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**FACT SHEET 2012**

## **Divert Low-Risk Youth from Facilities to Proven Community Programs**

### **REDUCING STATE CUSTODY OF YOUTH WILL PROTECT COMMUNITIES, PRESERVE FAMILIES, AND SAVE TAX DOLLARS**

**Texas should fully support measures that keep more youth out of secure facilities and in well-resourced community programming.** Proven community-based programs leverage local resources and are more conducive than secure facilities to youth rehabilitation. These community programs – such as Functional Family Therapy, Multi-Systemic Therapy, and mentoring programs – reduce recidivism, keep kids and staff safer, and cost less than secure facilities.<sup>1</sup>

**Similarly, Texas should reduce lengthy government custody of youth in secure facilities, including during the pre-adjudication (pre-trial) phase.** By fixing our overreliance on excessive stays for youth at state facilities and county detention centers, Texas will spend less and get better results.

### **KEY FACTS**

- **Texas relies too heavily on secure pre-adjudication detention of youth.**
  - » In 2011, 11,083 youth spent more than 10 days in pre-adjudication secure detention for non-felony offenses; 3,406 youth spent more than 30 days for non-felony offenses; and 283 Texas youth spent more than 100 days for non-felony offenses.<sup>2</sup>
  - » The length of stay in pre-adjudication secure detention varies significantly among counties with similar populations, suggesting that many detention decisions are not correlated to a youth's risk.<sup>3</sup>
  - » County juvenile probation chiefs in Texas rank community-based alternatives to secure detention as the second-highest need for increased funding.<sup>4</sup>
- **Secure detention of low-risk youth in Texas wastes millions of dollars each year.**
  - » Reducing the average length of stay in pre-adjudication detention by just one day across the state would save millions in direct costs each year. Broader reductions in the use of secure detention – easily within reach – would save millions more.<sup>5</sup>
  - » Placement in a secure facility creates no reduction in antisocial activity.<sup>6</sup>
- **The length of stay in Texas state juvenile facilities is too long and counterproductive.**
  - » Youth spend an average of 16 months in Texas state juvenile facilities, far longer than their minimum lengths of stay. Incarceration of youth past the minimum length of stay does not reduce recidivism.<sup>7</sup>

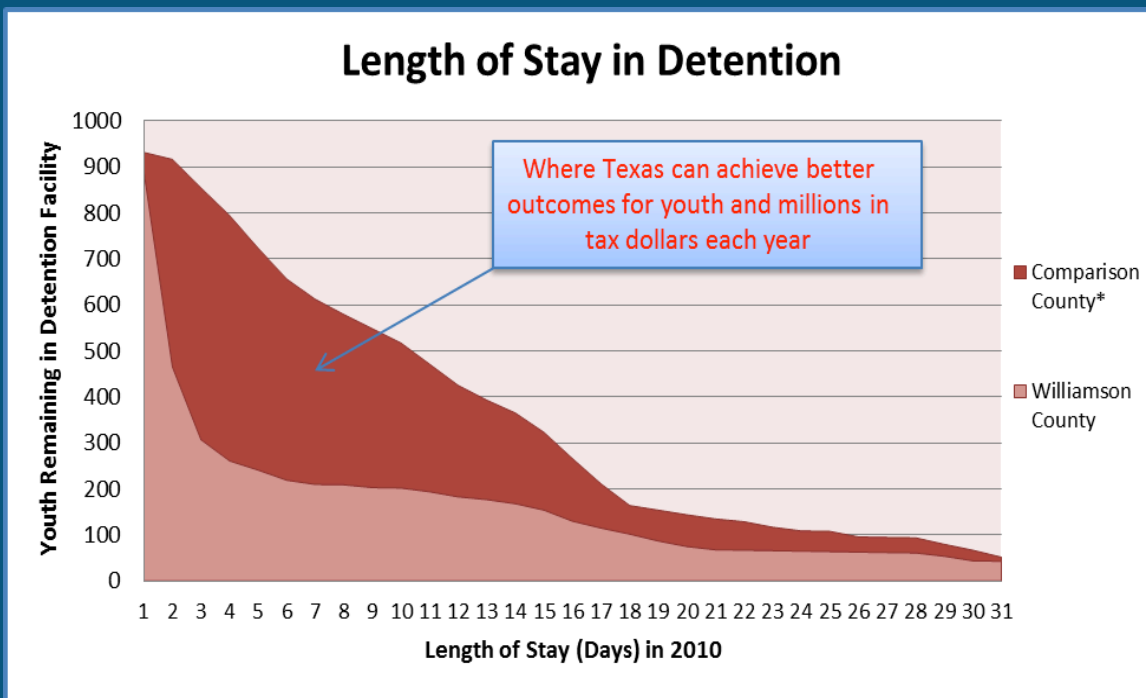
### **SOLUTIONS**

- Courts should determine the number of days that each individual pre-adjudication detention order extends, and in no event should a detention order extend more than 10 working days. Texas counties that currently voluntarily use five-day detention resets, rather than the statutory 10-day reset, efficiently reduce detention stays while protecting public safety. (See graph on reverse.)
- For any youth who qualifies for an appointed attorney, the court should appoint the attorney before the first detention hearing.

*Solutions continued on reverse.*

## SOLUTIONS (CONT.)

- Reformulate the minimum length-of-stay standards for youth in state secure facilities, so that youth are only held in confinement for periods long enough to ensure their rehabilitative progress.
- Lower counties' target commitment level to costly state secure facilities<sup>8</sup> to keep more youth in safe, effective community-based programming, and correspondingly shift funding to county programs to ensure the rehabilitative needs of additional youth are being met.



*“Comparison County” and Williamson County had roughly equal-sized juvenile populations in 2010; the two counties’ juvenile felony and misdemeanor offense rates were also roughly identical. Williamson County efficiently lowers the length of stay in its juvenile detention facility by resetting detention orders every five days and by ensuring defense attorneys are present and prepared at a youth’s first detention hearing.*

*Source: TCJC “Community Solutions for Youth in Trouble” (2012).*

## References

- <sup>1</sup> Washington State Institute for Public Policy “Benefits and Costs of Prevention and Early Intervention Programs for Youth” (2004).
- <sup>2</sup> TCJC review of calendar year 2011 data provided by TJJ (April 2012).
- <sup>3</sup> TCJC review of calendar year 2011 data provided by TJJ (April 2012).
- <sup>4</sup> TCJC “Survey of County Juvenile Probation Chiefs” (August 2012).
- <sup>5</sup> TPPF “Texas Counties Can Unlock Kids and Savings” (2009).
- <sup>6</sup> E.P. Mulvey “Highlights From Pathways to Desistance” (2011).
- <sup>7</sup> TPPF “Out for Life” (2012), and E.P. Mulvey “Highlights From Pathways to Desistance” (2011).
- <sup>8</sup> Texas Juvenile Probation Commission Budget Rider 15 (FYs 2012 & 2013) designated funding to maintain commitments of youth to state juvenile facilities at or below 1,111 youth for fiscal year 2012.