



WRITTEN TESTIMONY

**SUBMITTED BY BENET MAGNUSON, J.D.
YOUTH JUSTICE PROJECT
TEXAS CRIMINAL JUSTICE COALITION**

REGARDING INTERIM CHARGE:

Monitor the implementation of SB 653 (82R), which created the Texas Juvenile Justice Department. Make any recommendations needed to enhance the integration of the Texas Youth Commission and the Texas Juvenile Probation Commission.

HOUSE COMMITTEE ON CORRECTIONS

MARCH 6, 2012

TEXAS CRIMINAL JUSTICE COALITION

The Texas Criminal Justice Coalition is committed to identifying and advancing real solutions to the problems facing Texas' juvenile and criminal justice systems. We provide policy research and analysis, form effective partnerships, and educate key stakeholders to promote effective management, accountability, and best practices that increase public safety and preserve human and civil rights.

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Dear Members of the Committee,

My name is Benet Magnuson. I am a juvenile justice policy attorney for the Youth Justice Project at the Texas Criminal Justice Coalition (TCJC). I appreciate this opportunity to present testimony on the committee's interim charge to "*monitor the implementation of SB 653 (82R), which created the Texas Juvenile Justice Department. Make any recommendations needed to enhance the integration of the Texas Youth Commission and the Texas Juvenile Probation Commission.*"

INTRODUCTION

At the beginning of the last decade, Texas sought to address juvenile delinquency by investing hundreds of millions of dollars every year in large secure facilities.¹ Unfortunately, that juvenile justice strategy ultimately proved ineffective: Evidence showed that relying on large secure facilities fostered extremely dangerous conditions for incarcerated youth² and at the same time likely increased recidivism.³ That approach wasted tax dollars, derailed the futures of thousands of youth, and made communities less safe.

Following on the reforms of SB 103 in the 80th Legislature (2007),⁴ and HB 3689 in the 81st Legislature (2009),⁵ the 82nd Legislature enacted SB 653 in 2011 to build a more effective juvenile justice system. SB 653 abolished the Texas Youth Commission and the Texas Juvenile Probation Commission, and it created the Texas Juvenile Justice Department (TJJD) to implement far-reaching reforms. As set forth in SB 653, the new TJJD is entrusted with building an effective juvenile justice system by:

- (1) creating a unified state juvenile justice agency that works in partnership with local county governments, the courts, and communities to promote public safety by providing a full continuum of effective supports and services to youth from initial contact through termination of supervision; and*
- (2) creating a juvenile justice system that produces positive outcomes for youth, families, and communities by:*
 - (A) assuring accountability, quality, consistency, and transparency through effective monitoring and the use of systemwide performance measures;*
 - (B) promoting the use of program and service designs and interventions proven to be most effective in rehabilitating youth;*
 - (C) prioritizing the use of community-based or family-based programs and services for youth over the placement or commitment of youth to a secure facility;*
 - (D) operating the state facilities to effectively house and rehabilitate the youthful offenders that cannot be safely served in another setting; and*
 - (E) protecting and enhancing the cooperative agreements between state and local county governments.*⁶

Since SB 653 was enacted, TCJC has performed site visits to six county juvenile probation departments and one state secure facility; as the implementation of SB 653 continues, TCJC will be visiting additional county departments and facilities across the state to provide additional context for the policy reform. Our research leads us to conclude that the general strategy of SB 653 is moving in the right direction toward a more effective juvenile justice system, but more must be done to fully realize the benefits of reform. As the new TJJD secures its footing, there are several critical areas we encourage the new agency to address in the near future to complete the implementation of SB 653. Specifically, this testimony seeks to bring to this committee's attention current issues regarding:

prevention, pre-adjudication detention, youth case planning, family involvement, youth reentry planning, and accountability.

POLICY RECOMMENDATIONS

(1) Implement proven prevention programs to keep kids out of the juvenile system.

