In fiscal year 2022, there were 246 youth placed in a residential facility using RDA funds. In addition to the traditional regional diversion program, two regional facilities that accept diverted youth: the Meurer Intermediate Sanctions Center in Travis County and the Youth Center of the High Plains in Randall County. These two regional facilities helped divert an additional 28 youth from commitment to TJJD.

Of the submitted regional diversion applications, 85% were for male youth while 15% were for female youth, and the average age of the youth was 15 years old. Of the submitted applications, 46% were for Hispanic youth, 31% were for White youth, 23% were for Black youth.

Additionally, 72% of the youth had a high risk to reoffend, while 28% had a low or moderate risk to reoffend. Each of the seven regions of Texas submitted regional diversion applications. Of the 312 regional diversion applications, 28% came from the Central Region, 12% from the North Region, 14% from the Northeast Region, 5% from the Panhandle Region, 12% from the South Region, 10% from the Southeast Region, and 19% from the West Region.



**Outcomes for Regional Diversion Alternatives**

In fiscal year 2022, there were 184 discharges from an RDA-funded residential placement. Of these discharges, 76% percent ended the RDA-funded placement with a successful completion. Twelve percent of youth discharged from an RDA-funded placement in fiscal year 2022 were subsequently committed to TJJD. Of the 23 discharges from the Meurer Intermediate Sanctions Center in Travis County and the Youth Center of the High Plains in Randall County, 13% were subsequently committed to TJJD.

**Youth in Regional Diversion Alternatives Residential Placement**

Fiscal Year 2021 and Fiscal Year 2022

	2021	2022
RDA Placement Discharges	212	184
RDA Placement Discharging Successfully	179	139
Percent Completing RDA Placement Successfully	84%	76%
Youth Receiving Subsequent TJJD Commitment	39	22
Percent Receiving Subsequent TJJD Commitment	18%	12%
Regional Residential Expansion Placement Discharges		23
Percent Receiving Subsequent TJJD Commitment		13%

## Recidivism

To achieve its mission of creating a safer Texas through effective programs and services, TJJD tracks the re-referral/arrest (re-offense) and incarceration rates of youth served by the juvenile probation system. The date of disposition to supervision, date of program entry, or the exit date of residential placement as recorded by the TJJD monthly extract data marks the beginning of the recidivism tracking period. Matching this data to the Texas Department of Public Safety (DPS) criminal history records and the Texas Department of Criminal Justice (TDCJ) records captures referrals and arrests that occur outside the originating juvenile probation department as well as arrests and incarcerations that occur in the adult criminal justice system.

A re-offense recidivism event includes a subsequent delinquent conduct (i.e., felony, Class A misdemeanor, and Class B misdemeanor) that resulted in a referral to a juvenile probation department, an arrest by a law enforcement agency, or both. TJJD also tracks youth whose subsequent conduct results in a recidivism event of placement in a secure post-adjudication residential facility, commitment to TJJD, or incarceration in a Texas adult prison. Conduct resulting in a subsequent incarceration recidivism event includes felony delinquent conduct and violation of court order, as it is possible to be committed to TJJD for a violation of felony probation.

There are four sections of recidivism analysis. The first section includes three-year recidivism rates for youth receiving a disposition to deferred prosecution supervision or probation supervision in fiscal year 2019. The second section includes three-year recidivism rates for youth exiting residential placement in fiscal year 2019. The third section includes three-year recidivism rates for youth beginning a Commitment Diversion funded program in fiscal year 2019 and for youth exiting a Commitment Diversion funded placement in fiscal year 2019. The fourth section includes three-year recidivism rates for youth exiting a Commitment Diversion funded placement in fiscal year 2019, for youth exiting a Regional Diversion funded placement in fiscal year 2019, and for youth exiting a state-operated secure facility in fiscal year 2019.

### Recidivism Rates for Youth Receiving a Disposition to Deferred Prosecution Supervision or Probation Supervision

Youth receiving a disposition to deferred prosecution supervision or probation supervision in fiscal year 2019 were followed for three years from the date of their disposition to supervision to determine the rate of re-offense, subsequent secure placement, and subsequent incarceration. The table below provides re-offense rates, subsequent secure placement, and subsequent incarceration rates as defined above. Of the 19,806 youth receiving a disposition to deferred prosecution supervision or probation supervision in fiscal year 2019, 47% committed a re-offense, 11% had a subsequent secure placement at a county facility, and 5% (n=975) had a subsequent incarceration within the three-year tracking period. Of the youth who re-offended after starting supervision, 19% re-offended with violent felony delinquent conduct.

