

OVERVIEW OF THE TEXAS JUVENILE JUSTICE SYSTEM



AN ISSUE BRIEF FROM LEGISLATIVE BUDGET BOARD STAFF

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OBJECTIVE

The Texas juvenile justice system is intended to produce positive outcomes for juveniles accused of crimes by assuring accountability, promoting the use of services proven to be effective, prioritizing the use of community-based services above the placement of juveniles in secure facilities, and operating state facilities to rehabilitate juveniles who cannot be served safely in another setting.

The Texas juvenile justice system is administered primarily by local juvenile probation departments and the Texas Juvenile Justice Department (TJJD). Local juvenile probation departments provide services to juveniles that are referred to or supervised by them in the community. TJJD monitors those departments, provides them funding and training, and administers juvenile state residential facilities and juvenile parole.

KEY FACTS

- ◆ In fiscal year 2015, juvenile probation departments received 62,648 referrals.
- ◆ In fiscal year 2015, TJJD state residential facilities admitted 826 admissions from juvenile courts.

STATUTORY REFERENCES

TJJD is authorized by the Texas Human Resources Code, Chapter 201.

Each year, tens of thousands of juveniles are processed through the Texas juvenile justice system. This information provides an overview of how juveniles move through the system, the components of the system, and the alternatives available to practitioners who provide supervision and services to juveniles accused or adjudicated of crimes.

JUVENILE JUSTICE SYSTEM

In the Texas juvenile justice system, a juvenile is defined as a person who commits an offense between ages 10 and 16. If the juvenile is accused of running away, truancy, or a class C misdemeanor, the juvenile is usually sent to a Municipal Court or a Justice of the Peace Court. If the juvenile is accused of a class A or B misdemeanor or any type of felony, the juvenile is referred to a local juvenile probation department. An authority can also release the juvenile to a parent, school official, or other adult without formally processing the case.

Practitioners have several options if a case is referred to a juvenile probation department. One option is for the case to be dismissed; another option is for the juvenile to be given supervisory caution, which is a term for a variety of nonjudicial dispositions. Supervisory caution may include referral of the juvenile to a social services agency or a community-based first offender program run by law enforcement, contacting parents to inform them of the juvenile's activities, or warning the juvenile about the activities in the accusation.

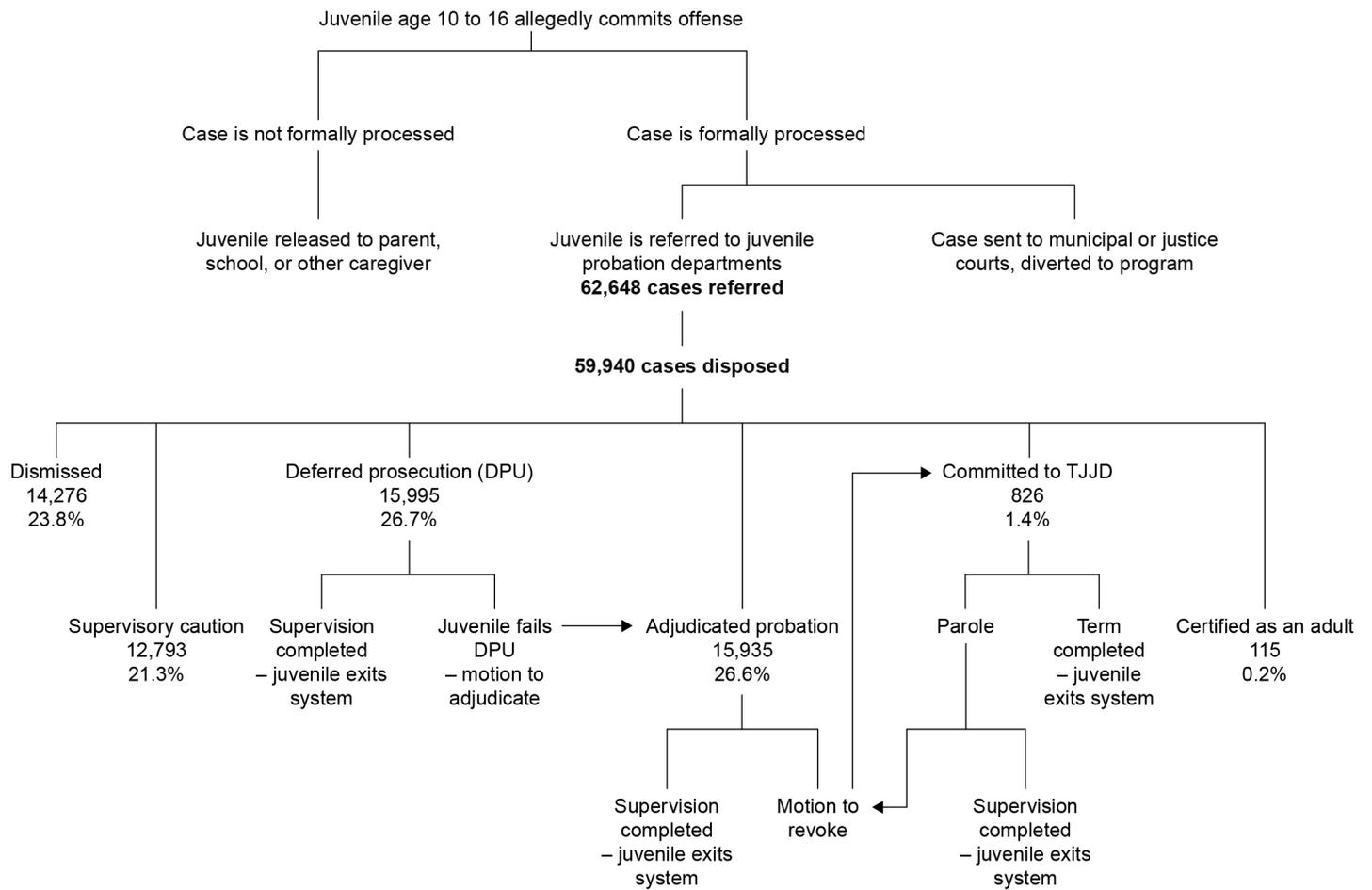
Other case disposition options for juveniles include deferred prosecution and adjudicated probation. Deferred prosecution is a voluntary supervision in which the juvenile, parent, prosecutor, and juvenile court agree upon conditions of supervision. This type of supervision can last up to six months and can be extended an additional six months by the juvenile court. If the juvenile violates any of the conditions, the department may elect to proceed with formal court adjudication and place the juvenile on adjudicated probation.

