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# ANNUAL REPORT

1985

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NCJRS

MAY 16 1988

ACQUISITIONS

TEXAS JUVENILE  
PROBATION COMMISSION

ACTS OF THE 67th LEGISLATURE  
REGULAR SESSION CH. 617

"The commission shall make a report to the governor and to the legislature each year covering its operations and the condition of probation services in Texas during the previous year and making whatever recommendations it considers desirable." Tex. Hum. Res. Code Ann. § 75.049

U.S. Department of Justice  
National Institute of Justice

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Commission

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# ANNUAL REPORT

## 1985



### FOURTH ANNUAL REPORT OF THE TEXAS JUVENILE PROBATION COMMISSION

#### TEXAS JUVENILE PROBATION COMMISSION

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

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PUBLISHED JULY 1986

## Creation and Purpose

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

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

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

- △ PROVIDE MINIMUM STANDARDS FOR JUVENILE DETENTION FACILITIES.

## Philosophy

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

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

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

## Strategy

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

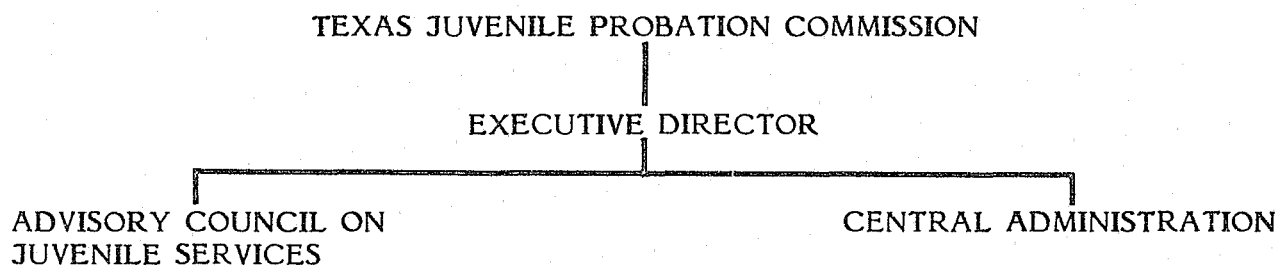
- We must develop a comprehensive system with a full range of services in every part of Texas.
- We must bring the juvenile justice system into its proper place as an integral part of the State's systematic program to manage crime.
- We must provide the public with the maximum level of protection from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

## Goals

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

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

# Texas Juvenile Probation Commission



## TEXAS JUVENILE PROBATION COMMISSION

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

### MARSHALL W. COOPER, CHAIRMAN

Whiteface  
8/31/83 - 8/31/89

### VICTORIA HUNTER BALDWIN

Austin  
10/31/85 - 8/31/91

### AMOS LANDRY, JR.

Beaumont  
8/31/83 - 8/31/89

### FORTUNATO P. BENAVIDES\*

Corpus Christi  
9/20/83 - 8/31/89

### CAROL HIGLEY LANE

Houston  
9/1/81 - 8/31/85

### LOIS CARPENTER

Midland  
10/6/83 - 8/31/87

### WILLIAM C. MARTIN, III\*

Longview  
9/1/81 - 8/31/87

### MARGARET E. DUNN

San Marcos  
10/31/85 - 8/31/87

### SCOTT D. MOORE\*

Fort Worth  
5/9/85 - 8/31/91

\* Judicial appointments

## ADVISORY COUNCIL ON JUVENILE SERVICES

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

<u>Juvenile Judges</u>	<u>Juvenile Probation Officers</u>	<u>Citizens</u>	<u>Texas Youth Commission</u>
James M. Farris Beaumont	Joann Jones Houston	Carolyn Agar McAllen	Ron Jackson Austin
	Celestino Mendiola Laredo	Charlotte Travis San Antonio	
	Bob Wakefield Abilene		