**Three-Year Recidivism Rates for Youth Receiving a Disposition to Deferred Prosecution Supervision or Probation Supervision in Fiscal Year 2019**

	Year One	Year Two	Year Three	Total
Probation Supervision	35%	15%	8%	58%
Deferred Prosecution Supervision	22%	9%	7%	38%
<b>Total Re-offense</b>	<b>28%</b>	<b>11%</b>	<b>7%</b>	<b>47%</b>
<b>Subsequent Secure Placement<sup>1</sup></b>	<b>5%</b>	<b>3%</b>	<b>2%</b>	<b>11%</b>
<b>Subsequent Incarceration</b>	<b>2%</b>	<b>2%</b>	<b>2%</b>	<b>5%</b>

*Percentages may not sum to total due to rounding.*

<sup>1</sup> Subsequent secure placement includes only secure residential placements and excludes youth 15 or older at the time of disposition.

### Recidivism Rates for Youth Exiting a Residential Placement Facility

Youth beginning residential placement typically exhibit the greatest need for services and have a history of engaging in serious delinquent conduct, which warrant a more restrictive and intense treatment setting than can be provided in the community. Consequently, youth placed in residential facilities generally have higher re-offense and subsequent incarceration rates than youth on probation in the community.

The table below provides the three-year re-offense and subsequent incarceration recidivism analysis for youth who exited a secure or non-secure residential placement in fiscal year 2019. Of the 2,944 youth who exited a secure or non-secure residential placement in fiscal year 2019, 70% committed a re-offense and 17% were subsequently committed to TJJJ or incarcerated in a Texas adult prison within the three-year tracking period. Of the youth who re-offended after exiting a non-secure or secure residential placement, 22% recidivated with violent felony delinquent conduct.

**Three-Year Recidivism Rates for Youth Exiting Residential Placement in Fiscal Year 2019**

	Year One	Year Two	Year Three	Total
Exiting Secure Placement	51%	15%	7%	73%
Exiting Non-secure Placement	42%	15%	8%	66%
<b>Total Re-offense</b>	<b>47%</b>	<b>15%</b>	<b>8%</b>	<b>70%</b>
<b>Subsequent Incarceration</b>	<b>6%</b>	<b>5%</b>	<b>6%</b>	<b>17%</b>

*Percentages may not sum to total due to rounding.*

### Recidivism Rates for Youth Served in a Commitment Diversion Funded Program or Placement

Fiscal year 2010 was the first year juvenile probation departments began using Commitment Diversion funds for community-based programs and services and for residential placements. The purpose of Commitment Diversion Initiatives, as put forth by the Texas Legislature, is to divert youth from commitment to a state-operated secure facility by focusing additional services on high-risk youth in the community.

The table below provides recidivism analysis for youth beginning a Commitment Diversion funded program or exiting a Commitment Diversion funded placement in fiscal year 2019. These youth were followed for three years from the date of program entry or placement exit to determine the rate of re-offense and subsequent incarceration or TJJJ commitment during that period, as defined above. Youth exiting a Commitment Diversion funded placement have a higher re-offense rate compared with youth beginning a Commitment Diversion funded program (66% versus 57%, respectively). Of the youth beginning a Commitment Diversion funded program who re-offended, 21% re-offended with violent felony delinquent conduct.

**Three-Year Recidivism Rates for Youth Served in a Commitment Diversion Funded Program or Placement in Fiscal Year 2019<sup>2</sup>**

		Year One	Year Two	Year Three	Total
Beginning Commitment Diversion Program	Total Re-offense	42%	9%	6%	57%
	Subsequent Incarceration	3%	2%	3%	8%
Exiting Commitment Diversion Placement	Total Re-offense	41%	16%	9%	66%
	Subsequent Incarceration	5%	5%	5%	14%

*Percentages may not sum to total due to rounding.*

<sup>2</sup> Youth served both in programs and placements were included in the recidivism rates both for programs and placements. Analysis includes both secure and non-secure Commitment Diversion funded placements.

**Recidivism Rates for Youth Exiting a Commitment Diversion Funded Placement, a Regional Diversion Funded Placement, or a State-Operated Secure Facility**

Fiscal year 2016 was the first year juvenile probation departments began using Regional Diversion funds for community-based programs and services and for residential placements. Regional Diversion Alternatives seek to build capacity, regional collaboration, and access to programs and services with the goal to treat more youth closer to their homes and to divert youth from TJJJ commitment by focusing additional services on youth with a low to moderate risk to reoffend.

