

LEGISLATIVE BUDGET BOARD

Adult and Juvenile Correctional Population Projections

Fiscal Years 2023 to 2028

**SUBMITTED TO THE EIGHTY-EIGHTH TEXAS LEGISLATURE
PREPARED BY LEGISLATIVE BUDGET BOARD STAFF**

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FEBRUARY 2023

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February 2023

One responsibility of Legislative Budget Board staff is to conduct periodic, long-term adult and juvenile correctional population projections to serve as a basis for biennial funding determinations. This report is provided to inform budgeting and policy decisions during the Eighty-eighth Legislature, 2023.

Recent events have caused significant fluctuations in populations discussed in this report. On March 13, 2020, the Governor issued a proclamation certifying that the COVID-19 pandemic posed an imminent threat of disaster for all counties in Texas. On March 19, 2020, the Commissioner of the Department of State Health Services, pursuant to the Texas Health and Safety Code, Section 81.082(d), declared a public health disaster for the entire state, and the Governor, pursuant to the Texas Government Code, Chapter 418, issued an Executive Order to mitigate the spread of the virus. In April 2020, the Texas Department of Criminal Justice (TDCJ) and the Texas Juvenile Justice Department (TJJD) suspended the transfer of individuals into state custody, and courts suspended jury trials as part of an effort to contain the spread of COVID-19. Transfers resumed in July 2020, and many courts and local entities are managing backlogs that have not been resolved entirely at the time of this report. On June 29, 2022, TJJD limited admissions to its secure facilities, reporting an inability to maintain compliance with required staff ratios to meet basic supervision needs, and the agency has not set an anticipated date to resume previous practices.

The February 2023 projections provide an update to the projections report published in July 2022. The updated population projections and the contents of the report incorporate comprehensive data through fiscal year 2022 and information compiled from focus groups and interviews with practitioners and officials in various parts of the criminal and juvenile justice systems.

Jerry McGinty
Director
Legislative Budget Board

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EXECUTIVE SUMMARY

The Texas Government Code, Section 322.019, authorizes the Legislative Budget Board (LBB) staff to produce certain criminal justice policy analyses. One of the LBB staff's responsibilities is to conduct periodic, long-term adult and juvenile correctional population projections to inform biennial funding determinations. The February 2023 *Adult and Juvenile Correctional Population Projections* report provides correctional population projections for fiscal years 2023 to 2028 in preparation for the Eighty-eighth Legislature, 2023.

WHY ARE CORRECTIONAL POPULATION PROJECTIONS PRODUCED?

Correctional population projections serve as a basis for biennial funding determinations. The July 2022 projections informed state correctional agencies' Legislative Appropriations Requests and both legislative chambers' General Appropriations Bills, as introduced. The February 2023 projections inform budgeting and policy decisions during the Eighty-eighth Legislature, 2023.

CORRECTIONAL POPULATION PROJECTIONS OVERVIEW

Figure 1 shows correctional population projected growth trends for fiscal years 2023 to 2028, and whether incarcerated populations are expected to remain above or below institutional capacity during the projection period.

Figure 2 shows adult and juvenile correctional population projections for fiscal years 2023 to 2025. Population projections are the yearly average of the end-of-month population counts for the adult incarceration, parole, and felony community supervision populations; the total yearly placements onto adult misdemeanor community supervision; and the average daily juvenile correctional populations.

METHODOLOGY AT A GLANCE

LBB staff produce correctional population projections using a discrete event simulation model. The model simulates movement through the adult criminal and juvenile justice systems to produce aggregate population estimates for the next six fiscal years. An individual's projected movement is governed by the state laws in place at the time of the offense. Population projections assume all current laws remain constant throughout the projection period.

FIGURE 1
TEXAS CORRECTIONAL POPULATION PROJECTION GROWTH TRENDS, FISCAL YEARS 2023 TO 2028

SYSTEM	POPULATION TYPE	PROJECTED GROWTH TREND	ABOVE/BELOW INSTITUTIONAL CAPACITY
Adult	Incarceration	Increase	Below
Adult	Parole	Increase	Not applicable
Adult	Felony Direct Community Supervision	Increase	Not applicable
Adult	Misdemeanor Community Supervision Placements	Decrease	Not applicable
Juvenile	Juvenile Probation	Increase	Not applicable
Juvenile	State Residential	Increase	Below
Juvenile	Parole	Increase	Not applicable

NOTE: Adult incarceration populations include adults in prisons, state jails, and substance abuse felony punishment facilities. Juvenile state residential populations include youth in state residential facilities, halfway houses, and those placed in contract residential facilities.
SOURCE: Legislative Budget Board.