## CENTRAL ADMINISTRATION

### EXECUTIVE DIRECTOR

Bill Anderson

#### Deputy Executive Director

Steve Bonnell

#### Director of Reports and Statistics

Bob Logan

#### Auditor

Cecil Teston

#### Executive Assistant

Judy Culpepper

#### Training Director

Bernard Licarione

#### Accountant

Dorothy Streety

#### General Counsel

Debby Gardner

#### Systems Analyst

Richard Dyer

#### Secretaries

Yvette Garza  
Amy J. McNaughton  
Julie E. Revers  
Brenda Rivera

#### Financial Officer

Herb Hays

#### Program Specialists

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

#### Executive Secretary

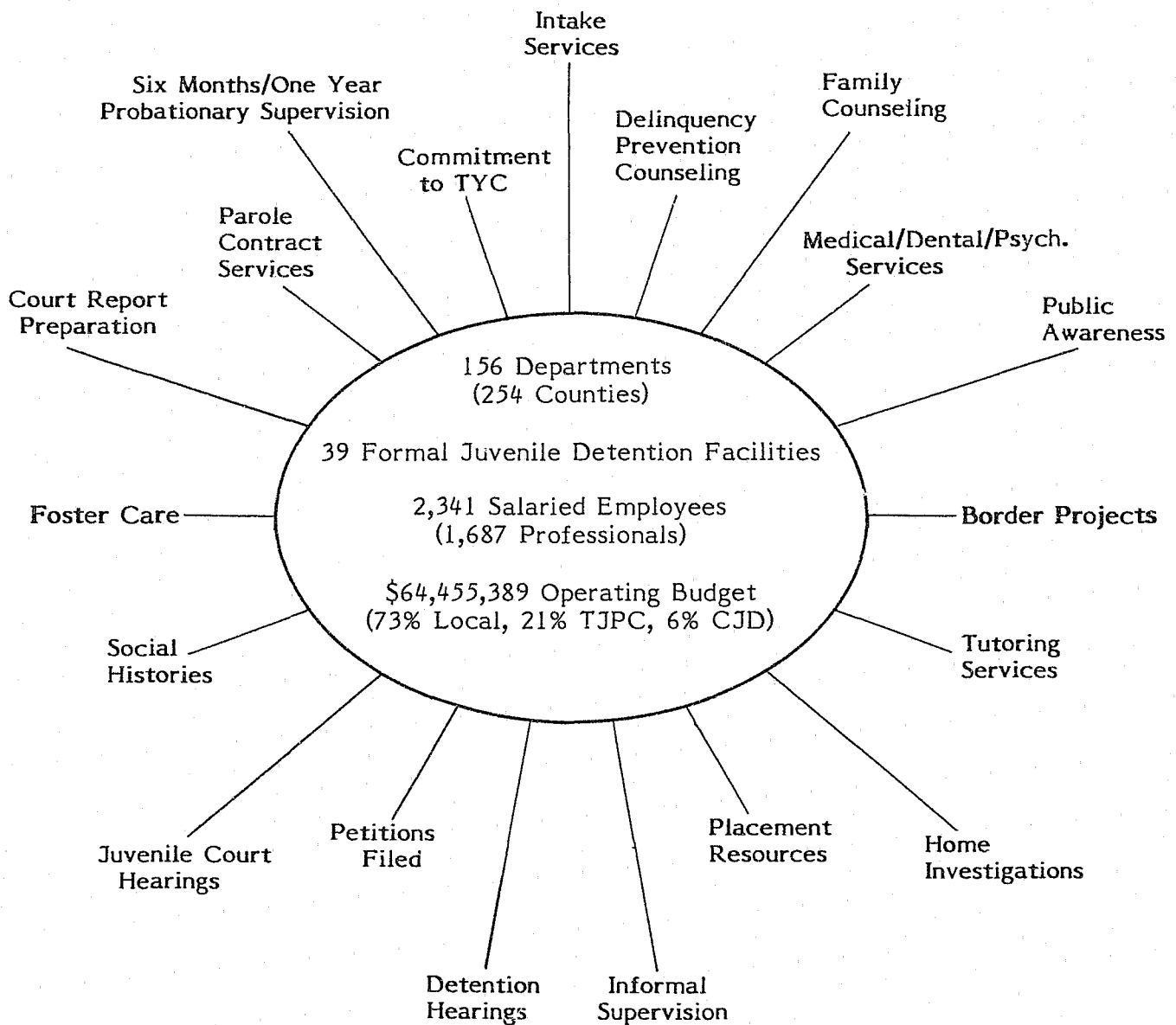
Rae Tregilgas

#### Administrator of Contracts

Jack Shirley