An effective juvenile justice system places its highest priority on prevention. For every dollar the state invests in proven prevention programs, it can expect to see two to ten dollars in future savings.⁷ Reaching at-risk kids before they enter the juvenile justice system safeguards those kids' futures, and it can literally save their lives. Recognizing these benefits, SB 653 for the first time makes the juvenile justice system responsible for prevention and intervention services.⁸

However, not all prevention programs are created equal. Poorly designed prevention programs will cost the state far more than they benefit at-risk youth.⁹ Accordingly, SB 653 requires TJJD to "ensure program effectiveness by funding evidence-based or research-based programs."¹⁰

To date, the implementation of the prevention mandates of SB 653 are encouraging, but require further guidance from this committee and collaboration with all stakeholders. On January 20, TJJD moved \$1.5 million from its state secure facilities budget to fund "demonstration prevention projects" in ten counties for the remainder of this fiscal year.¹¹ While this is an important step towards a more effective juvenile justice system, the application process to date for these grants suggests this committee should provide greater clarity on the prevention program requirements of SB 653.

Specifically, this committee should consult experts in the field, along with TJJD and all stakeholders, to determine the definition of "research-based programs" in Texas Human Resources Code Section 203.0065(d)(3), which will guide future prevention grant-making. Only by providing a rigorous definition of "research-based programs" can this committee ensure prevention money is invested in proven programs that protect at-risk kids and produce significant savings for the state.

The committee should also consider establishing a grants advisory group, similar to the preliminary group created by TJJD in response to recommendations from advocates. The preliminary advisory group created by TJJD plans to review prevention grant applications received by TJJD. Details are not yet available, but this advisory group will likely make grant award suggestions to TJJD and provide advice to applicants. A similar advisory team at the Texas Indigent Defense Council has successfully supported both county applicants and agency staff there. To support the promising potential of this grant review process, this committee should consider formally establishing a grants advisory team, comprised of an academic, a practitioner, an advocate, a community leader, and a family representative, to review all grant applications received by TJJD.

(2) Expand early intervention programs to break the cycle of crime and save money.

After a youth comes into contact with the juvenile justice system, effective early intervention programs can break the cycle of crime and keep that youth from becoming a repeat offender. As with prevention, proven early intervention programs have a high positive impact on youth

and will save the state money.¹² Recent research shows that two intervention strategies are especially in need of increased funding in Texas – mentoring programs and trauma-responsive staff training.

Mentors are remarkably effective at preventing delinquency and reducing recidivism.¹³ However, when TCJC surveyed 115 youth at a state secure facility, we found that only 7 percent of the surveyed youth had a mentor at the state secure facility, and only 13 percent reported having had a mentor at the county level.¹⁴ During our site visits to county facilities, juvenile probation departments reported that local mentor programs are usually at capacity. SB 653 requires TJJD to provide intervention services;¹⁵ to fully implement that provision, this committee should increase funding for mentoring programs throughout Texas.

The majority of youth referred to the Texas juvenile justice system have previously experienced a significant traumatic event.¹⁶ Recent research in Texas has confirmed the observations of practitioners and advocates that a youth's past experience with trauma is a major predictor – and for girls, the largest predictor – of the youth's placement in increasingly serious secure placements.¹⁷ In order to reduce this escalation of placements and fully implement intervention services, all staff who are in contact with youth must know how to work effectively with traumatized youth. Specifically, this committee should amend section 242.009 of the Texas Human Resources Code to require that all juvenile correctional officers in Texas receive extensive trauma-responsive training. As part of its new Trauma-Focused Cognitive Behavior Therapy Initiative, TJJD has begun to implement a preliminary trauma-responsive training for staff at state secure facilities. Amending section 242.009 would provide the same opportunity to staff in county juvenile facilities, who oversee the vast majority of youth in the juvenile system.

(3) Better address juvenile delinquency by reducing use of pre-adjudication detention.