**FIGURE 2
TEXAS CORRECTIONAL POPULATION PROJECTIONS OVERVIEW, FISCAL YEARS 2023 TO 2025**

SYSTEM	POPULATION	2023	2024	2025	PERCENTAGE CHANGE FOR PERIOD
Adult	Incarceration	124,487	127,598	132,347	6.3%
Adult	Parole	80,218	83,201	82,314	2.6%
Adult	Felony Direct Community Supervision	142,496	146,380	147,892	3.8%
Adult	Misdemeanor Community Supervision Placements	62,890	61,301	59,784	(4.9%)
Juvenile	Juvenile Probation	17,193	18,812	18,797	9.3%
Juvenile	State Residential Facilities	765	861	838	9.5%
Juvenile	Parole	212	228	261	23.1%

SOURCE: Legislative Budget Board.

**FIGURE 3
TEXAS CORRECTIONAL POPULATIONS, AS OF JANUARY 2023**

SYSTEM	POPULATION	COUNT
Adult	Incarceration	125,070
Adult	Parole (1)	77,397
Adult	Felony Direct Community Supervision (1)	141,671
Juvenile	Juvenile Probation (1)	17,325
Juvenile	State Residential Facilities	641
Juvenile	Parole (1)	235

NOTES:

- (1) Adult felony community supervision, juvenile probation, and adult and juvenile parole counts are preliminary and subject to revision.
- (2) Misdemeanor community supervision placements are not included in this table because they are measured cumulatively each fiscal year.

SOURCES: Legislative Budget Board; Texas Department of Criminal Justice; Texas Juvenile Justice Department.

**FIGURE 4
TEXAS ADULT ARRESTS AND FORMAL REFERRALS TO JUVENILE PROBATION DEPARTMENTS, FISCAL YEARS 2018 TO 2022**

POPULATION	2018	2019	2020	2021	2022	PERCENTAGE CHANGE 2018 TO 2022
Adult	755,496	690,367	546,871	511,321	513,614	(32.0%)
Juvenile	53,493	53,802	40,779	29,708	42,502	(20.5%)

NOTE: Adults in Texas are defined as individuals age 17 and older.

SOURCES: Legislative Budget Board; Texas Department of Public Safety, txucr.nibrs.com, data retrieved December 28, 2022.

**CURRENT CORRECTIONAL POPULATIONS
AT A GLANCE**

Figure 3 shows adult and juvenile correctional populations as of February 2023.

CRIME IN TEXAS

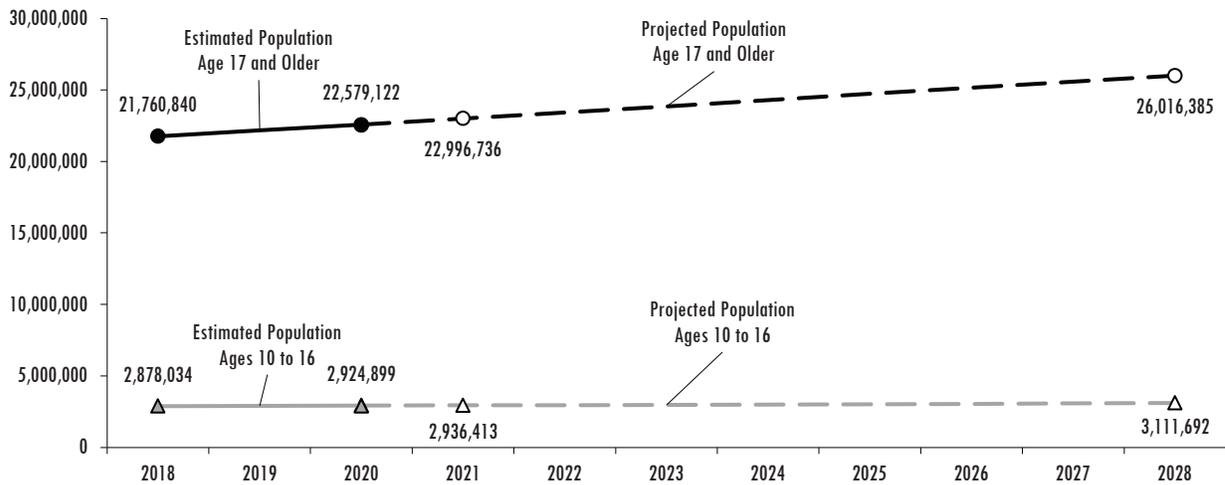
In addition to correctional population projections, this report includes recent adult and juvenile crime statistics. Figure 4 shows adult arrests and formal referrals to juvenile probation departments for fiscal years 2018 to 2022.

TEXAS ADULT AND YOUTH POPULATIONS

Figure 5 shows estimates and projections of the state’s total adult and youth (ages 10 to 16) populations from calendar years 2018 to 2028. From calendar years 2018 to 2020, the Texas Demographic Center reported that the state’s adult population of individuals ages 17 or older increased 3.8 percent, from 21.8 million to 22.6 million. The agency projects that the adult population will increase from 23.0 million to 26.0 million, or 13.1 percent, from calendar years

2021 to 2028. For youth ages 10 to 16, the agency estimates that the state’s population increased 1.6 percent from calendar years 2018 to 2020, from slightly less than 2.9 million to slightly more than 2.9 million. The agency projects that the state’s juvenile population will increase 6.0 percent from 2.9 million in 2021 to 3.1 million in 2028. Historically, correctional populations have decreased despite the state’s population increase.