The table below highlights the three-year re-offense and incarceration rates for youth exiting a Commitment Diversion funded secure or non-secure placement, youth exiting a Regional Diversion funded secure or non-secure placement, and youth exiting a state-operated secure facility in fiscal year 2019. All youth served in a Commitment Diversion or Regional Diversion funded placement are included in the analysis if Commitment Diversion or Regional Diversion accounted for more than 50% of the funding.

Youth exiting a state-operated secure facility in fiscal year 2019 have higher three-year recidivism rates than youth exiting a Regional Diversion or Commitment Diversion funded placement in fiscal year 2019. The re-offense rate was 77% for youth exiting a state-operated secure facility, compared with 68% of youth exiting a Regional Diversion funded placement and 66% of youth exiting a Commitment Diversion funded placement. Of the youth who re-offended, 46% of those exiting a state-operated secure facility recidivated with violent felony delinquent conduct, compared with 25% of those exiting a Commitment Diversion funded placement and 19% of those exiting a Regional Diversion funded placement. The subsequent incarceration rate was 30% for youth exiting a state-operated secure facility, compared with 28% of youth exiting a Regional Diversion funded placement and 14% of youth exiting a Commitment Diversion funded placement.

**Three-Year Recidivism Rates for Youth Exiting a Commitment Diversion Funded Placement, a Regional Diversion Funded Placement, or a State-Operated Secure Facility in Fiscal Year 2019**

		Year One	Year Two	Year Three	Total
Exiting Commitment Diversion Placement	Total Re-offense	41%	16%	9%	66%
	Subsequent Incarceration	5%	5%	5%	14%
Exiting Regional Diversion Placement	Total Re-offense	44%	13%	11%	68%
	Subsequent Incarceration	16%	7%	5%	28%
Exiting State-Operated Secure Facility	Total Re-offense	55%	16%	7%	77%
	Subsequent Incarceration	15%	7%	8%	30%

*Percentages may not sum to total due to rounding.*

## DESCRIPTION OF TRAINING, MONITORING, AND INVESTIGATION

TJJD 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. TJJD also provides oversight of county-operated facilities. Below are descriptions of the agency’s efforts during the fiscal year to provide training, monitor secure pre- and post-adjudication facilities, and investigate abuse, neglect, and exploitation allegations in county-operated facilities and juvenile probation department programs.

### Juvenile Justice Training Academy

The TJJD Juvenile Justice Training Academy (JJTA) is committed to the mission of developing, evaluating, and delivering quality training, executed in a thorough and professional manner to equip agency staff and juvenile justice stakeholders with the professional skills needed for exemplifying and achieving the goals of the TJJD. Two Training Academy team members are dedicated full-time to the professional development of juvenile probation staff, while two other employees work with some other aspect of juvenile probation training on a part-time basis.

Over the course of fiscal year 2022, the number of in-person trainings increased over fiscal year 2021, when the state was dealing with COVID pandemic. This is reflected in the numbers. Fiscal year 2021 only had seven in-person trainings. This number increased as counties began to open up.

Many counties still rely heavily on virtual training because of a lack of staffing as well as a cost saving measure. In fiscal year 2022, JJTA provided 86 virtual trainings with 6,756 participants. The number of in-person trainings increased from seven to 37 and number of participants increased from 357 to 1,127. While it is always a goal to provide an in-person event, there is a recognition that virtual trainings can be cost effective and, in some instances, can have a wider audience reach. In addition, there are Texas Administrative Code changes that support an unlimited number of hours that can be utilized by an officer for certification.

### Juvenile Justice Department Training Events

Fiscal Year 2022

	Number	Participants
Virtual	86	6,756
In-Person	37	1,127
<b>Total</b>	<b>123</b>	<b>7,883</b>

### Monitoring and Inspection of Secure and Non-secure Community-Based Facilities

TJJD is required to annually inspect each public and private juvenile pre-adjudication secure detention facility, post-adjudication secure correctional facility, and non-secure correctional facility. Facilities are identified in the TJJD facility registry—the statutorily mandated registry of secure and non-secure facilities—which is updated on an annual basis. The TJJD Monitoring and Inspections Division schedules announced on-site facility inspections in which the facility’s compliance with applicable Texas Administrative Code (TAC) rules (i.e., minimum standards) is verified through a comprehensive review of the facility’s policies, operating practices, resident services, and physical plant. These on-site inspections are supplemented with pre-visit desk reviews of various facility documents.

At the conclusion of each comprehensive on-site inspection, TJJD issues a web-based suitability report that is sent to the attention of the facility administrator, the jurisdiction’s juvenile board chairperson, and each of the jurisdiction’s juvenile judges. Formal findings of standards non-compliance require the facility to provide a prompt corrective action plan that is reviewed and ultimately substantiated by TJJD monitoring staff.

