

# TEXAS JUVENILE JUSTICE DEPARTMENT: FACTORS AFFECTING MINIMUM LENGTH OF STAY EXTENSIONS, FISCAL YEAR 2011

AN ISSUE BRIEF FROM LEGISLATIVE BUDGET BOARD STAFF

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## OBJECTIVE

This brief analyzes the characteristics of juveniles likely to remain at Texas Juvenile Justice Department (TJJD) state-operated correctional facilities 31 days or more beyond their minimum length of stay. Analyzing these characteristics will help predict the future population of juveniles at state correctional facilities.

In fiscal year 2011, these facilities were operated by the Texas Youth Commission (TYC). TYC and the Texas Juvenile Probation Commission were abolished and merged into the newly established TJJD by Senate Bill 653, which was passed by the 82<sup>nd</sup> Texas Legislature. TJJD was established on December 1, 2011.

## KEY FACTS

- ◆ 51.1 percent of juveniles released from TYC correctional facilities in fiscal year 2011 stayed at facilities 31 days or more beyond their minimum length of stay.
- ◆ Factors predicting that a juvenile would remain beyond the minimum length of stay included the need for mental health treatment, home placements that were disapproved, and revocation of parole for a technical violation.

## STATUTORY REFERENCES

TYC was authorized by Human Resources Code, Chapter 61. TJJD was authorized by Human Resources Code, Chapter 201.

Each year hundreds of juveniles stay at state-operated correctional facilities beyond their minimum length of stay. The minimum length of stay is calculated by Texas Juvenile Justice Department (TJJD) officials based on the severity of the committing offense and the risk the youth poses to the community, as shown by their past behavior. The goal of this analysis is to determine the characteristics of juveniles released from state correctional facilities in fiscal year 2011 who were at facilities at least 31 days beyond their minimum length of stay.

A release review panel comprised of TJJD staff determines if a juvenile who has completed their minimum length of stay will be given an extended length of stay. According to the TJJD policy manual, the panel must make their decision within 30 days after the expiration of a juvenile's minimum length of stay. The panel may extend the juvenile's stay if it determines that the juvenile is in need of additional rehabilitation from TJJD, and a residential placement will provide the most suitable environment for that rehabilitation. The panel's determination is based on factors such as the juvenile's efforts to reduce their risk factors and increase their protective factors, the degree and quality of the juvenile's participation in available treatment programs, and behavior during the juvenile's period of confinement.<sup>1</sup>

This analysis does not consider behavior in the facilities that may directly lead to extended lengths of stay (e.g. disruption of class or assaultive behavior), but rather characteristics present at the time the juvenile was admitted to a facility. These results will help better predict future juvenile justice populations.

## CHARACTERISTICS OF JUVENILES STAYING BEYOND THE MINIMUM LENGTH OF STAY

Of the 1,422 juveniles released from state correctional facilities in fiscal year 2011, a total of 726 (51.1%) remained at facilities at least 31 days beyond their minimum length of stay. This excludes juveniles who returned to facilities from parole but not due to revocation or recommitment. Of those 726 who remained at least 31 days beyond their minimum stay:

- 11.2% were female, while 88.8% were male
- 23.6% were White, 42.0% were African American, 33.3% were Hispanic, and 1.1% were of other ethnicities
- 15.3% were 11–14 years old at the time they were admitted to facility, 24.8% were 15 years old, 38.2% were 16 years old, and 21.7% were 17 years or older
- 25.1% were committed for a first-degree felony, 32.5% were committed for a second-degree felony, 20.0% were committed for a third-degree felony, and 22.4% were committed for a state jail felony.

<sup>1</sup> Texas Juvenile Justice Department General Administrative Policy Manual.

## CHARACTERISTICS INCREASING THE LIKELIHOOD OF JUVENILES STAYING BEYOND THE MINIMUM LENGTH OF STAY

Fig. 1 shows that juveniles admitted for a parole revocation due to a technical violation are 149.9 percent more likely than juveniles admitted as a new commitment to stay at least 31 days beyond their minimum length of stay. Juveniles whose home placement is approved with objections to something problematic in the home<sup>2</sup> are 123.9 percent more likely than juveniles whose home placement is approved without objection to stay at least 31 days beyond the minimum. Fig. 1 also shows that juveniles with a low Global Assessment of Functioning (GAF)<sup>3</sup> score (83.6 percent) and with a need for mental health treatment (52.0 percent) are more likely to stay than other juveniles.

**FIG. 1**  
**CHARACTERISTICS INCREASING THE LIKELIHOOD A JUVENILE WILL STAY AT LEAST 31 DAYS BEYOND THEIR**  
**MINIMUM LENGTH OF STAY AT CORRECTIONAL FACILITIES, FISCAL YEAR 2011**

PREDICTIVE CHARACTERISTIC	PERCENTAGE INCREASE IN LIKELIHOOD
Juvenile Admitted for Parole Revocation Due to a Technical Violation	149.9%
Home Placement Approved but with Objections	123.9%
GAF Score of 51 or less	83.6%
Need for Mental Health Treatment	52.0%
Home Placement Disapproved	53.5%

SOURCE: Texas Juvenile Justice Department.

For the analysis above, juveniles with a GAF score of 51 or less were compared to juveniles with a GAF score of 60 or more<sup>4</sup>, while juveniles with a need for mental health treatment were compared to juveniles with no need for mental health treatment.

## CHARACTERISTICS WITH NO EFFECT ON THE LIKELIHOOD OF JUVENILES STAYING BEYOND THE MINIMUM LENGTH OF STAY

A number of other factors were tested, but they had no effect on the likelihood that a juvenile would stay at least 31 days beyond the minimum length of stay. These factors included the total number of referrals at intake, severity of the offense for which a juvenile was committed to a state correctional facility, and whether or not a child had been in residential placement while on probation. This means, for example, that more referrals at intake neither increased nor decreased the likelihood a juvenile would stay beyond the minimum length of stay.

## DESCRIPTION OF ANALYSIS

This analysis was conducted using a technique called logistic regression. This technique looks at the effects of one characteristic on the outcome (in this case, whether or not a juvenile stayed at least 31 days beyond the minimum length of stay), while controlling for the effects of other characteristics. Only characteristics which predicted an outcome with statistical significance were included in Fig. 1.

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<sup>2</sup> Only 1.3% of those released in fiscal year 2011 had their home evaluation classified as approved but with objections, and TJJD staff said the agency is no longer using this classification.

<sup>3</sup> The GAF is a 100-point rating scale measuring psychological, social and school functioning for children aged 6 to 17. Lower scores (such as 51 or less) represent impairment in daily functioning (Ohio State University College of Education and Human Ecology).

<sup>4</sup> Juveniles with a GAF score of 52 to 59 were also compared to juveniles with a GAF score of 60 or more, but the results were not statistically significant.