FIGURE 5
ESTIMATED AND PROJECTED TOTAL TEXAS ADULT AND YOUTH (AGES 10 TO 16) POPULATIONS
CALENDAR YEARS 2018 TO 2028



SOURCE: Texas Demographic Center.

ADULT ARRESTS AND COURT ACTIVITY

Key drivers of intakes into various parts of the Texas criminal justice system include trends in arrests and court activity. An individual’s path through the adult criminal justice system typically begins with an arrest followed by the case processing through the court system. This section provides an overview of recent trends in arrest and court activity that may affect intakes into the adult criminal justice system.

ARRESTS

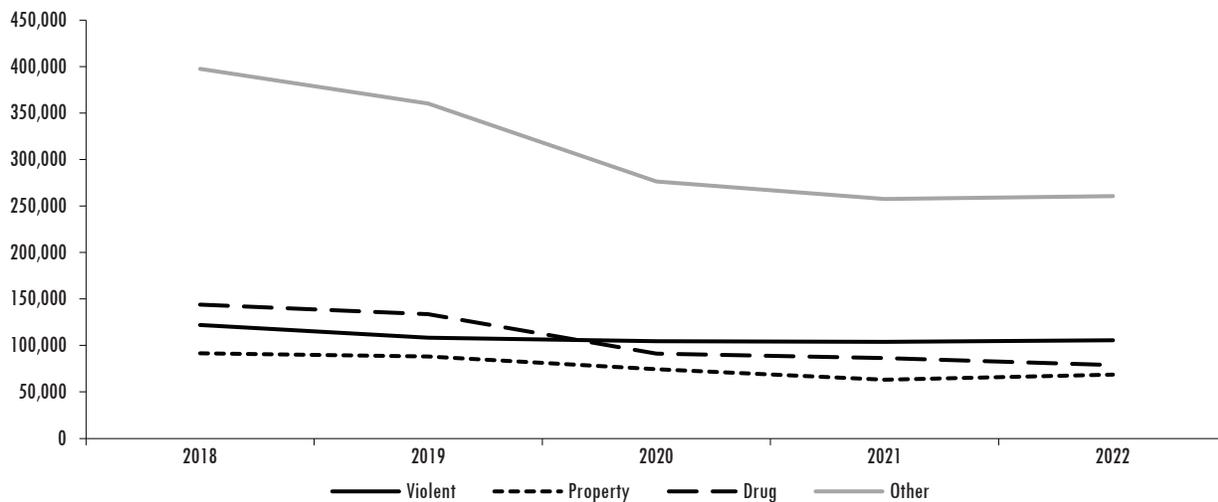
Figure 6 shows the number of adult arrests by offense type from fiscal years 2018 to 2022, during which total adult arrests decreased by 32.0 percent. During that period, adult arrests decreased 13.6 percent for violent offenses, 25.2 percent for property offenses, 45.2 percent for drug offenses, and 34.5 percent for other offenses.

The number of adult arrests decreased during fiscal years 2020 and 2021 in correlation with the COVID-19 pandemic. However, apart from drug offenses, arrests have increased for all other offense categories from fiscal years 2021 to 2022. Figure 7 shows the percentage change in arrests from fiscal years 2021 to 2022.

COURT ACTIVITY

Throughout the pandemic, jury trials were suspended and delayed across the state, resulting in a backlog of criminal cases. According to the Office of Court Administration (OCA), clearance rates are trending upward as courts process through backlogs, the largest of which is attributable to aggravated assault and other violent offenses. Despite this trend, many district and county courts still are experiencing