Additionally, TJJJ has the ability to conduct unannounced on-site inspections of any registered facility and does so based on identified need as determined by individual circumstances that may be brought to TJJJ’s attention. While unannounced on-site inspections may be comprehensive in nature, they more frequently have a limited scope of review as determined by the circumstances precipitating the unannounced inspection.

During fiscal year 2022, the TJJJ Monitoring and Inspections Division completed a total of 84 inspections for 48 pre-adjudication secure detention facilities (including two short-term/holdover facilities), 32 post-adjudication secure correctional facilities, and 4 non-secure correctional facilities.

### Facility Monitoring

Fiscal Year 2022

	Number	Percent
Pre-adjudication Secure Detention	48	57%
Post-adjudication Secure Correctional	32	38%
Non-secure Correctional	4	5%
<b>Total Comprehensive On-Site Inspections</b>	<b>84</b>	<b>100%</b>

### Abuse, Neglect, and Exploitation (ANE) Investigations

The Office of Inspector General (OIG) investigates allegations of abuse, neglect, and exploitation at the county and state levels, including contract care facilities. The OIG receives allegations through various reporting mechanisms, including by phone and email. Juveniles held in county-operated facilities have the right to report allegations of abuse, neglect, or exploitation directly to the Incident Reporting Center (IRC) operated by the TJJJ’s OIG. Reports can be made by juveniles, facility staff, parents, or the public. The allegations are assessed and assigned for investigation, if warranted. Once an investigation is initiated, OIG investigators work closely with facility personnel and local law enforcement to conduct thorough investigations of the allegations.

### OIG - County Investigations Overall Referrals by Report Type

Fiscal Year 2022

	Number	Percent
Grievance	1,775	55%
Serious Incidents	585	18%
Non-Reportable	309	10%
Allegations of ANE	206	7%
Other/Duplicates/Standards Violation	185	6%
Complaints	109	3%
Non-Jurisdiction	44	1%
<b>Total</b>	<b>3,213</b>	<b>100%</b>

Of the 3,213 total reports received by the OIG in fiscal year 2022, 2,256 were referred by the IRC. Seventy-seven percent of the calls placed to the IRC were grievances that did not meet the definition of abuse, neglect, or exploitation and were therefore handled at the local level. Three percent of the calls received by the IRC were investigated by the OIG as allegations of abuse, neglect, and exploitation.

### OIG - County Investigations IRC Referrals by Report Type

Fiscal Year 2022

	Number	Percent
Grievance	1,730	77%
Serious Incidents	195	9%
Other/Duplicates/Standards Violation	100	4%
Complaints	91	4%
Allegations of ANE	78	3%
Non-Reportable	34	2%
Non-Jurisdiction	28	1%
<b>Total</b>	<b>2,256</b>	<b>100%</b>

From the 206 reported allegations of abuse, neglect, or exploitation received in fiscal year 2022, 241 abuse, neglect, and exploitation investigations were opened. Of the abuse, neglect, or exploitation cases disposed of in fiscal year 2022, 49% were *Unfounded* and 10% were *Unable to Determine*. A preponderance of evidence resulted in affirmative findings for 40% of investigations. The average length of time for an investigation to be concluded increased from 42 days in fiscal year 2021 to 65 days in fiscal year 2022. At the end of the fiscal year, 47 investigations are ongoing.

### Abuse, Neglect, and Exploitation Investigation Dispositions

Fiscal Year 2022

	Number	Percent
Unfounded	94	49%
Confirmed	78	40%
Unable to Determine	20	10%
Exonerated	1	1%
<b>Total</b>	<b>193</b>	<b>100%</b>

*Investigations are counted by perpetrator and/or victim.  
Therefore, the number may exceed the count of reports received.*

## FINANCIAL MONITORING OF COUNTY GRANTS

Financial monitoring and auditing of all grants awarded to local juvenile probation departments is critical to effective grant management at the state level. TJJJ's financial monitoring is a process that assesses the quality of internal control performance, allowable expenditures, and compliance with applicable laws and regulations. General principles for determining allowable costs under all TJJJ grants have been established for juvenile probation departments that receive state funds.

The application of these principles is based on the fundamental premises that:

- The juvenile probation departments shall be responsible for the efficient and effective administration of state funds through the application of sound management and accounting practices; and
- The juvenile probation departments shall assume responsibility for administering the grant funds in a manner consistent with underlying agreements, program objectives, and the terms and conditions of the State Aid and Targeted Grants Contract and General Grant Requirements.

