

# CHARACTERISTICS OF JUVENILES IN TEXAS JUVENILE JUSTICE DEPARTMENT STATE CORRECTIONAL FACILITIES BEFORE AND AFTER THE 2007 REFORMS

AN ISSUE BRIEF FROM LEGISLATIVE BUDGET BOARD STAFF

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## OBJECTIVE

The 2007 reforms enacted by the Texas Legislature for the Texas Juvenile Justice Department (TJJD) state correctional facilities resulted in a shift in the profile of juveniles admitted to that system.

## KEY FACTS

- ◆ In 2007, 2009, and 2011, the Texas Legislature made significant reforms to the juvenile justice system.
- ◆ Those reforms prohibited misdemeanor offenders only from being committed to state correctional facilities, required newly admitted juveniles to be discharged from those facilities by age 19, sent additional funds to local juvenile probation departments, and merged the Texas Youth Commission (TYC) and the Texas Juvenile Probation Commission (TJPC) into TJJD.
- ◆ Since the passage of reforms, 68.6 percent fewer juveniles have been sent to state correctional facilities.
- ◆ The juveniles sent to juvenile state correctional facilities after the reforms have more extensive and severe criminal histories and greater mental health needs than those sent before the reforms.

## STATUTORY REFERENCES

TYC was authorized by Human Resources Code, Chapter 61, TJPC by Human Resources Code 141, and TJJD by Human Resources Code, Chapter 201.

In fiscal year 2007, the Texas Legislature began a series of reforms to the Texas juvenile justice system. This brief analyzes the impact of those reforms on new commitments to juvenile state correctional facilities.

## KEY LEGISLATIVE CHANGES

- In fiscal year 2007, legislation was passed which prohibited juveniles from being sent to state correctional facilities for misdemeanor offenses only and required newly admitted juveniles to be discharged by age 19.
- In fiscal year 2009, the Legislature established the Community Corrections Diversion Program, which directed more funds to local probation departments in order to allow more juveniles to be served in the community.
- In fiscal year 2011, the Legislature passed Senate Bill 653, which established the Texas Juvenile Justice Department (TJJD) and absorbed the functions of both the Texas Youth Commission, which administered state correctional facilities, and the Texas Juvenile Probation Commission, which provided funding, training, technical assistance and monitored standards for local juvenile probation departments.

## CHANGES IN THE POPULATION OF JUVENILE STATE CORRECTIONAL FACILITIES

- In fiscal year 2006, the year before the first reforms, there were 2,738 new admissions to state correctional facilities. In fiscal year 2012, five years after the reforms of 2007, there were 860 new admissions. This represents a decline of 1,878 or 68.6 percent.
- Fig. 1 shows that 27.7 percent of juveniles admitted in fiscal year 2012 had six or more total referrals, compared to 19.9 percent of those admitted in 2006. In addition, 64.5 percent of juveniles admitted in 2012 had one or more referrals against the person (i.e., violent offenses), compared to 44.9 percent of those admitted in fiscal year 2006.

**FIG. 1  
NUMBER AND PERCENT OF REFERRALS FOR NEW JUVENILES ADMITTED TO  
JUVENILE STATE CORRECTIONAL FACILITIES, FY 2006 AND FY 2012**

TYPE OF REFERRALS	NUMBER	PERCENTAGE FY 2006	PERCENTAGE FY 2012
Total Referrals	One	12.2%	11.7%
	Two	19.9%	15.0%
	Three	19.3%	16.2%
	Four	15.7%	16.6%
	Five	13.0%	12.8%
	Six or more	19.9%	27.7%
Referrals Against the Person	Zero	55.1%	35.5%
	One	34.6%	41.4%
	Two or more	10.3%	23.1%

SOURCE: Texas Juvenile Justice Department.

- Fig. 2 shows that 61.1 percent of juveniles admitted in fiscal year 2012 were committed for a first or second-degree felony, compared to 40.8 percent of those admitted in fiscal year 2006.
- The percentage of those admitted for a determinate sentence in fiscal year 2012 (12.7 percent) is twice as high as that for those committed for a determinate sentence in fiscal year 2006 (6.3 percent). This is significant since 95.4 percent of juveniles committed for a determinate sentence in fiscal year 2006 and 97.2 percent of juveniles committed for a determinate sentence in fiscal year 2012 were committed for a violent offense.
- Fig. 2 also shows that a greater percentage of juveniles admitted in fiscal year 2012 had mental health needs (48.1 percent) and had previously been in residential placement (64.3 percent) than those admitted in fiscal year 2006.
- Juveniles admitted in fiscal year 2012 tended to be older than those admitted in fiscal year 2006. A total of 65.2 percent of juveniles admitted in fiscal year 2012 were 16 years or older, compared to 56.3 percent of those admitted in fiscal year 2006.

**FIG. 2**  
**CHARACTERISTICS OF JUVENILES ADMITTED TO TJJJ STATE CORRECTIONAL FACILITIES, FY 2006 AND FY 2012**

CATEGORY	CHARACTERISTIC	PERCENTAGE FY 2006	PERCENTAGE FY 2012
Committing Offense	Capital felony	0.0%	0.0%
	First-degree felony	12.1%	20.9%
	Second-degree felony	28.7%	40.2%
	Third-degree felony	13.3%	21.8%
	State jail felony	25.9%	17.1%
	Misdemeanor	20.0%	0.0%
Type of Sentence*	Determinate	6.3%	12.7%
	Indeterminate	93.7%	87.3%
Mental Health**	Mental health needs	40.7%	48.1%
Residential placement before commitment to TJJJ	Prior residential placement	59.3%	64.3%
Age at intake	11 to 14 years	17.9%	13.3%
	15 years	25.8%	21.5%
	16 years	36.9%	39.2%
	17 years	18.6%	23.0%
	18 years	0.8%	3.0%
Gender	Female	10.8%	8.0%
	Male	89.2%	92.0%
Ethnicity	African American	33.9%	32.3%
	Hispanic	43.8%	48.4%
	White	21.6%	18.4%
	Other	0.7%	0.9%

\* A determinate sentence is a commitment for a specified period of time that is set by the juvenile court and can last up to 40 years in length. Juveniles who have not completed their sentence length by their 19th birthday are transferred to the adult criminal justice system (parole, probation, or incarceration) to complete the sentence unless the juvenile was committed prior to June 8, 2007. In those cases TJJJ can retain the juvenile until his or her 21st birthday. An indeterminate sentence is a commitment for an unspecified length of time up to the juvenile's 19th birthday. TJJJ has sole discretion over the commitment length of indeterminate commitments.

\*\* TJJJ used different assessment tools and criteria in these years to measure mental health, so the percentages are not strictly comparable.

SOURCE: Texas Juvenile Justice Department.

## CONTACT

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