## Juvenile Probation Services

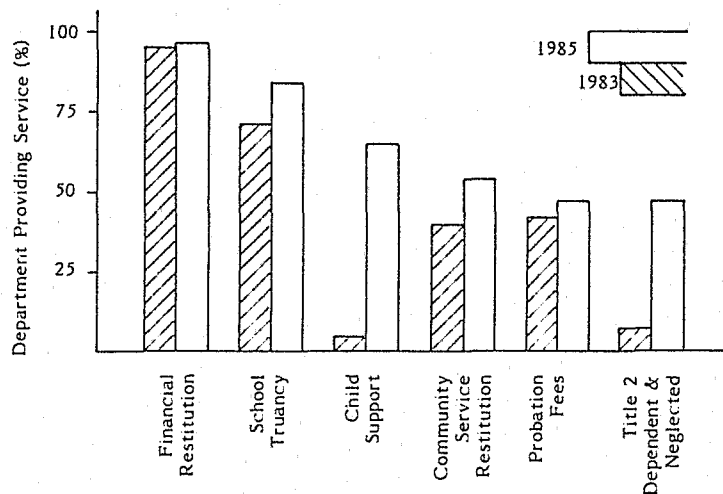
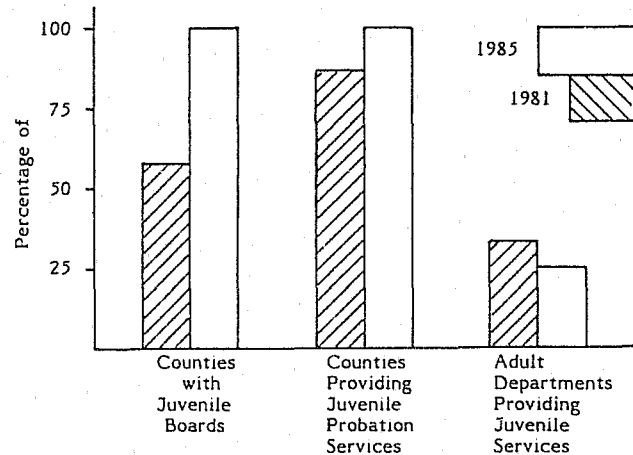
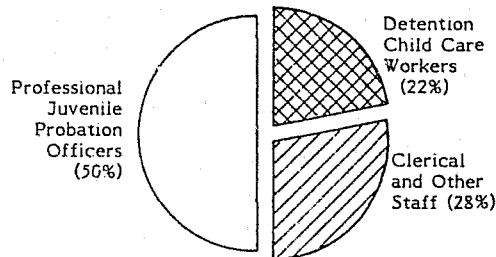
"[M]ake probation services available throughout the state for juveniles . . . improve the effectiveness of probation services . . . [and] provide alternatives to the commitment of juveniles . . . .", Tex. Hum. Res. Code Ann. § 75.001





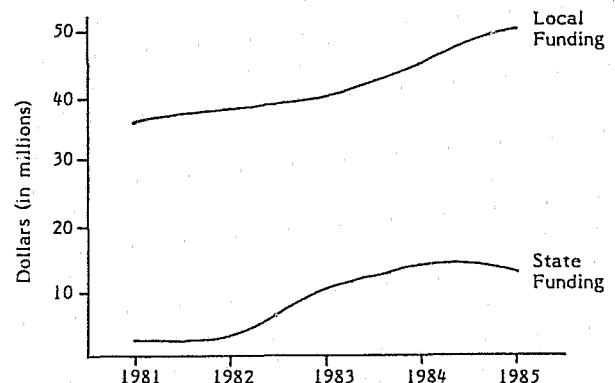
# Juvenile Probation Departments

In 1985 there were 2,371 salaried employees in the 156 juvenile probation departments statewide. These 107 single county and 49 multi-county departments, all operating under the authority of a local juvenile board, provided direct service to juveniles in all of the state's 254 counties.