FIGURE 6
TEXAS ADULT ARRESTS, FISCAL YEARS 2018 TO 2022

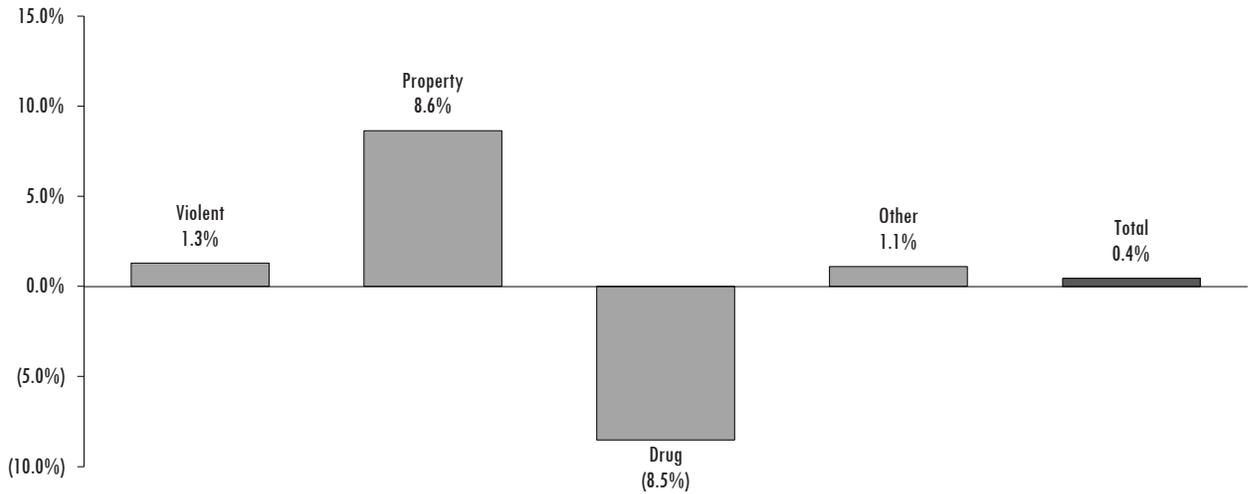


OFFENSE	2018	2019	2020	2021	2022	PERCENTAGE CHANGE 2018 TO 2022	PERCENTAGE CHANGE 2021 TO 2022
Violent	122,019	108,386	104,633	104,102	105,440	(13.6%)	1.3%
Property	91,790	88,157	74,488	63,199	68,661	(25.2%)	8.6%
Drug	144,000	133,724	91,208	86,246	78,896	(45.2%)	(8.5%)
Other	397,687	360,100	276,542	257,774	260,617	(34.5%)	1.1%
Total	755,496	690,367	546,871	511,321	513,614	(32.0%)	0.4%

NOTE: Adults in Texas are defined as individuals age 17 and older.

SOURCES: Legislative Budget Board; Texas Department of Public Safety, txucr.nibrs.com, data retrieved December 28, 2022.

FIGURE 7
PERCENTAGE CHANGE IN TEXAS ADULT ARRESTS BY OFFENSE TYPE, FISCAL YEARS 2021 TO 2022

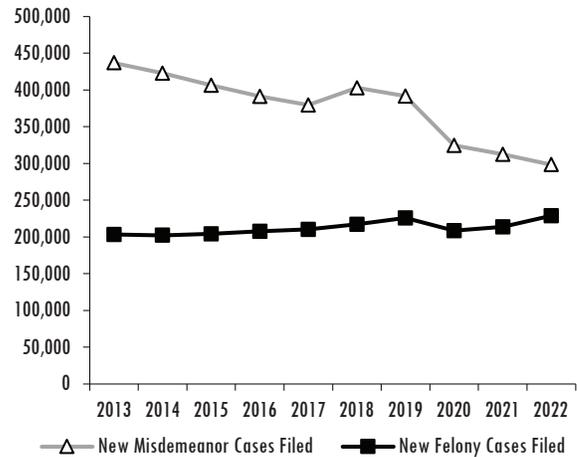


SOURCES: Legislative Budget Board; Texas Department of Public Safety, txucr.nibrs.com, data retrieved December 28, 2022.

backlogs due to several reported challenges, including staff shortages, lack of physical court space, and delayed evaluation of forensic evidence.

Figure 8 shows new felony and misdemeanor cases filed from fiscal years 2013 to 2022. For fiscal year 2022, OCA reported the greatest number of new felony cases filed in the past decade. Of the cases filed, the percentage of severe and/or violent offenses was higher than previously seen. Misdemeanor case filings decreased steadily from fiscal years 2013 to 2019, before decreasing more rapidly from fiscal years 2020 to 2022. The number of new misdemeanor cases filed in fiscal year 2022 reportedly is the lowest recorded since 1985.

FIGURE 8
NEW FELONY AND MISDEMEANOR CASES FILED
FISCAL YEARS 2013 TO 2022



SOURCE: Office of Court Administration

ADULT CORRECTIONAL POPULATION PROJECTIONS

METHODOLOGY

LBB staff produce adult direct felony community supervision, incarceration, and parole supervision population projections using a discrete event simulation model that incorporates updated correctional data. The model simulates an individual's movement through the adult criminal justice system to produce aggregate population projections for the next six fiscal years. Each individual's movement is governed by state laws in place at the time of offense and is based on offense type, sentence length, and time credited to a current sentence. Misdemeanor placements are projected using an autoregressive integrated moving average (ARIMA) model. Population projections assume all current policies, procedures, and laws remain constant during the projection period.

The onset of the COVID-19 pandemic prompted all segments of the criminal justice system to reassess and, in many cases, modify existing practices and policies. Entities that modified practices and policies include law enforcement, jails, courts, and state correctional institutions. LBB staff will continue to monitor the pandemic's effects on the adult criminal justice system and its populations.

ADULT FELONY AND MISDEMEANOR COMMUNITY SUPERVISION

Community supervision in Texas is administered by the Texas Department of Criminal Justice's (TDCJ) Community Justice Assistance Division (CJAD). Individuals placed on community supervision for misdemeanor or felony offenses serve their sentences in the community rather than in prison or state jails. Local community supervision and corrections departments (CSCD) supervise the individuals on community supervision and are organized within local judicial districts. CSCD operating budgets are funded through a combination of state funds distributed by CJAD, court-ordered fees collected from offenders, and financial support from their local governments.