### EXPENDITURE OF GRANT FUNDS

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Juvenile probation departments statewide are required to expend all grant funds solely for the provision of juvenile probation services and juvenile justice programs within the budget categories of Basic Probation Services, Community Programs, Pre & Post Adjudication, Commitment Diversion, and Mental Health Services or according to the specific requirements of the individual grant. Examples of programs and services include community-based mental health services, individual and family counseling, substance use prevention and intervention, anger management, intensive supervision, family preservation, sexual behavior treatment, electronic monitoring, mentoring, after school programs, psychological and psychiatric evaluation, and therapeutic treatment. Funds may also be expended for the placement of youth in non-secure facilities and secure pre- and post-adjudication facilities where they receive education, treatment, and specialized services.

### REPORTING REQUIREMENTS

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Each juvenile probation department is required to submit a quarterly expenditure report detailing the utilization of all state funds received by the department and expenditures from local funds as required in the State Aid and Targeted Grants Contract and General Grant Requirements. The quarterly expenditure report gives an assessment of whether expenditure patterns are consistent with the department's approved budget application submitted at the beginning of each fiscal year. This report identifies expenditures associated with each grant allocated to the juvenile probation department. In addition to documenting expenditures, the review of the quarterly expenditure report determines whether expenditures are allowable or unallowable under each grant. These reports can identify areas of concern during the fiscal year, such as unfilled positions and funds not being utilized for juvenile programs and services.

### MONITORING

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TJJJ staff conduct financial monitoring and compliance activities on all grant funds allocated to local juvenile probation departments. The State Aid and Targeted Grants Contract and General Grant Requirements requires local juvenile probation departments to maintain sufficient records to account for the use of state funds and provide TJJJ with reasonable evidence that service delivery is consistent with provisions in the grant requirements. TJJJ also provides technical assistance to juvenile probation department and county staff regarding the proper expenditure of and accounting for state funds. During financial monitoring, financial documents such as payroll reports, general ledger, expenditure detail reports, caseload summary reports, timesheets, and service provider contracts are reviewed to determine if expenditures are allowable under each grant provision.

The financial monitoring tasks include, but are not limited to:

- Interview the chief juvenile probation officer, financial manager, county auditor’s office, and treasurer’s staff;
- Review purchase requisitions for authorization;
- Determine whether expenditures are reasonable;
- Compare journal entries to actual invoices and costs for accuracy;
- Ensure expenditures were incurred in the correct grant period;
- Ensure expenditures comply with all grant requirements;
- Review travel reimbursement documents for compliance with approved state travel rates;
- Determine compliance of juvenile probation officers’ salaries paid out of specialized grants by reviewing TJJJ caseload summary reports and timesheets; and
- Review all private service provider contracts paid in whole or part with TJJJ funds.

Fiscal analysts also review the submitted annual budget applications, quarterly expenditure reports, and independent audit reports in preparation for the financial monitoring. TJJJ follows a schedule that allows staff to review each department approximately once every two years. The time between audits can be shortened if significant findings are revealed in the department’s independent audit, a new chief is hired, or community complaints indicate a need for more frequent auditing.

In fiscal year 2022, fiscal analysts audited 52 juvenile probation departments. There were 50 off-site reviews and 2 special reviews conducted.

### Financial Monitoring

Fiscal Year 2022

	Number	Percent
Off-Site Review	50	96%
Special Review	2	4%
<b>Total Reviews</b>	<b>52</b>	<b>100%</b>

All audits are entered into the Compliance Monitoring and Enforcement Tracking System (COMETS), which allows TJJJ staff to generate and immediately issue a summary report based on the outcome of the monitoring process. The juvenile probation department must respond to findings with a corrective action plan through the COMETS web-based system.

## INDEPENDENT AUDIT REQUIREMENT

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Each fiscal year, juvenile probation departments are required to undergo an independent financial compliance audit of funds received from TJJJ under the State Aid and Targeted Grants Contract and General Grant Requirements. A juvenile probation department may request a waiver to their audit. A certified public accountant conducts the audit in accordance with the most current auditing standards. The audit report is prepared in accordance with Generally Accepted Auditing Standards, Generally Accepted Governmental Auditing Standards, and TJJJ’s audit requirements. The audit includes, as part of the Report on Compliance and Internal Control, the specific financial assurances contained in each specific grant requirement. The audit report includes an opinion on whether the department complied with the applicable assurance as well as a summary of all material instances of non-compliance and an identification of the total amount of any funds in question for each assurance. The independent audit reports for the fiscal year ending August 31<sup>st</sup> are due on March 1<sup>st</sup> of the following fiscal year.