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

While local government has historically provided the greater share of the funding necessary to insure adequate minimal services to juveniles, 1985 was the first year that state government assistance fell below its previous year's commitments to the overall program of juvenile justice services in Texas.



# Allocation of State Aid

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

In FY 1986 TJPC's state aid appropriation was \$12,481,508, providing funding assistance to 251 counties.

## DISCRETIONARY

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

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

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

## MATCH

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

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

## POPULATION

The FY 1986 allocation was \$1,510,892.

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

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

The FY 1986 allocation was \$5,364,446.

## BASE

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

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

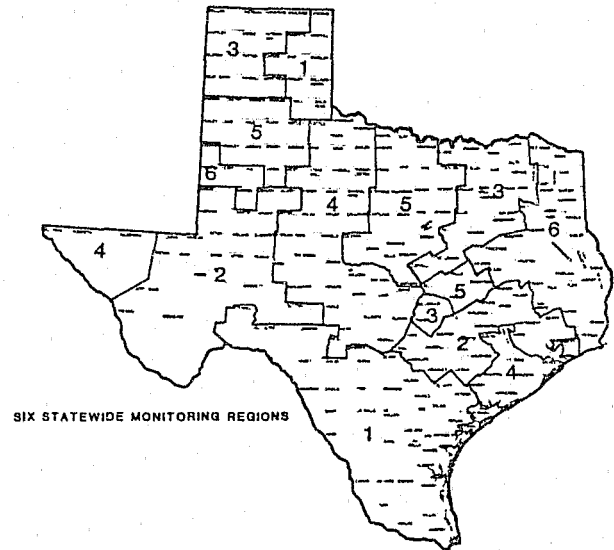
The FY 1986 allocation was \$5,357,077.

## Monitoring and Technical Assistance

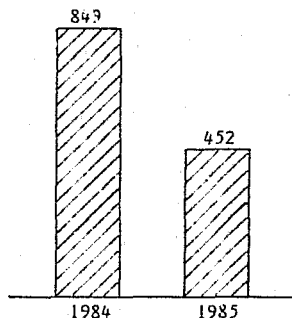
In order to "provide educational training and technical assistance to counties, juvenile boards, and probation offices to promote compliance with the standards required under this chapter and to assist the local authorities in improving the operation of probation, parole, and detention services" (Tex. Hum. Res. Code Ann. § 75.043) and "inspect and evaluate [monitor] any juvenile board . . . ." [Tex. Hum. Res. Code Ann. § 75.047(a)], during 1985 the commission:

Made 165 on-site visits to determine the extent of compliance with TJPC standards and to review fiscal and program operations for the purpose of providing effective technical assistance in such areas as:

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

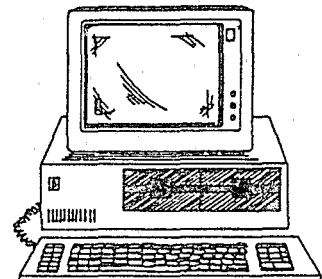


Instances of Non-Compliance to Standards



Although TJPC standards were not effective until September 9, 1983 extensive monitoring and technical assistance regarding the 75 program and 50 fiscal standards resulted in a 47 percent improvement from 1984 to a 98 percent overall compliance to standards for the 156 departments statewide in 1985.