An individual who commits a felony offense may be placed on felony community supervision to serve a sentence in the

community rather than in a state jail or prison. An individual who commits a class A or B misdemeanor offense may be placed on misdemeanor community supervision to serve a sentence in the community rather than in county jail. Eligible individuals must adhere to basic conditions of supervision issued by a judge (e.g., commit no new offense, avoid injurious habits, report regularly, and pay fines) and may be required to complete residential or nonresidential programs. Failure to comply with these conditions can result in a revocation of community supervision and a sentence of incarceration.

For adult community supervision, LBB staff produce population projections on the direct felony community supervision population and misdemeanor community supervision placements. Individuals that work or reside in the jurisdiction in which they are supervised and maintain required contact with a community supervision officer are considered under direct supervision. Indirect supervision can include individuals that have absconded, receive supervision in other jurisdictions, or submit reports but are ineligible for supervision in another jurisdiction. Total felony community supervision includes indirect and direct supervisions. Currently, state funding for felony community supervision is based on the direct supervision population.

ADULT FELONY DIRECT COMMUNITY SUPERVISION ACTUAL AND PROJECTED POPULATIONS, FISCAL YEARS 2018 TO 2028

The adult felony direct community supervision population is expected to increase from fiscal years 2023 to 2025, then decrease through fiscal year 2028. Any significant change in projection drivers (e.g., placements, revocations, or length of supervision) may affect future populations. The main factors affecting community supervision population projections are the number of individuals placed onto community supervision and the length of time spent on supervision.

ADULT FELONY COMMUNITY SUPERVISION PLACEMENTS

The onset of the COVID-19 pandemic required courts to reduce their caseloads during much of calendar years

2020 and 2021. Modified court practices prevented placing some individuals on felony direct community supervision who otherwise may have been placed. Concurrently, terminations of supervision continued, although revocations, a type of termination, decreased. At the time of this projections report, court activity is trending toward pre-pandemic capacity, but backlogs remain that may continue to affect the felony community supervision population.

The number of placements onto felony community supervision were relatively stable from year to year before the pandemic but decreased 27.4 percent from fiscal years 2019 to 2020. This number remained steady from fiscal years 2020 to 2021 before increasing 31.4 percent in fiscal year 2022. **Figure 9** shows felony community supervision placements from fiscal years 2018 to 2022.

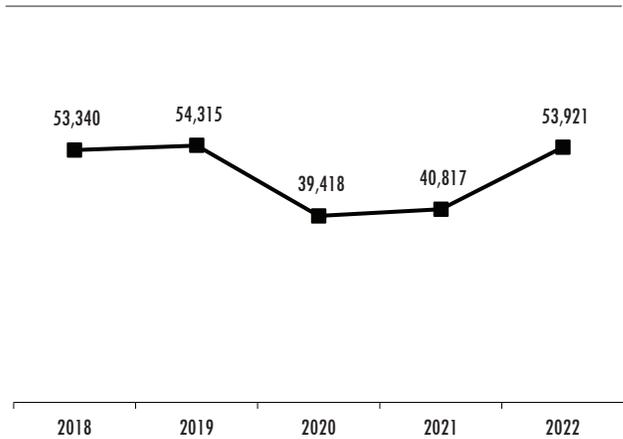
LENGTH OF SUPERVISION FOR ADULT FELONY COMMUNITY SUPERVISION

The length of community supervision is affected by several factors, including the individual’s sentence length, compliance with supervision conditions, and community supervision revocation practices in local judicial districts. The average length of supervision for individuals that were terminated from felony community supervision has remained relatively stable from fiscal years 2012 to 2019, averaging 1,341 days. The average length of supervision increased annually during fiscal years 2020 and 2021 by 5.3 percent and 3.8 percent, respectively. The increase may be due to several factors, such as fewer revocations and fewer individuals with shorter lengths of supervision being placed on felony probation due to the ongoing pandemic. For individuals released from felony community supervision in fiscal year 2022, the average length of supervision remained steady at 1,457 days. **Figure 10** shows lengths of supervision for all terminations from felony community supervision from fiscal years 2018 to 2022.

ADULT FELONY DIRECT COMMUNITY SUPERVISION PROJECTED POPULATION

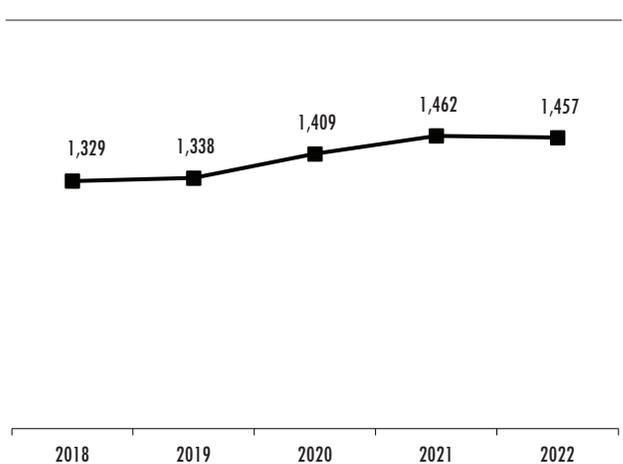
The number of individuals on direct felony community supervision has decreased steadily during the past decade. Before the onset of the COVID-19 pandemic, the population decreased approximately 9.7 percent

**FIGURE 9
FELONY COMMUNITY SUPERVISION PLACEMENTS
FISCAL YEARS 2018 TO 2022**



SOURCES: Legislative Budget Board; Texas Department of Criminal Justice.