Under SB 653, the first goal of TJJD is to “support the development of a consistent county-based continuum of effective interventions, supports, and services for youth and families that reduce the need for out-of-home placement.”¹⁸ The primacy of that goal in SB 653 reflects a growing understanding that, for most youth, the time spent in a secure facility impedes, rather than helps, rehabilitation.¹⁹ Beyond SB 653, Texas law has long held a preference against detention for most juveniles: Section 53.02(a) of the Texas Family Code allows for detention of referred juveniles only if one of six limited circumstances is met.²⁰ A judge's detention order extends for only 10 days, at which time a new detention order may be made after another hearing.²¹

Despite those statutory provisions, over 17,000 youth each year spend more than ten days in secure detention before adjudication; over 5,000 spend more than a month; and nearly 500 spend over 100 days.²² Among facilities in similar counties, the length of stay in pre-adjudication secure detention varies significantly,²³ suggesting local policies and procedures, rather than specific youth risks or statutory requirements, are driving many detention decisions.²⁴ Many counties report a spike in releases at the end of the initial ten-day detention order,²⁵ suggesting that, after additional judicial scrutiny, detention criteria is not met.

To fully implement the first goal of SB653, this committee should recommend the legislature amend Section 54.01(h) of the Family Code to require a detention order review hearing every five days, in place of the current ten-day requirement. Those counties that have already

implemented a five-day review period as a matter of local custom²⁶ have significantly fewer youth detained between five and ten days²⁷ and have not reported negative effects.

Reducing the average length of stay in pre-adjudication detention by just one day across the state would save \$1.75 million in direct costs each year.²⁸ Any reductions in length of stay would save additional money by decreasing the resources required to maintain safety in crowded facilities.²⁹ Broader reductions in the use of secure detention – easily within reach – would save millions more.³⁰

Second, this committee should require the use of proven detention screening instruments in county probation departments. These detention screening instruments, developed in collaboration with law enforcement, community leaders, families, and practitioners, offer a scaled inventory of objective factors that have been proven to accurately predict a youth's risk of flight or re-offense if not detained. These detention screening instruments have saved counties millions in direct costs, reduced recidivism, and protected public safety – 95 percent of youths diverted from detention in Houston show up for their court appearances; fewer than five percent of youth in detention-alternative programs in Dallas committed another offense before adjudication.³¹

Finally, this committee should recommend additional funding to TJJJD to award grants, similar to Grant C,³² to counties for the implementation of alternatives to detention and police first offender programs. Those programs improve public safety, save money, and keep kids on the path to a bright future.

(4) Keep staff and kids safe by reducing solitary confinement and use of force in secure facilities.

Inappropriate use of solitary confinements (also known as disciplinary seclusions) and physical restraints (also known as use of force) in juvenile secure facilities is a major barrier to the implementation of the purpose and goals of SB 653. The current state standards on restraints and seclusions in juvenile facilities are not providing adequate guidance and this committee should recommend revisions to those standards.

While short “time outs” can be effective in limited circumstances, use of day-long confinement and reliance on restraints increase safety risks for both youth and staff, harm youth rehabilitation, and raise costs from staff turnover and injury.³³ These concerns are especially serious for traumatized youth and youth with mental health issues,³⁴ and in Texas, the majority of youth referred to the juvenile justice system have previously experienced a significant traumatic event.³⁵ A third of youth under the supervision of county probation departments in Texas have a confirmed mental illness, and less than one quarter of those youth with a confirmed mental illness receive mental health treatment.³⁶

Tragically, an investigation into a recent death at a secure juvenile facility in Texas identified time in seclusion as a major contributing factor.³⁷ Although state standards provide some limits and guidance on the use of restraints and seclusions in county juvenile facilities,³⁸ county reports suggest these standards do not provide sufficient protection against misuse. In county secure facilities, Texas youth experienced 5,333 physical restraints and 37,071 seclusions in 2011.³⁹ The data collected by the state does not distinguish between short- and long-term seclusions;

however, data provided by counties to TCJC show that each year thousands of seclusions last longer than 24 hours.⁴⁰ Wide variation in policy and procedure among counties⁴¹ has led to widely different use of seclusions and restraints.⁴² A TCJC survey of youth in a state secure facility suggests similar issues exist there.⁴³

Through a much better approach, Bexar County has implemented a successful seclusion and restraint reduction initiative, reducing seclusions and physical restraints by nearly 50 percent at its juvenile facilities.⁴⁴ Bexar County reports achieving significant advantages from the initiative, including fewer workplace injuries, less staff turnover, and improved youth relationships. This committee should recommend increased resources to TJJD to award grants, similar to Grant C,⁴⁵ to counties for the implementation of similar seclusion and restraint reduction programs.