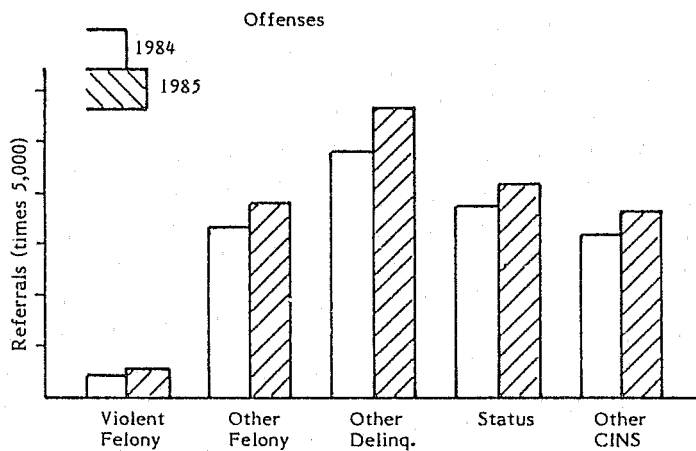
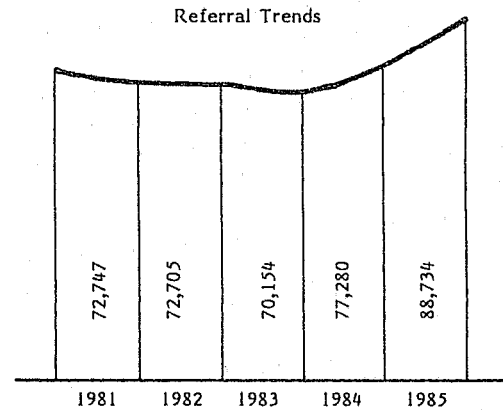
TJPC continued to develop a series of computer software packages for use by the juvenile probation departments. The software packages consisting of a Juvenile Statistical Information System, a Departmental Accounting System, and a Juvenile Tracking and Caseload Management System are now operational in 17 departments statewide with another 8 departments planning implementation.



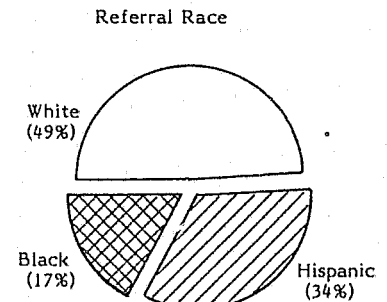
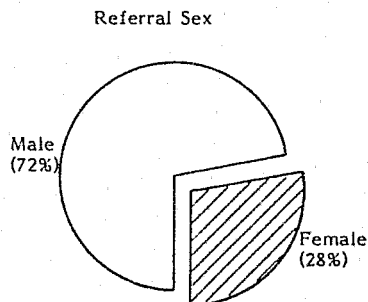
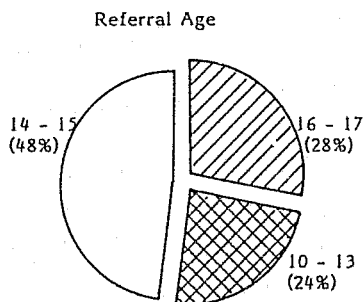
# Juvenile Probation Statistics

## JUVENILE REFERRALS

During calendar year 1985 referrals to juvenile probation departments in Texas increased by over 15 percent, to 88,734 statewide.

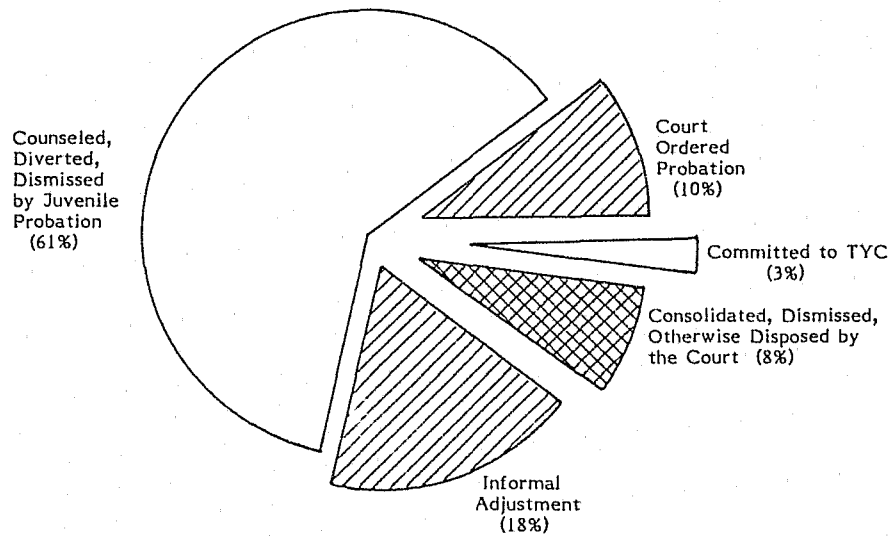


The increase in referrals in 1985, while spread over all offenses, was most noticeable for violent crimes.