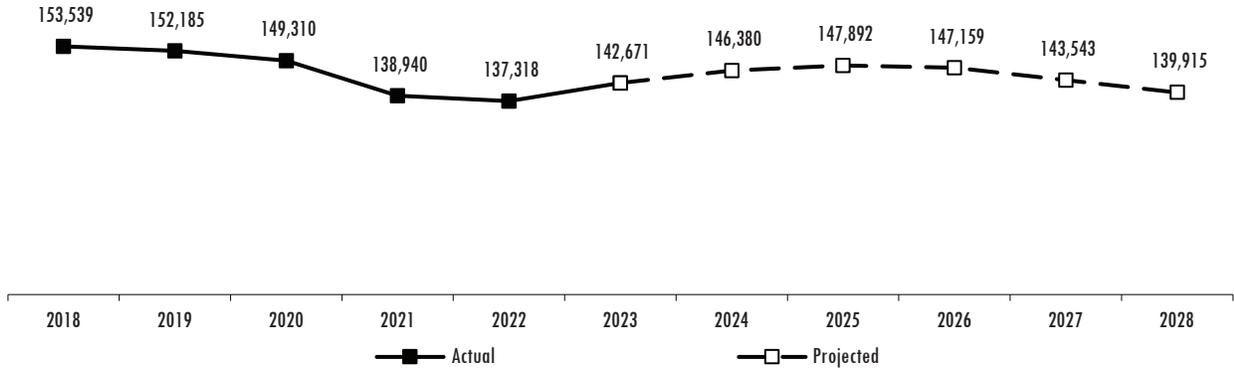
**FIGURE 10
AVERAGE LENGTH OF SUPERVISION IN DAYS AT
TERMINATION OF FELONY COMMUNITY SUPERVISION
FISCAL YEARS 2018 TO 2022**



SOURCES: Legislative Budget Board; Texas Department of Criminal Justice.

from fiscal years 2012 to 2019. During the pandemic, the population decreased further by approximately 9.8 percent from fiscal years 2019 to 2022. The population is expected to increase through fiscal year 2025 as placements continue trending toward pre-pandemic levels and courts work through felony caseloads. **Figure 11** shows the actual and projected average end-of-month direct felony community supervision populations from fiscal years 2018 to 2028.

**FIGURE 11
ACTUAL AND PROJECTED ADULT FELONY DIRECT COMMUNITY SUPERVISION POPULATIONS, FISCAL YEARS 2018 TO 2028**



SOURCES: Legislative Budget Board; Texas Department of Criminal Justice.

**ADULT MISDEMEANOR COMMUNITY SUPERVISION
ACTUAL AND PROJECTED POPULATIONS
FISCAL YEARS 2018 TO 2028**

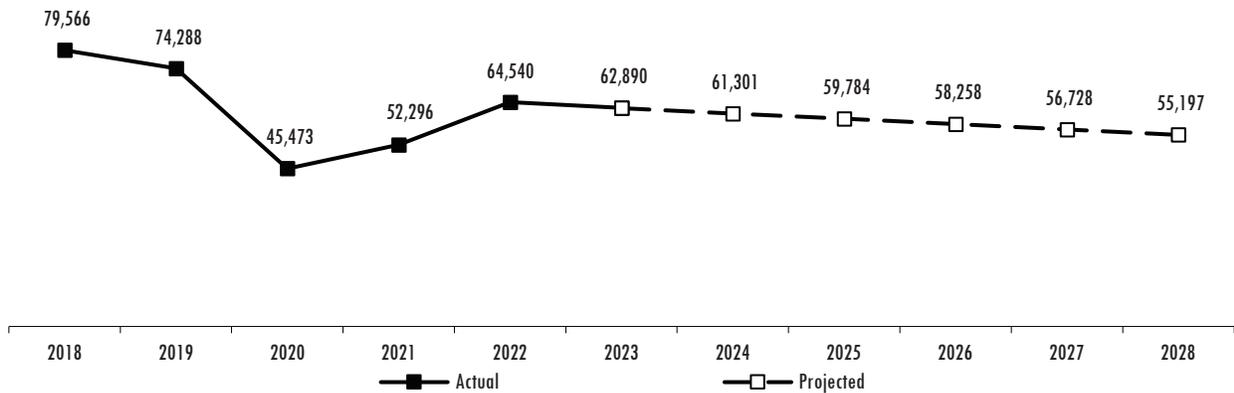
Misdemeanor community supervision placements are projected to decrease from fiscal years 2023 to 2028. Any significant change in projection drivers (e.g., pretrial diversion program options and sentencing trends) may affect future populations.