(5) Expand case planning to increase opportunities for success.

To avoid dangerous gaps in the juvenile justice system, SB 653 requires all juvenile departments to “enhance the continuity of care throughout the juvenile justice system.” TCJC’s research has identified an ongoing gap in the continuity of care which threatens the successful implementation of the goals and strategies of SB 653: Most youth surveyed in a state secure facility report that their individual case plans there are “very helpful,” but those same youth were largely unsure about their case plans at the county level.⁴⁶ Those youth who were aware of case planning at the county level mostly reported that the case plans there were “not helpful.”⁴⁷ These survey findings show that the majority of youth in state secure facilities did not have full opportunities to succeed in their home communities before they were committed to the custody of state secure facilities.⁴⁸

The gap in youth involvement in case plans echoes a similar gap in policy. While many counties review case plans more frequently, state standards only require review of county case plans every 90 days for youth in residential placements,⁴⁹ or every six months for youth on field supervision.⁵⁰ In contrast, state standards require detailed case plans, targeting specific risk and protective factors, for youth in state secure facilities, with regular reviews of those case plans and revisions every 30 days.⁵¹

To further the implementation of SB 653, this committee should recommend revisions to state standards on individual case planning at county juvenile departments. Additionally, this committee should recommend that the legislature require that no youth be committed to the custody of a state secure facility unless that youth has first failed to succeed under a full individual case plan at the county level or, in extenuating circumstances, the county has provided a judicial decision that a county case plan would not be appropriate for the specific child committed to state custody.

(6) Help families stay involved to improve youth rehabilitation.

Recognizing the positive role of family contact in a youth’s rehabilitation, safety, education, and reduced recidivism,⁵² SB 653 requires the juvenile justice system to support family involvement.⁵³ TCJC’s research on the implementation of SB 653, however, shows major barriers to productive family involvement remain, especially at state secure facilities. Youth surveyed at a state secure facility, for example, reported that the long distance between home and the state secure facility caused family visits to drop precipitously: 62 percent reported receiving visits at least once per

week while in county facilities, but only 15 percent reported receiving visits at least once per week while in a state secure facility.⁵⁴

This committee should support the implementation of SB 653 by recommending TJJD review and revise family visitation policies at state secure facilities. To make positive family involvement a reality, this committee may need to recommend additional funding support to TJJD to defray the cost of phone calls and travel for low-income families living far away from state secure facilities.

Additionally, this committee should conduct urgently needed research and planning on SB 653's goals to "locate the facilities as geographically close as possible to necessary workforce and other services while supporting the youths' connection to their families" and to "use secure facilities of a size that supports effective youth rehabilitation and public safety."⁵⁵ Based on the findings of that research and planning, this committee may need to recommend increased funding for Grant C⁵⁶ as well as the closure of the existing large state facilities and the establishment of smaller state facilities closer to home communities.⁵⁷

(7) Expand reentry planning to protect hard-won success.

Far too often, the millions of dollars invested by the state in juvenile justice,⁵⁸ as well as the leaps-and-bounds progress of youth in programming, are undone by insufficient reentry planning (the preparation for a youth to successfully reenter his or her community).⁵⁹ This gap in the implementation of SB 653 is heightened by current policy: Although some counties have implemented robust reentry procedures,⁶⁰ state standards do not include reentry plans in release requirements.⁶¹

To protect the futures of youth reentering their communities, as well as the state's investment in the juvenile justice system, this committee should call for the expansion of the reintegration provisions of SB 653⁶² to include county programs. Additionally, this committee should recommend additional funding to TJJD to award grants, similar to Grant C,⁶³ to counties for the implementation of successful comprehensive reentry programs.

(8) Enhance accountability to safeguard the juvenile system; encourage continued transparency.