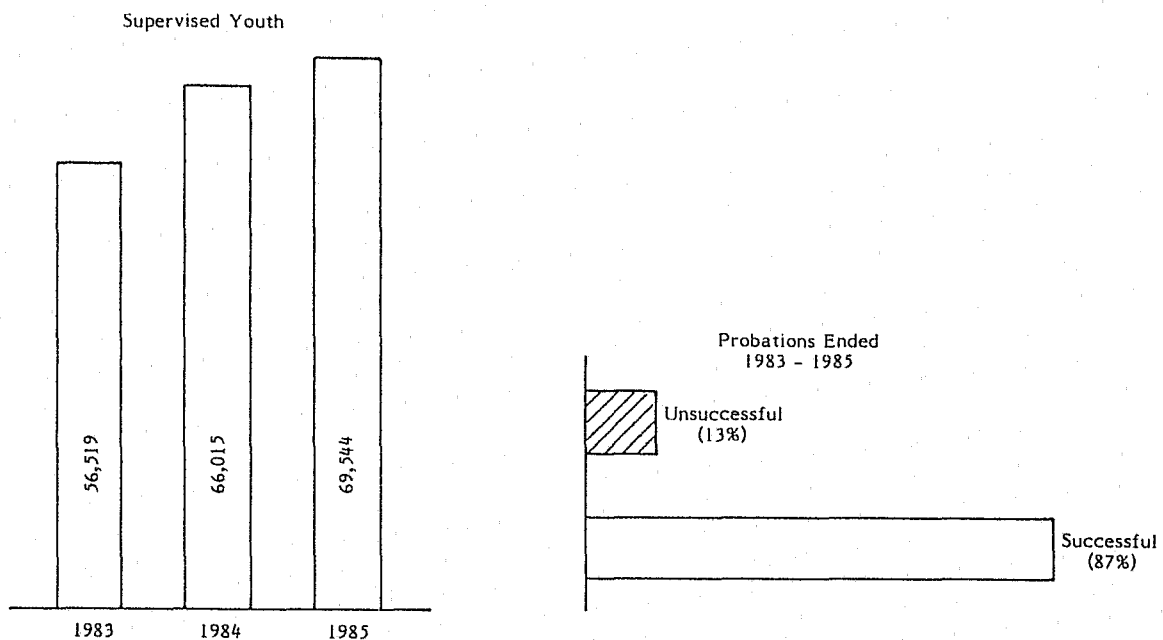
## JUVENILE DISPOSITIONS

During Calendar Year 1985 there were 88,734 referrals and 81,587 dispositions reported. Ninety-seven percent of all cases were handled locally with slightly less than 3 percent resulting in commitments to TYC's state schools.