The following process is followed to ensure consistent, efficient, and effective review of the audit reports:

1. TJJJ mails out the audit requirements to each county fiscal officer and chief juvenile probation officer, and a copy is published on the agency’s website.
2. The juvenile probation department will submit one copy of the report, which will be maintained at TJJJ. The Fiscal Unit coordinator will conduct an initial review of the report after it has been received by TJJJ.
3. The initial review of the report, with preliminary information, is entered into a “County Grant Information” document.

4. This form will document the county name, auditor name, date report is received, type of grants received, and whether receipts, expenditures, and budgets reported in the audit report reconcile to TJJJ records.
5. After the "County Grant Information" document is complete, the audit report is submitted to the Grants fiscal reviewer for a desk review.

The audit review includes ensuring the following:

- The report meets generally accepted and government auditing standards;
- All grants are accounted for in the report;
- Receipts are reported using cash basis accounting for each grant;
- Expenditures are reported in proper budget categories;
- Expenditures agree with TJJJ's financial system; and
- The budget-to-actual operating statements include a variance column.

The required format for the independent audit report is as follows:

- Statement of revenues, expenditures, and changes in funds balance of all TJJJ grant funds;
- Required notes to the financial statements per audit requirements;
- Report on compliance and on internal control over financial reporting based on an audit of financial statements performed in accordance with Generally Accepted Governmental Auditing Standards; and
- Schedule of findings and questioned costs for current and prior years.

After the review, each juvenile probation department receives a letter based on recommendations from the audit review that may include a request for additional information, a corrective action plan for each finding or questioned cost, and, if applicable, a request for refund. A copy of the letter is mailed to the department's chief juvenile probation officer and fiscal officer and to the respective independent audit firm.

If the response from the department is accepted, the audit is considered closed and filed with the audit report. If the response is unacceptable, communications will continue until compliance is achieved. If compliance has not been achieved within 14 working days, TJJJ issues a Non-compliance Citation Report (NCCR) and may suspend funds.

Findings and questioned costs noted from the audit report (current and previous years) are included in the risk assessment monitoring tool and reviewed during the financial monitoring of the juvenile probation department.

**Annual Report to State Leadership**

Effective fiscal year 2010, the Texas Juvenile Probation Commission (TJPC) was required by Rider 16 of the General Appropriations Act to produce an annual report to legislative leadership that includes detailed monitoring, tracking, utilization, and effectiveness information on funds appropriated in each budget strategy in Goals A (Basic Probation) and B (Community Corrections). This requirement was continued for the Texas Juvenile Justice Department (TJJD); the fiscal year 2022 report is the 14th annual report to fulfill this requirement. In the 2022-2023 General Appropriations Act, Riders 26 and 27 contain the requirements to produce this annual report. The text of these riders is shown below.

**Rider 26 of the 2022-2023 General Appropriations Act—Reporting Requirements to the Legislative Budget Board.**

From funds appropriated above, the Juvenile Justice Department shall maintain a specific accountability system for tracking funds targeted at making a positive impact on youth. JJD shall implement a tracking and monitoring system so that the use of all funds appropriated can be specifically identified and reported to the Legislative Budget Board. In addition to any other requests for information, the agency shall produce an annual report on the following information for the previous fiscal year to the Legislative Budget Board by December 1st of each year:

- a. The report shall include detailed monitoring, tracking, utilization, and effectiveness information on all funds appropriated in Goal A, Community Juvenile Justice. The report shall include information on the impact of any new initiatives and all programs tracked by JJD. Required elements include, but are not limited to, prevention and intervention programs, residential placements, enhanced community-based services for serious and chronic felons such as sex offender treatment, intensive supervision, and specialized supervision, community-based services for misdemeanants no longer eligible for commitment to the Juvenile Justice Department, Commitment Diversion Initiatives, and Regional Diversion Alternatives.
- b. The report shall include information on all training, inspection, monitoring, investigation, and technical assistance activities conducted using funds appropriated in Goals A and E. Required elements include training conferences held, practitioners trained, facilities inspected, and investigations conducted.
- c. The annual report submitted to the Legislative Budget Board pursuant to this provision must be accompanied by supporting documentation detailing the sources and methodologies utilized to assess program effectiveness and any other supporting material specified by the Legislative Budget Board.
- d. The annual report submitted to the Legislative Budget Board pursuant to this provision must contain a certification by the person submitting the report that the information provided is true and correct based upon information and belief together with supporting documentation.
- e. The annual report submitted to the Legislative Budget Board pursuant to this provision must contain information on each program receiving funds from Strategy A.1.1, Prevention and Intervention, including all outcome measures reported by each program and information on how funds were expended by each program.