SB 653 expanded the responsibilities of the Office of the Independent Ombudsman to include the review of county data on abuse, neglect, and exploitation.⁶⁴ The Office of the Independent Ombudsman was established as part of the 2007 juvenile justice reforms following the revelations of widespread abuse at Texas state secure facilities. In monitoring the implementation of SB 653, it is critically important that this committee act to ensure full compliance with all provisions relating to the Ombudsman. Additionally, to further enhance accountability, this committee should recommend the expansion of the Ombudsman's oversight authority for county facilities, as well as increased funding to the Ombudsman to fulfill its obligations to the youth in the government's care.⁶⁵

With the support of TJJD staff and the Ombudsman, TCJC had the opportunity to survey youth at the Giddings State School. Many county departments have provided similar support to TCJC's research and facility visits. Their transparency inspires confidence, and it allows for

open dialogue among all stakeholders. We hope this committee will provide encouragement and support to state and county staff, and take the opportunity to visit juvenile departments to learn about remaining challenges and promising programs.

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An ineffective juvenile justice system is both costly and dangerous. Moving away from large state secure facilities, SB 653 establishes a strategy for building a juvenile justice system that relies on evidence-based best practices, utilizing local community-based programs. TCJC's research into the implementation of SB 653 provides evidence that the reform has taken important first steps toward a more effective juvenile justice system. To fully realize the benefits of SB 653 – brighter futures for Texas youth, safer communities, and financial savings – Texas needs to double down on reform. This committee will play a critical role in realigning policies and resources to improve prevention, pre-adjudication detention, youth case planning, family involvement, youth reentry planning, and accountability.

Thank you again for the opportunity to present testimony on this important issue. TCJC looks forward to supporting the work of this committee in building a leading juvenile justice system that keeps all Texas kids safe and on a clear path to a bright future.

¹ See, e.g., Texas Sunset Advisory Commission, “TYC TJPC OIO Sunset Final Report” (2009).

² See, e.g., Dallas Morning News “Scandal at TYC” (2007); *more recently, see also*, Texas Tribune “Despite Reform, Violence Rises Among Youths at Juvenile Lockups” (2012).

³ See Texas Legislative Budget Board, “Statewide Criminal Justice Recidivism and Revocation Rates” (2009) and Annie E Casey Foundation “No Place for Kids” (2011).

⁴ Reforms in SB 103 included: removal of misdemeanants from state secure facilities; creation of the Office of the Independent Ombudsman; creation of the Office of Inspector General; increased specialized training for juvenile corrections officers; required 1-to-12 staff-to-youth ratio; creation of a zero-tolerance sexual abuse policy; appointment of a TJPC caseworker for every youth.

⁵ Reforms in HB 3689 included: required comprehensive reentry planning for each youth at state secure facilities; enhanced family and community involvement; pilot projects promoting community-based alternatives to state secure placements.

⁶ Codified at Texas Human Resources Code section 201.002.

⁷ See, e.g., Jeffrey M. Poirier “Juvenile Crime and the Economic and Social Benefits of Implementing Effective Delinquency Prevention Programs: A Case Study of the District of Columbia” (2007); *and* Washington State Institute for Public Policy “Benefits and Costs of Prevention and Early Intervention Programs for Youth” (2004).

⁸ Codified at Texas Human Resources Code section 203.0065.

⁹ See, e.g., Washington State Institute for Public Policy “Benefits and Costs of Prevention and Early Intervention Programs for Youth” (2004).

¹⁰ Codified at Texas Human Resources Code section 203.0065(d)(3).

¹¹ Minutes from the January 20, 2012 TJJD board meeting, to be posted at <http://www.tjjd.texas.gov/Home/ArchivedMeetings.aspx>.