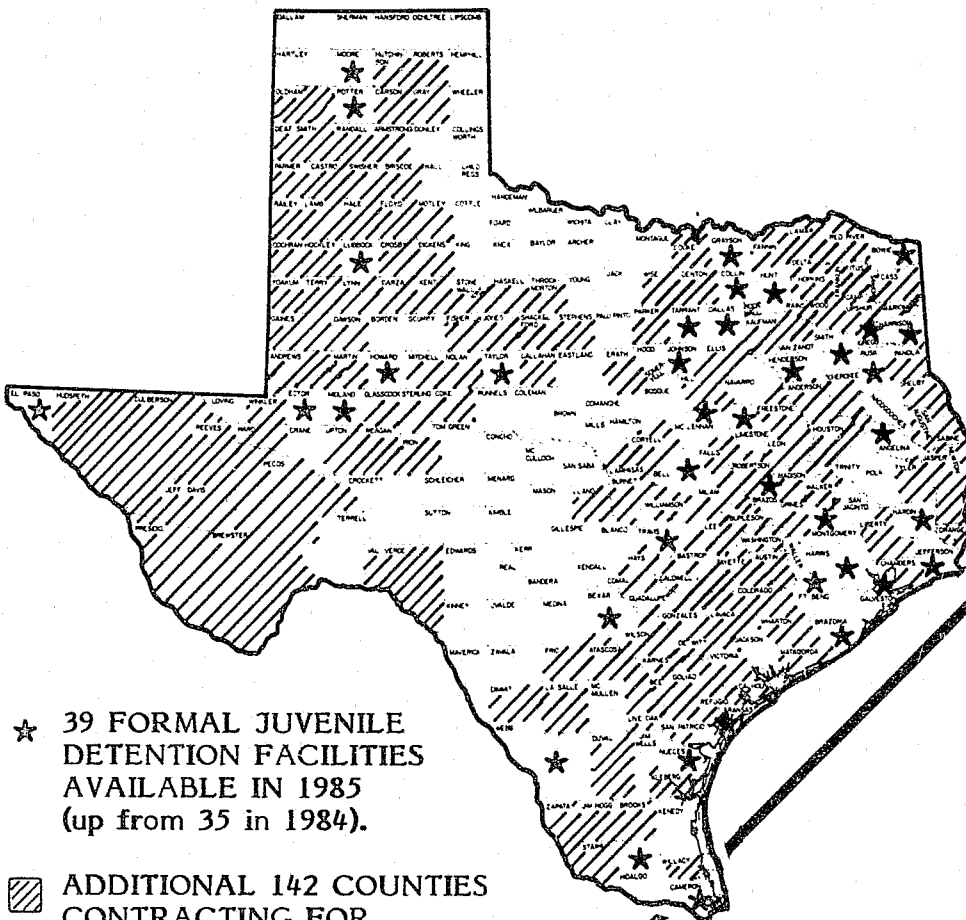


## SUPERVISION WORKLOAD

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



# Juvenile Detention Statistics



In 1985 there were 24,517 juveniles formally held in secure detention in Texas. Ninety-one percent were detained in the 39 formal juvenile detention facilities statewide while the other 9 percent were held in either a city or county jail.

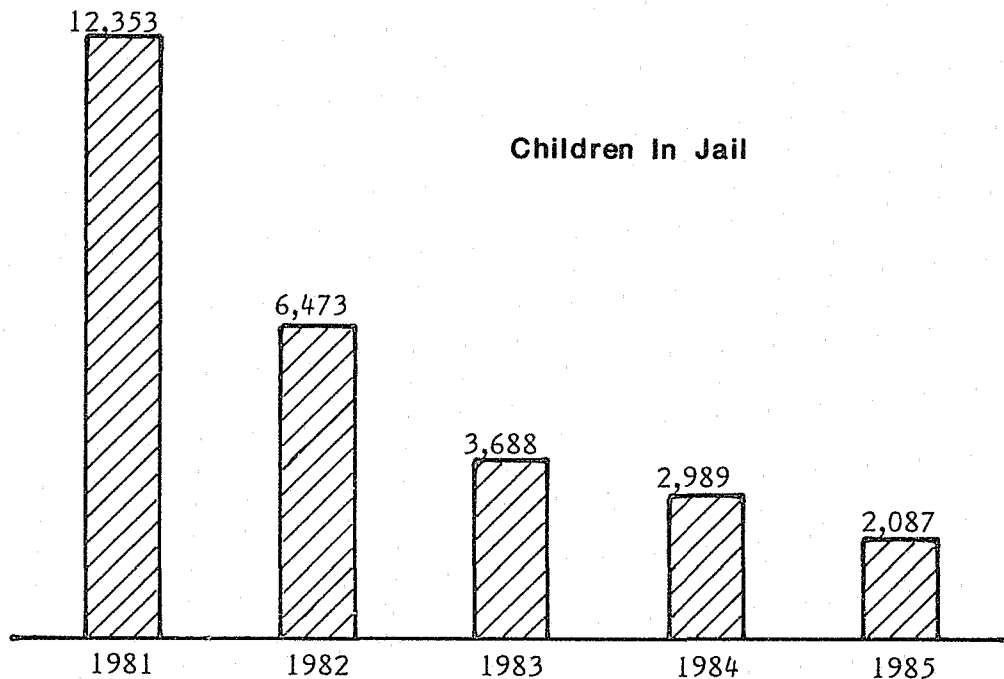
Sixty-seven percent of the juveniles detained were for delinquent conduct and the other 33 percent were for conduct indicating a need for supervision. Fifty-two percent of all those detained were for a period of less than 24 hours.