In addition to the annual report described above, the Juvenile Justice Department shall report juvenile probation population data as requested by the Legislative Budget Board on a monthly basis for the most recent month available. JJD shall report to the Legislative Budget Board on all populations specified by the Legislative Budget Board, including additions, releases, and end-of-month populations. End of fiscal year data shall be submitted indicating each reporting county to the Legislative Budget Board no later than two months after the close of each fiscal year. JJD will use Legislative Budget Board population projections for probation supervision and state correctional populations when developing its legislative appropriations request for the 2024-25 biennium.

Upon the request of the Legislative Budget Board, the Juvenile Justice Department shall report expenditure data by strategy, program, or in any other format requested, including substrategy expenditure detail.

The Comptroller of Public Accounts shall not allow the expenditure of funds appropriated by this Act to JJD in Goal F, Indirect Administration, if the Legislative Budget Board certifies to the Comptroller of Public Accounts that JJD is not in compliance with any of the provisions of this Section.

**Rider 27 of the 2022-2023 General Appropriations Act—Commitment Diversion Initiatives.**

Out of the funds appropriated above in Strategy A.1.5, Commitment Diversion Initiatives, \$19,492,500 in General Revenue Funds in fiscal year 2022 and \$19,492,500 in General Revenue Funds in fiscal year 2023, may be expended only for the purposes of providing programs for the diversion of youth from the Juvenile Justice Department (JJD). The programs may include residential, community-based, family, and aftercare programs.

The allocation of State funding for the program is not to exceed a daily rate based on the level of care the juvenile receives. JJD shall ensure that the State is refunded all unexpended and unencumbered balances of State funds at the end of each fiscal year.

These funds shall not be used by local juvenile probation departments for salary increases or costs associated with the employment of staff hired prior to September 1, 2009.

JJD shall require juvenile probation departments participating in the diversion program to report to JJD regarding the use of funds within thirty days after the end of each quarter. JJD shall report to the Legislative Budget Board regarding the use of the funds within thirty days after receipt of each county's quarterly report. Items to be included in the report include, but are not limited to, the amount of funds expended, the number of youth served by the program, the percent of youth successfully completing the program, the types of programming for which the funds were used, the types of services provided to youth served by the program, the average actual cost per youth participating in the program, the rates of recidivism of program participants, the number of youth committed to JJD, any consecutive length of time over six months a juvenile served by the diversion program resides in a secure corrections facility, and the number of juveniles transferred to criminal court under Family Code, §54.02.

JJD shall maintain a mechanism for tracking youth served by the diversion program to determine the long-term success for diverting youth from state juvenile correctional incarceration and the adult criminal justice system. A report on the program's results shall be included in the report that is required under JJD Rider 26 to be submitted to the Legislative Budget Board by December 1st of each year. In the report, JJD shall report the cost per day and average daily population of all programs funded by Strategy A.1.5, Commitment Diversion Initiatives, for the previous fiscal year.

The Comptroller of Public Accounts shall not allow the expenditure of funds appropriated by this Act to JJD in Goal F, Indirect Administration, if the Legislative Budget Board certifies to the Comptroller of Public Accounts that JJD is not in compliance with any of the provisions of this Section.

## APPENDIX B

### Definitions and Calculation Methodologies in the Juvenile Probation System

This appendix provides the definitions and calculation methodologies used for the effectiveness and accountability measures of the juvenile probation system. All data used for these calculations are reported to the Texas Juvenile Justice Department (TJJD) by local juvenile probation departments through the monthly data extract submission process.

#### Definitions

**Formal Referral:** This is any occasion when all three of the following conditions exist: (1) delinquent conduct, conduct indicating a need for supervision, or violation of probation was allegedly committed; (2) the juvenile probation department has jurisdiction and venue; and (3) face-to-face contact occurs with the office or official designated by the juvenile board.

**Disposition of Commitment to the Texas Juvenile Justice Department (TJJD Commitment):** This occurs when a youth is committed to the care, custody, and control of the Texas Juvenile Justice Department (TJJD). As of 2007, all commitments to the TJJD, except those under the determinate sentencing act, are for an indeterminate term not to extend beyond the 19th birthday of the youth.

**Disposition of Certified as an Adult:** This is a situation in which the juvenile court waives its jurisdiction in order for the accused youth to be prosecuted as an adult in the criminal justice system. Certification is permissive and not mandatory under Texas law. Depending upon the type of felony committed, a youth as young as 14 years of age can be certified to stand trial as an adult.