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- ¹² *See, e.g.*, Washington State Institute for Public Policy “Benefits and Costs of Prevention and Early Intervention Programs for Youth” (2004).
- ¹³ *See, e.g.*, McGill, Mihalic, & Grotpeter “Big Brothers Big Sisters of America: Blueprints for Violence Prevention” (1998).
- ¹⁴ TCJC “Youth Perceptions at Giddings State School: 2012 Survey Findings” (2012).
- ¹⁵ Codified at Texas Human Resources Code section 203.0065.
- ¹⁶ 2010 MAYSI-II evaluation data provided by the Texas Juvenile Probation Commission, November 2011.
- ¹⁷ Erin Espinosa “An Evaluation of the Influence of Gender and Mental Health Needs on Juvenile Justice System Processing” (2011).
- ¹⁸ Codified at Texas Human Resources Code section 201.003.
- ¹⁹ *See, e.g.*, Annie E Casey Foundation “No Place for Kids” (2011).
- ²⁰ The six circumstances are: “(1) he is likely to abscond or be removed from the jurisdiction of the court; (2) suitable supervision, care, or protection for him is not being provided by a parent, guardian, custodian, or other person; (3) he has no parent, guardian, custodian, or other person able to return him to the court when required; (4) he may be dangerous to himself or may threaten the safety of the public if released; or (5) he has previously been found to be a delinquent child or has previously been convicted of a penal offense punishable by a term in jail or prison and is likely to commit an offense if released.”
- ²¹ Texas Family Code section 54.01(h).
- ²² TCJC review of calendar year 2010 data provided by the Texas Juvenile Probation Commission, November 2011.
- ²³ TCJC review of calendar year 2010 data provided by the Texas Juvenile Probation Commission, November 2011.
- ²⁴ Regarding the discrepancies and reasons to detain, explanations to TCJC from county departments varied widely, including “Detention is good for many of these kids” to “We are more cautious than other counties.”
- ²⁵ TCJC review of calendar year 2010 data provided by the Texas Juvenile Probation Commission, November 2011.
- ²⁶ Williamson County juvenile court, for example, resets detention order reviews every 5 days.
- ²⁷ TCJC review of calendar year 2010 data provided by the Texas Juvenile Probation Commission, November 2011.
- ²⁸ There were a total of 44,221 detentions in 2010 (TJPC “The State of Juvenile Probation Activity in Texas” (2011)), and the average daily cost per youth was \$39.68 (LBB “Criminal Justice Uniform Cost Report” (2011)).
- ²⁹ The average daily population statewide in pre-adjudication facilities in fiscal year 2010 was 1,872 (LBB “Criminal Justice Uniform Cost Report” (2011)).
- ³⁰ *See, e.g.*, Texas Public Policy Foundation “Texas Counties Can Unlock Kids and Savings” (2009).
- ³¹ Texas Public Policy Foundation “Texas Counties Can Unlock Kids and Savings” (2009).
- ³² Grant C diversion funding was first authorized by the 81st Texas Legislature (2009) to assist local juvenile probation departments in diverting youth from commitment in state secure facilities to community-based placements or supervision.
- ³³ *See, e.g.*, L.M. Finke “The Use of Seclusion is Not an Evidence-Based Practice” (2001).
- ³⁴ *See, e.g.*, L.M. Finke “The Use of Seclusion is Not an Evidence-Based Practice” (2001), *and* G.R. Hodas “Responding to Childhood Trauma: The Promise and Practice of Trauma Informed Care” (2006).

³⁵ TCJC review of calendar year 2010 data provided by the Texas Juvenile Probation Commission, November 2011.

³⁶ TCJC review of calendar year 2010 data provided by the Texas Juvenile Probation Commission, November 2011.

³⁷ Star-Telegram. “Parker County Teen Charged in Death of Cleburne Boy at Juvenile Facility” (December 15, 2011).

³⁸ Texas Administrative Code Title 37 section 343.800 et seq (“Restraints”) and section 343.288 (“Disciplinary Seclusion”).

³⁹ County facility registry data provided by TJJD, January 2012.

⁴⁰ TCJC review of seclusion data provided by 14 counties.

⁴¹ TCJC review of seclusion and restraint policies provided by 13 counties. County lists of “major rule violations” that are grounds for 24-hour seclusion vary significantly; items included in different county lists range from “violation of school expectation” to “disrespectful behavior towards staff” to “assault.” Some counties provide several levels of rule violations, with accompanying ranges of seclusion time; other counties use only a major level and a minor level. Some counties allow youth to earn release from seclusion through good behavior; other counties use an automatic 24-hour period. Some counties require youth to complete therapeutic assignments while in seclusion.