While the number of referrals in 1985 was up 15 percent over 1984, the use of secure detention rose only 6 percent and the use of adult jails continued to decline - down 30 percent from 1984. This slight increase in secure detention is due in part to the reduced availability and increased costs of non-secure alternative placements. During 1985, 3,042 (12 percent) of the juveniles held in secure detention were detained solely because no non-secure alternative placements were available.

## Jail Removal

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

The counties have reduced their use of jails to detain children.



### 1981

- 29 separate detention facilities operating.
- 24 counties purchased separate detention services.

### 1985

- 39 separate detention facilities operating.
- 142 counties purchased separate detention services.
- 12 new facilities under construction or planned.

## Diversions From TYC

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

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

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

### ALTERNATE PLACEMENT OF JUVENILES

In 1985, 5,402 juveniles were placed in non-secure alternative placement facilities.

- 32 percent of the placements were at no cost and averaged 126 days.
- 10 percent of the placements were in residential facilities at an average cost of \$32 per day and averaged 66 days.
- 10 percent of the placements were in foster homes at an average cost of \$14 per day and averaged 48 days.
- 1,979 youth were granted probation because at the time of disposition, adequate non-secure placement services and/or funds were not available. Only 126 departments had funds to purchase placement services. TJPC was either totally or partially the source of funds for 96 of these departments.
- 406 of the youth committed to TYC in 1985 were committed because inadequate placement facilities or funds were not available.

\* \* \* \* \*

The average cost of placement in a secure juvenile detention center was \$44 per day in 1985.

- 2,831 non-secure placements were made as an alternative to secure detention.
- 3,042 additional juveniles could have been placed in non-secure placement if additional facilities or funds had been available.
- Many youth could be placed on probation if adequate placement in a temporary secure setting were available. A total of 333 youth were diverted from TYC and placed on probation because adequate bed space in the local secure facility was available.



## FOSTER CARE PROGRAM

TJPC's foster care program began in late 1984 as a response to the crisis created for county juvenile probation departments when the Department of Human Resources increased its daily rate for residential treatment beds to \$61 per day. With TJPC foster care funds, counties can pay up to \$20 per day for foster care placements developed in the county and certified by the juvenile courts.

As of May 31, 1986,

<u>No. of Depts. Participated</u>	<u>No. of Children Placed</u>	<u>Total Child Care Days</u>	<u>Average Cost Per Day</u>
50	544	20,083	\$8.52

## BORDER PROJECTS

Undocumented Mexican juveniles consume one-fourth to one-third of the resources in probation departments that border Mexico. TJPC provided discretionary funds to Cameron County in May 1984 and that program is now being replicated in Webb and El Paso counties. Funds are used to pay a liaison from the Mexican Consul's office to provide the following services:

Identification and age verification.

Transportation arrangements for Mexican parents of county-detained youth.

Social history and predisposition reports.

Placements of youth in Mexican facilities.

Probation supervision, counseling, referral.

Improved communication between the Mexican authorities and county probation departments.


The Commission on Economy and Efficiency in State Government illustrated the following in a report on the Texas Youth Commission.

- In FY 1985, 5.4 percent of all commitments to TYC were Mexican nationals, with a cost to TYC for treatment of \$2,100,000.
- In FY 1986, 3.4 percent of all commitments to TYC were Mexican nationals, which is approximately a 50 percent reduction.

TJPC's border projects cost approximately \$15,000 per department per year and have resulted in significant reductions in commitment to TYC.

# Certification

"[T]he commission shall promulgate reasonable rules . . . establishing certification standards for probation officers . . . ." Tex. Hum. Res. Code Ann. § 75.041.



*In the name and by the authority of the*  
**Texas Juvenile Probation Commission**  
*Be it known that*  
*having met the Requirements set by Law*  
*is hereby Certified as a Professional*  
**Juvenile Probation Officer**  
*and assumes the responsibilities and obligations therewith.*

*Marshall W. Cooper*  
Chairman

*Bice Anderson*  
Executive Director

DATED \_\_\_\_\_

As of December 31, 1985, 1,430 applicants had been certified as Professional Juvenile Probation Officers.

## Education and Training