Misdemeanor community supervision placements decreased 4.6 percent on average each year from fiscal years 2012 to 2019. In fiscal year 2020, placements decreased further by 38.8 percent. In fiscal years 2021 and 2022, misdemeanor community supervision placements increased by 15.0 percent

and 23.4 percent, respectively. Factors that affect the number of individuals placed on misdemeanor community supervision include modifications to arrest practices for misdemeanor drug offenses, the decreasing number of misdemeanor court case filings, pretrial diversion placements in lieu of misdemeanor community supervision, and modifications in sentencing practices for misdemeanor drug offenses.

Misdemeanor community supervision placements are projected to decrease 12.2 percent from fiscal years 2023 to 2028. Any significant change in projection drivers may affect future populations. **Figure 12** shows actual and projected numbers of misdemeanor community supervision placements from fiscal years 2018 to 2028.

**FIGURE 12
ACTUAL AND PROJECTED ADULT MISDEMEANOR COMMUNITY SUPERVISION PLACEMENTS, FISCAL YEARS 2018 TO 2028**



SOURCES: Legislative Budget Board; Texas Department of Criminal Justice.

ADULT INCARCERATION ACTUAL AND PROJECTED POPULATIONS, FISCAL YEARS 2018 TO 2028

The adult incarceration population is projected to increase from fiscal years 2023 to 2027 before decreasing again in fiscal year 2028. Any significant change in projection drivers (e.g., admissions or admission rates, parole approval practices, amended statute) may affect future populations.

The adult incarceration population consists of individuals housed in prisons, state jails, and substance abuse felony punishment facilities. The incarceration population includes individuals whose offenses are categorized by severity as state jail felonies or greater. The status of the actual and projected correctional populations has been affected by a decade-long effort by multiple Legislatures to support rehabilitation, treatment, and sanction initiatives throughout the criminal justice system. The main factors affecting correctional population projections are the number of individuals entering the system and their lengths of stay.

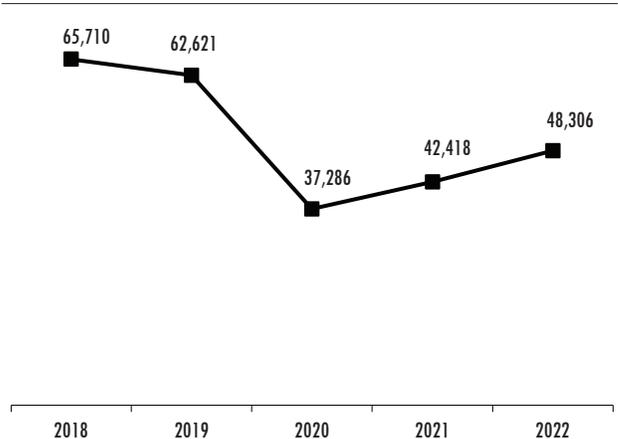
ADMISSIONS TO STATE CORRECTION INSTITUTIONS

Figure 13 shows that TDCJ’s annual incarceration admissions rate has decreased 26.5 percent from fiscal years 2018 to 2022. During the onset of the COVID-19 pandemic, TDCJ suspended transfers from county jails to state correctional institutions. In addition, changes to court practices in response to the pandemic included a suspension of jury trials and adjustments to grand jury schedules. At the time of this projections report, court activity and county jail transfers have resumed and are trending toward pre-pandemic capacity, which is evident in the 13.8 percent and 13.9 percent increases in admissions from fiscal years 2021 and 2022, respectively. Although the long-term effects of the pandemic on admissions still are unknown, admissions to incarceration are expected to continue increasing through fiscal year 2024 and then decrease gradually through fiscal year 2028.

LENGTH OF STAY WITHIN STATE CORRECTIONAL INSTITUTIONS

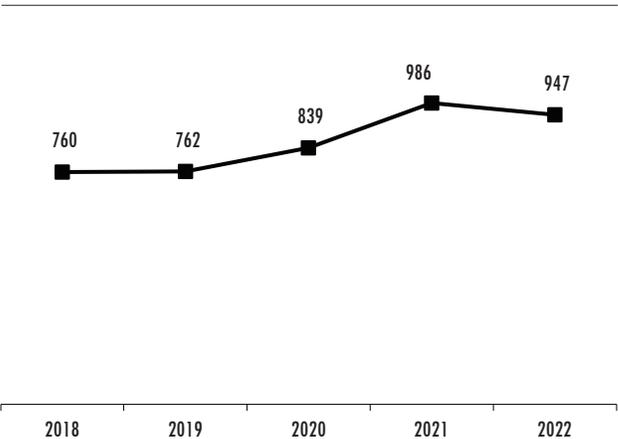
Longer sentences can increase the populations of correctional institutions by slowing releases. The main factors affecting lengths of stay are sentence lengths, time served prior to TDCJ incarceration (such as time served in county jails), statutory minimum lengths of stay, time credits for good behavior, and release decisions made by the

FIGURE 13
TEXAS DEPARTMENT OF CRIMINAL JUSTICE
INCARCERATION ADMISSIONS
FISCAL YEARS 2018 TO 2022



SOURCES: Legislative Budget Board; Texas Department of Criminal Justice.

