Making Ends Meet: The Practical Nuances of SB 653 and SB 1630

A presentation provided for the Juvenile Justice Training Academy
August 11, 2016
Reviewing the Road of Juvenile Justice Reform in Texas

2007

Senate Bill 103:
- Eliminated the ability to commit misdemeanants to the state.
- Reduced the age of state jurisdiction from 21 to 19.

TJPC receives $57M to help serve youth locally:
- Intensive Community Based Program Grant
- Intensive Community-Based Pilot Program


2009

TJPC receives additional funds to help serve youth locally:
- “Grant C” for commitment diversion
- County-based programming

Eligibility for “Grant C” funding tied to “cap” put on the # of youth counties can commit to TYC.

2 state-secure facilities closed in 2010.

2011

Senate Bill 653:
- Merged TYC & TJPC to create TJJD.
- Codified the prioritization of community based alternatives over commitment, as well as research-based practices, in TJJD’s purpose and goals.

Funding for state operations decreased while county funds stayed in-tact.

Legislative mandate to shutter 3 more state-secure facilities.

2013

Funding provided to community juvenile justice to help serve youth locally:
- Prevention & Intervention
- Mental Health Services

Legislative mandate to shutter 1 more state-secure facility.

2015

Senate Bill 1630:
- Creates a special commitment finding for indeterminate sentenced youth.
- Requires TJJD to conduct a thorough case review of currently committed youth with the goal of further de-populating state secure facilities.
- Requires the TJJD to create a regionalization plan to serve eligible youth in or near their home communities.

Changes seen in TJJD’s Budget:
- A re-structuring of funds to support the use of state dollars for community-based programs over pre & post-adjudication facilities.
- A dedication of funds specifically to support the regional plan.
Overlapping Tenets of SB 653 & SB 1630

- Using evidence (or research) based programs and practices.
- Adequately addressing the treatment needs of youth.
- Reducing out of home placements.
- Using effective residential strategies, when appropriate.
- Keeping youth closer to home.
- Enhancing county collaboration.
- Achieving and tracking positive outcomes for youth.
Using Evidence (or Research) Based Programs and Practices
What are *Evidence*-Based Programs and Practices?

“There are clinical and administrative practices that have been proven to consistently produce specific, intended results.” ²
Evaluating Effectiveness

1. Define purpose and scope of evaluation.
2. Specify evaluation questions.
3. Create evaluation design.
4. Collect, sort, and analyze data.
Defining *Research*-Based Programs and Practices

- **Good Practice**
  - “We have done it, we like it, and it feels like we make an impact.”

- **Promising Approaches**
  - “Some positive findings but the evaluations are not consistent or rigorous enough to be sure.”

- **Research Based**
  - “Program or practice is based on sound theory informed by a growing body of empirical research.”

- **Evidence Based**
  - “Program or practice has been rigorously evaluated and has consistently been shown to work.”
Evidence-Based *Programming*

There are resources available that serve as a repository of previously evaluated programs:

**Interactive Websites**
- Blue Prints for Healthy Youth Development
- Office of Juvenile Justice & Delinquency Prevention: Model Programs Guide
- Youth.gov: Program Directory

**Publications**
- Washington State Institute for Public Policy
Big Brothers Big Sisters of America
Communities that Care
Familias Unidas
Head Start Redi
Peer Assisted Learning Strategies

Functional Family Therapy (FFT)
Multisystemic Therapy – Problem Sexual Behavior (MST-PSB)
Project Towards No Drug Abuse
Parent Management Training

Life Skills Training
Multisystemic Therapy (MST)
<table>
<thead>
<tr>
<th>Evidence Rating</th>
<th>Icon</th>
<th>More than One Study</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Effective</td>
<td>![Green Checkmark]</td>
<td>![Green Checkmark]</td>
<td>Strong evidence when implemented with fidelity.</td>
</tr>
<tr>
<td>Promising</td>
<td>![Yellow Checkmark]</td>
<td>![Yellow Checkmark]</td>
<td>Some evidence, additional research is recommended.</td>
</tr>
<tr>
<td>No Effects</td>
<td>![Red Circle]</td>
<td>![Red Circle]</td>
<td>Strong evidence program does not achieve intended outcomes.</td>
</tr>
</tbody>
</table>
Updated Inventory of Evidence-Based, Research-Based, and Promising Practices:
For Prevention and Intervention Services for Children and Juveniles in the
Child Welfare, Juvenile Justice, and Mental Health Systems
Evidence-Based
*Programming* v. *Practices*

**Programming**
*Clinical practices aimed to treat youth.*

**Practices**
*Administrative practices associated with supervising youth.*
Evidence-Based Practices

Substantial evidence exists to support the use of the following practices in juvenile justice:

- Assessing risk, needs, and protective factors;\(^5\)
- Prioritizing family integration;\(^6\)
- Eliminating disparities in treatment and services.\(^7\)
- Maintaining safety, security, and order by:
  - Sustaining reasonable staff to youth ratios,\(^8\)
  - Building rapport between staff and youth,\(^9\)
  - Minimizing the use of seclusions and restraints.\(^10\)
Why Implement Evidence (or Research) Based Programs & Practices?\textsuperscript{11}

1. Service to youth
2. Quality assurance
3. Systemic improvement
4. Cost-effective
5. Accountability
Adequately Addressing the Treatment Needs of Youth
Risk and Needs Assessments

- Risk – informs level of supervision
- Needs – informs treatment plans
Employing the RNR Principles to Guide Treatment^12

- Risk Principle
- Need Principle
- Responsivity Principle
Risk Principle

Suggests targeting intensive monitoring and services to youth who are only *high risk* of re-offending or violence.
Need Principle

Suggests targeting interventions to address factors associated with reducing delinquent behavior.
Factors that are Factored into a R&N Assessment

<table>
<thead>
<tr>
<th>Static Factors</th>
<th>Dynamic Factors</th>
</tr>
</thead>
<tbody>
<tr>
<td>Elements in a youth’s life that are unchangeable.</td>
<td>Elements in a youth’s life that can be altered.</td>
</tr>
</tbody>
</table>
Responsivity Principle

Suggests tailoring interventions to a youth’s individual characteristics to avoid negatively impacting their response to treatment.
The Importance of the Fidelity Principle

“underscores the importance of ensuring adherence to the RNR principles through intentional efforts to measure and improve the quality of such services.”

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The Fidelity Principle in Practice

**Youth:** Scott Summers  
**Risk Level:** Moderate  
**Needs Level:** Moderate

<table>
<thead>
<tr>
<th>Treatment Need</th>
<th>Service Plan</th>
</tr>
</thead>
<tbody>
<tr>
<td>to strengthen family relationships</td>
<td>place youth and family in Functional Family Therapy (FFT) program</td>
</tr>
<tr>
<td>to address underlying issues of aggression</td>
<td>place youth in Aggression Replacement Training (ART) program</td>
</tr>
<tr>
<td>to strengthen pro-social peer relationships</td>
<td>place youth in departmental group therapy that meets three times a week</td>
</tr>
</tbody>
</table>

![S. SUMMERS Needs RE-ASSESSMENT CHART](chart.png)
Factoring in Protective Factors: What Are They?

“positive [or strength] variables that help a youth deal with change.” ¹⁴
# Protective Factors in Practice

**Youth:** Scott Summers  
**Needs Level:** Moderate-Low

<table>
<thead>
<tr>
<th>Treatment Need</th>
<th>Protective Factors</th>
<th>Service Plan</th>
</tr>
</thead>
<tbody>
<tr>
<td>to strengthen pro-social peer relationships</td>
<td>strong commitment to school.</td>
<td>create action plan with school liaison to foster involvement in school activities</td>
</tr>
<tr>
<td></td>
<td>strong academic record, currently straight A’s.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>specified graduation plan, indicating future planning.</td>
<td></td>
</tr>
</tbody>
</table>
# Re-Visiting the Fidelity Principle

<table>
<thead>
<tr>
<th>Youth: Scott Summers</th>
<th>Service Plan Log</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th><strong>Initial Assessment</strong></th>
<th><strong>30 Day Assessment</strong></th>
<th><strong>60 Day Assessment</strong></th>
<th><strong>90 Day Assessment</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>create action plan with school liaison to foster involvement in school activities</td>
<td>Scott joined an afterschool program that aims to educate students on robotics and engineering. Scott doesn’t talk much to other members but thinks the program is “cool.”</td>
<td>Scott is still involved in his afterschool program, though he has missed a group or two, he is still getting to compete at an upcoming competition. Scott has also started talking to and having lunch with Logan, another student in his program.</td>
<td>Scott’s after school program ended, but he plans on signing up again next year. Scott still talks to Logan and is looking forward to an end of the year school trip with him and some other members from the program.</td>
</tr>
</tbody>
</table>
S. Summers Needs Re-Assessment: Pro-Social Peer Association

High Need

Moderate Need

Low Need

Initial Assessment  30 days  60 days  90 days

w/o protective factors  w/protective factors
Reducing Out-of-Home Placements
Employing Risk Levels to Help Make Decisions on Out of Home Placements

- High Risk
- Moderate-High Risk
- Moderate Risk
- Low-Moderate Risk
- Low Risk

**REMEMBER:**
Intensive monitoring and services [should be given] to youth who are only high risk of re-offending or violence. 15
Using Effective Residential Strategies when Appropriate & Keeping Youth Closer to Home
Keeping Youth “Closer to Home”

KEY TAKEAWAYS

✦ Youth do better when they are kept out of state-run facilities and in their communities.