Adjudicated probation is a form of juvenile court-ordered supervision in which the juvenile court sets the conditions and duration of supervision. This type of supervision lasts one year on average, and it involves home, office, and school visits by a juvenile probation officer. While on deferred prosecution or adjudicated probation, the juvenile may also participate in programs such as family counseling, mentoring, substance abuse treatment, or mental health treatment. The TJJD Program and Services Registry (www.tjtd.texas.gov/programregistry.aspx) provides a list of available programs and services. A juvenile placed on adjudicated probation may also be sent to a residential treatment facility operated by a local juvenile probation department or a private provider. In addition, a juvenile may be given determinate sentence adjudicated probation, which requires juveniles to complete their probation in the adult probation system. A juvenile may be supervised until age 18 unless the juvenile is given determinate sentence probation. In that case, the juvenile may be supervised by a juvenile probation department until age 19 and supervised by an adult probation department for the rest of the probation period.

A juvenile adjudicated for a felony may be committed to TJJD’s care and custody. TJJD will place the juvenile in a state residential facility, halfway house, or contract care facility. After completing the mandated term, a juvenile may be placed on parole. All juveniles committed to TJJD must be discharged by age 19. A juvenile given an indeterminate sentence stays at TJJD for an indefinite time period, not to exceed age 19. A juvenile may also be given a determinate sentence to TJJD, which provides the possible transfer of a juvenile from TJJD to the adult system to complete a sentence. Depending on the type of felony committed, a juvenile as young as age 14 can also be certified to stand trial as an adult.

Figure 1 shows the number and types of cases that the juvenile justice system disposed in fiscal year 2015.

**FIGURE 1
TEXAS JUVENILE JUSTICE SYSTEM PROCESS AND CASE DISPOSITIONS
FISCAL YEAR 2015**



NOTES: A small percentage of juveniles placed on adjudicated probation are given determinate sentence probation, which requires juveniles to begin probation in the juvenile system and complete probation in the adult system. A small percentage of juveniles are also committed to the Texas Juvenile Justice Department (TJJD) on determinate sentences. These juveniles may be transferred from TJJD to the adult system, a decision that is made before the juveniles turn age 19, to complete their sentences.

SOURCES: Legislative Budget Board; Texas Juvenile Justice Department.

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