⁴² TCJC review of county facility registry data provided by TJJD, January 2012.

⁴³ TCJC “Youth Perceptions at Giddings State School: 2012 Survey Findings” (2012).

⁴⁴ Data provided by Bexar County Juvenile Probation Department, January 2012.

⁴⁵ Grant C diversion funding was first authorized by the 81st Texas Legislature (2009) to assist local juvenile probation departments in diverting youth from commitment in state secure facilities to community-based placements or supervision.

⁴⁶ TCJC “Youth Perceptions at Giddings State School: 2012 Survey Findings” (2012).

⁴⁷ TCJC “Youth Perceptions at Giddings State School: 2012 Survey Findings” (2012).

⁴⁸ A main purpose of SB 653 is “prioritizing the use of community-based or family-based programs and services for youth over the placement or commitment of youth to a secure facility.” (Codified at Texas Human Resources Code section 201.002).

⁴⁹ Texas Administrative Code Title 37 section 343.39.

⁵⁰ Texas Administrative Code Title 37 section 343.38.

⁵¹ Texas Administrative Code Title 37 section 87.1. In TCJC’s survey, youth at a state secure facility reported meeting weekly, and often daily, with case managers (TCJC “Youth Perceptions at Giddings State School: 2012 Survey Findings” (2012)).

⁵² See, e.g., Ryan & Yang “Family contact and recidivism: A longitudinal study of adjudicated delinquents in residential care” (2005).

⁵³ Families are mentioned four separate times in the brief purposes and goals section of SB 653. (Codified at Texas Human Resources Code section 201.002-3).

⁵⁴ TCJC “Youth Perceptions at Giddings State School: 2012 Survey Findings” (2012).

⁵⁵ Codified at Texas Human Resources Code section 201.003.

⁵⁶ Grant C diversion funding was first authorized by the 81st Texas Legislature (2009) to assist local juvenile probation departments in diverting youth from commitment in state secure facilities to community-based placements or supervision.

⁵⁷ TCJC’s survey of 115 youth at a state secure facility revealed numerous safety and programming advantages for staff, volunteers, youth, and families at smaller, more-local facilities (TCJC “Youth Perceptions at Giddings State School: 2012 Survey Findings” (2012)).

⁵⁸ Legislative Budget Board “Criminal Justice Uniform Cost Report: Fiscal Years 2008-2010” (2011); Texas Juvenile Probation Commission “The State of Juvenile Probation Activity in Texas: Calendar

Years 2009 & 2010” (2011); Texas Youth Commission “Average TYC Cost Per Day Per Youth” (2011).

⁵⁹ Youth in TCJC’s survey ranked reentry resources as a major concern, behind only youth-on-youth violence and family involvement. Their anxiety about returning to their communities underscores the central importance of reentry planning to their future success. As one interviewed youth said, “There’s not enough resources to help me go back to my neighborhood so I can go home and be a better person. I’m afraid I’m going to come back to TYC if I don’t get help after I leave.” (TCJC “Youth Perceptions at Giddings State School: 2012 Survey Findings” (2012)).

⁶⁰ Williamson County, for example, is developing a formal policy that all youth in residential placement must receive a comprehensive reentry plan at least thirty days before their release date.

⁶¹ Texas Administrative Code Title 37 section 343.426.

⁶² Codified at Texas Human Resources Code section 245.0535.

⁶³ Grant C diversion funding was first authorized by the 81st Texas Legislature (2009) to assist local juvenile probation departments in diverting youth from commitment in state secure facilities to community-based placements or supervision.

⁶⁴ Codified at Texas Human Resources Code section 261.101.

⁶⁵ The most recent report from the Ombudsman is available at http://www.tyc.state.tx.us/ombudsman/rpt_FirstQuarter_12.pdf. The report details concerns, including the case of a youth who spent a night sleeping on a concrete shower floor without blankets, observed by the Ombudsman at the McLennan County State Juvenile Facility.