**Deferred Prosecution:** This is a voluntary supervision in which the youth, parent/guardian(s), prosecutor, and the juvenile probation department agree upon conditions of supervision. Deferred prosecution can last up to six months and can be extended an additional six months by the court. If the youth violates any of the conditions of supervision, the department may elect to proceed with formal court adjudication.

**Probation:** This is a form of community-based supervision that is usually assigned for six months to one year, though it may be assigned until the 18th birthday of the youth. While on adjudicated probation, the youth may be required to participate in any program or placement deemed appropriate.

#### Calculations

**Average Daily Population (ADP) of Youth on Deferred Prosecution and Probation Supervision:** This is the average number of youth under active supervision per day during a specified period of time. It is calculated by obtaining the entry and exit dates of every youth under deferred prosecution and probation supervision in a given fiscal year, summing the total days these youth were under each type of supervision in that year, and dividing that total by the total number of days in the fiscal year. For youth whose supervision began prior to the start of the fiscal year, 09/01/2021 is used for the begin date. For youth whose supervision ended after the end of the fiscal year, 08/31/2022 is used for the end date.

**Total Youth Served on Deferred Prosecution and Probation Supervision:** This is calculated by identifying which youth started deferred prosecution or probation supervision during a given fiscal year, which youth started before the fiscal year and ended during or after the fiscal year, and which youth started before the fiscal year and are still currently under supervision. The number of youth in each category is summed to determine the total number of youth served.

**Number of Youth Beginning a Program:** This is calculated by identifying which youth started a program during a given fiscal year. A program is a non-residential, department-operated or contracted/purchased service. A program must have a measurable or reportable objective and outcome. A program serves youth who are on some type of supervision. It does not include community service restitution or services received while in detention or residential placement. Youth are counted once for each program they participate in during the fiscal year.

**Number of Youth Beginning Residential Placement:** This is calculated by identifying which youth started residential placement during a given fiscal year. Residential placement is the placement of youth in a secure or non-secure residential facility. Residential placements include secure placements, non-secure placements, court-ordered placement into a foster-care-eligible facility, and probation emergency-shelter placements. Child Protective Services (CPS), kinship, hospital, and parental placements are not included in the number of residential placements.

**Average Daily Population (ADP) of Youth in Secure and Non-secure Placements:** This is the average number of youth in placement per day during a specified period of time. It is calculated by obtaining the start and exit dates of every youth in residential placement in a given fiscal year, summing the total days these youth were in placement in that year, and dividing that total by the total number of days in the fiscal year. For youth whose placement began prior to the start of the fiscal year, 09/01/2021 is used for the begin date. For youth whose placement ended after the end of the fiscal year, 08/31/2022 is used for the end date.

**Supervision Outcomes for Youth Leaving Deferred Prosecution and Probation Supervision:** This is the outcome for the supervision to which the youth received a disposition to deferred prosecution or probation supervision. The frequency and percent of outcomes are calculated based on youth terminating supervision during the fiscal year. The possible supervision termination outcomes are: Completed (sometimes called Successful), Transferred to the Adult System, TJJD Commitment, and Failure to Comply.

To calculate the percent of youth whose outcome is successful, the total number of youth with an outcome of Completed is divided by the sum of the numbers of youth with an outcome of Completed, Transferred to the Adult System, TJJD Commitment, or Failure to Comply.

**Three-Year Re-offense Recidivism Rates:** Calculations track behavior for three years from the date of disposition to supervision, the date of program start, or the date of placement exit. This rate includes formal referrals to the juvenile justice system and arrests in either the adult or juvenile justice system. The rate includes only subsequent referrals and arrests for felony delinquent conduct as well as Class A or B misdemeanor delinquent conduct. Youth are tracked using TJJD monthly extract data as well as Department of Public Safety (DPS) criminal history records to capture referrals and arrests that occur outside of the originating juvenile probation department as well as arrests that occur in the adult criminal justice system.

**Three-Year Subsequent Incarceration and Placement Recidivism Rates:** Calculations track behavior for three years from the date of disposition to supervision, the date of program start, or the date of placement exit. This rate includes dispositions to the Texas Juvenile Justice Department for felony delinquent conduct or violation of felony probation as well as incarcerations in the adult prison system, as reported by the Texas Department of Criminal Justice (TDCJ). The subsequent placement rate tracks behavior for three years from the date of disposition to supervision or the date of placement exit and includes dispositions to secure placement for any conduct.