✦ Youth who are low-risk are still being confined to state-run facilities when they should be served in their community.

✦ Counties need help in ensuring the best outcomes for their youth.

✦ Data collection/analysis should be prioritized by all jurisdictions to ensure the best outcomes for youth.
When a Youth Poses a *High Risk* to Public Safety: A Facility Closer-to-Home IS Better

**CONSIDERATIONS FOR RESIDENTIAL PLACEMENT**

- Is the facility close to the youths' positive supports?
- How big is the facility?
- Does it have effective programming and practices that meet the youth's needs?
- What has external oversight said about the facility?
- Are there non-secure alternatives?
Enhancing County Collaboration
Success in Community Juvenile Justice is a Team Effort

Local departments need to work together to:
1. Identify the communities with the most need,
2. Identify services and treatments to meet those needs,
3. Support the expansion of treatment and services to those communities.
Identifying Communities in Need: The Uniqueness of ‘Small’ Juvenile Probation Departments
Identifying Communities with the Most Need

Lack of Resources + High Need Youth = Most Need
Which Youth Qualify as a “High Need” Youth?

Juvenile Referrals w/MH Needs in Small Departments (2014)
## Juvenile Referrals w/MH Needs in Small Departments (2014)

<table>
<thead>
<tr>
<th>Referral Intervals</th>
<th>Counties</th>
</tr>
</thead>
<tbody>
<tr>
<td>0 to 5</td>
<td>Baylor, Castro, Cochran, Coleman, Crane, Crockett, Dallam, Haskell, Howard, Kleberg, Palo Pinto, Parmer, Presidio, Shelby, Sutton, Swisher, Upton, Winkler, Yoakum, Brewster, Garza, Houston, LaSalle, Leon, Limestone, Montague, Panola, Reeves, Val Verde, Dawson, Floyd, Frio, Hansford, Madison, Wilbarger, Zapata, Concho, Mitchell, Hale, Navarro, Runnels, Bailey, Duval, Gray, Lamar, Scurry, Brooks, Fayette, Lamb, &amp; Refugio</td>
</tr>
<tr>
<td>6 to 10</td>
<td>Comanche, Deaf Smith, Eastland, Jackson, Wheeler, Cass, Hopkins, Erath, Ward, Young, Childress, Harrison, Hutchinson, Ochiltree, &amp; Pecos</td>
</tr>
<tr>
<td>11 to 20</td>
<td>Terry, Andrews, Coke, Grimes, Starr, Calhoun, Red River, Uvalde, Matagorda, Tyler, Moore, Maverick, &amp; Nolan</td>
</tr>
<tr>
<td>21 to 30</td>
<td>Cooke, Fannin, Wood, Van Zandt, Gaines, Henderson, Brown, &amp; Jasper</td>
</tr>
<tr>
<td>31 to 40</td>
<td>Lavaca, Titus, Hill, Kerr, Anderson, &amp; Hockley</td>
</tr>
<tr>
<td>41 to 50</td>
<td>Burnet, Walker, Jim Wells, &amp; Wharton</td>
</tr>
<tr>
<td>51 to 60</td>
<td>Karnes, Willacy, Cherokee, &amp; Dewitt</td>
</tr>
<tr>
<td>61 to 70</td>
<td>Polk, Nacogdoches, &amp; Angelina</td>
</tr>
<tr>
<td>71 to 80</td>
<td>Milam</td>
</tr>
</tbody>
</table>
The short answer is this: whenever safe and appropriate, youth with mental health needs should be prevented from entering the juvenile justice system in the first place. For youth who do enter the system, a first option should be to refer them to effective treatment within the community.”

Identifying Services and Treatment to Meet those Needs
Supporting the Expansion of Treatment and Services to Those Communities in Need

Mobile Mental Health
Tracking and Achieving Positive Outcomes for Youth
Positive Youth Outcomes &
Positive Youth Development

“...[that focuses on] the development of assets and competencies in all young people.”
Introducing: the Positive Youth Justice Model

“a means of focusing community efforts on a finite set of activities for individual youth.”

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The Positive Youth Justice Model: Core Assets and Domains

Two Core Assets

Learning/Doing
- Developing new skills and competencies
- Actively using new skills
- Taking on new roles and responsibilities
- Developing self-efficacy and personal confidence

Attaching/Belonging
- Becoming an active member of pro-social group(s)
- Developing and enjoying the sense of belonging
- Placing a high value on service to others and being part of a larger community

Six Practice Domains

Work
- Job experience
- Apprenticeships
- Job preparedness
- Income and independence

Relationships
- Communication skills
- Conflict resolution
- Family systems
- Intimacy and support

Education
- Literacy
- Credentials
- Learning skills
- Career planning

Community
- Civic engagement
- Community leadership
- Service
- Responsibility

Health
- Physical activity
- Diet and nutrition
- Behavioral health
- Lifestyle and sexuality

Creativity
- Personal expression
- Visual arts
- Performing arts
- Language arts
PYJM Outcomes in Practice

Objective Selected to Define Primary Goal

Intervention, Programming, or Service Offered

Measure Used to Determine Success of Objective

Primary Goals to Determine Success in Fostering PYD

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*The interventions listed in the table (job readiness, computer skills, etc.) are merely examples. Ideally, a youth justice system would employ multiple interventions within each of the six practice domains, and each intervention would address both of the two core assets in the Model.*
## How Might this Look in Texas?

<table>
<thead>
<tr>
<th>TJJD’s Current Outcome Measures for Community Juvenile Justice</th>
<th>Additional Outcome Measures for Community Juvenile Justice Using the Positive Youth Justice Model</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rate of successful completion of deferred prosecution.</td>
<td>Rate of academic improvement</td>
</tr>
<tr>
<td>Rate of successful completion of court-ordered probation.</td>
<td>Diploma or GED Rate</td>
</tr>
<tr>
<td>Re-referral rate.</td>
<td>Rate of successful completion of vocational licensing</td>
</tr>
<tr>
<td></td>
<td>Rate of successful completion of familial therapeutic programming</td>
</tr>
<tr>
<td></td>
<td>Rate of successful completion of civic engagement activities</td>
</tr>
</tbody>
</table>
# Tying Outcomes to Funding

<table>
<thead>
<tr>
<th>Outcomes</th>
<th>Amount per Youth</th>
</tr>
</thead>
<tbody>
<tr>
<td>25 hours of Community Service Completed</td>
<td>$300</td>
</tr>
<tr>
<td>50 hours of Community Service Completed</td>
<td>$400</td>
</tr>
<tr>
<td>75 hours of Community Service Completed</td>
<td>$500</td>
</tr>
<tr>
<td>Arts Performance or Presentation</td>
<td>$250</td>
</tr>
<tr>
<td>Certified Curriculum Completed (8 hours or less)</td>
<td>$250</td>
</tr>
<tr>
<td>Certified Curriculum Completed (more than 8 hours)</td>
<td>$300</td>
</tr>
<tr>
<td>Clean Drug Screens for 90 days</td>
<td>$400</td>
</tr>
<tr>
<td>College Acceptance</td>
<td>$100</td>
</tr>
<tr>
<td>College Enrollment (attend at least 30 days)</td>
<td>$250</td>
</tr>
<tr>
<td>College Retention (after 1st semester and has registered for 2rd semester)</td>
<td>$500</td>
</tr>
<tr>
<td>Educational Gain</td>
<td>$400</td>
</tr>
<tr>
<td>Employment (0-45 days)</td>
<td>$400</td>
</tr>
<tr>
<td>Employment Retained (46-90 days)</td>
<td>$750</td>
</tr>
<tr>
<td>Employment Retained (91+ days)</td>
<td>$1,000</td>
</tr>
<tr>
<td>Apprenticeship (0-30 days)</td>
<td>$350</td>
</tr>
<tr>
<td>Apprenticeship Retained (31-60 days)</td>
<td>$600</td>
</tr>
<tr>
<td>Enrollment &amp; attendance in non-DC Youthlink Services</td>
<td>$150</td>
</tr>
<tr>
<td>GED or HS Diploma Earned</td>
<td>$1,000</td>
</tr>
<tr>
<td>GED Section Passed</td>
<td>$400</td>
</tr>
<tr>
<td>Industry Recognized Credential (8 hours or less)</td>
<td>$375</td>
</tr>
<tr>
<td>Industry Recognized Credential (more than 8 hours)</td>
<td>$500</td>
</tr>
<tr>
<td>Learning/Doing or Attaching/Belonging Gains</td>
<td>$250</td>
</tr>
<tr>
<td>Life Skills (obtaining a bank account, library card, etc.)</td>
<td>$50</td>
</tr>
<tr>
<td>Military Enrollment</td>
<td>$500</td>
</tr>
<tr>
<td>No new arrests or convictions (reviewed every 3 months)</td>
<td>$250</td>
</tr>
</tbody>
</table>
Revisiting the Overlapping Tenets of SB 653 & SB 1630

• Using evidence (or research) based programs and practices.
• Adequately addressing the treatment needs of youth.
• Reducing out of home placements.
• Using effective residential strategies, when appropriate.
• Keeping youth closer to home.
• Enhancing county collaboration.
• Achieving and tracking positive outcomes for youth.
Citations


19. Ibid.

20. Ibid.

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