FIGURE 14
AVERAGE LENGTH OF STAY IN DAYS OF ADULTS RELEASED
FROM THE TEXAS DEPARTMENT OF CRIMINAL JUSTICE
FISCAL YEARS 2018 TO 2022



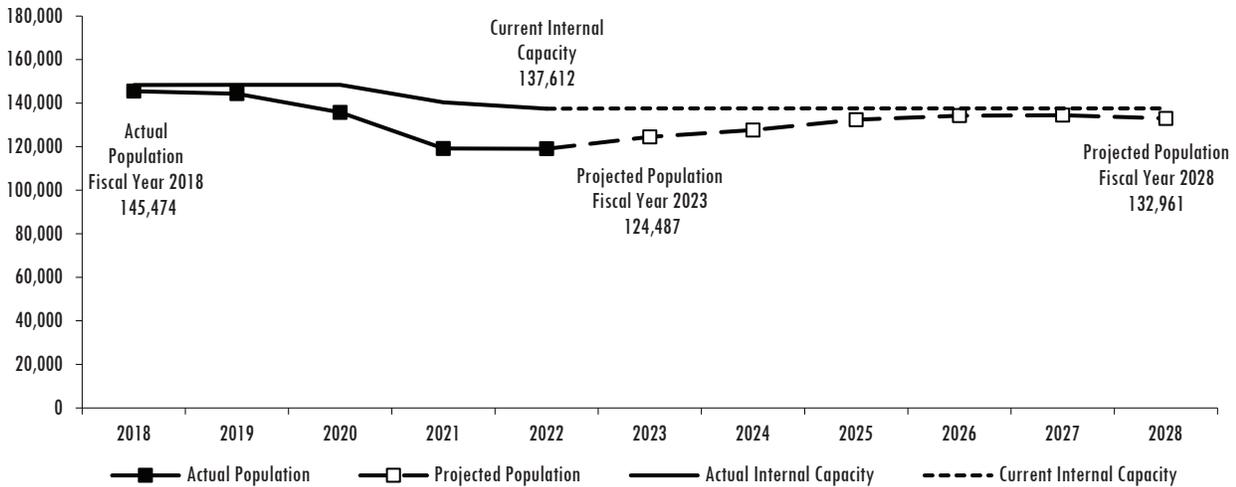
SOURCES: Legislative Budget Board; Texas Department of Criminal Justice.

Board of Pardons and Parole. The average length of stay for adults released from TDCJ increased during fiscal years 2020 and 2021 and decreased slightly in fiscal year 2022, as shown in Figure 14.

ADULT INCARCERATION PROJECTED POPULATION

LBB staff project that the adult incarceration population will increase through fiscal year 2027 before decreasing again in fiscal year 2028. The population will remain lower

FIGURE 15
ACTUAL AND PROJECTED TEXAS DEPARTMENT OF CRIMINAL JUSTICE INCARCERATION POPULATION AND INTERNAL CAPACITY, FISCAL YEARS 2018 TO 2028



NOTE: During calendar year 2020, the Texas Department of Criminal Justice (TDCJ) closed and idled certain units due to the decrease in the incarceration population and staff shortages. During calendar years 2021 and 2022, TDCJ modified capacity further to accommodate capacity reductions associated with Operation Lone Star, staff shortages, and population changes. Internal capacity includes temporarily offline beds. SOURCES: Legislative Budget Board; Texas Department of Criminal Justice.

than the current internal capacity during the projection period. **Figure 15** shows TDCJ’s actual incarceration population and internal capacity from fiscal years 2018 to 2022 and projected incarceration population and current internal capacity for fiscal years 2023 to 2028. Internal capacity is the sum of: (1) 96.0 percent of total unit capacity (i.e., the number of beds available to house individuals); plus (2) the number of beds that are offline temporarily.

Figure 16 shows the end-of-month yearly average of projected populations from fiscal years 2023 to 2028 relative to TDCJ’s current internal capacity.

**ACTIVE ADULT PAROLE SUPERVISION
 ACTUAL AND PROJECTED POPULATIONS,
 FISCAL YEARS 2018 TO 2028**

The active adult parole supervision population is projected to increase from fiscal years 2023 to 2028. The main factors affecting parole supervision population projections are the number of individuals placed onto parole supervision and the length of time each individual is on supervision. Any significant change in factors affecting projections (e.g., parole approval and consideration practices) may affect future populations.

FIGURE 16
PROJECTED INCARCERATION POPULATION AND INTERNAL CAPACITY, FISCAL YEARS 2023 TO 2028

YEAR	INCARCERATION POPULATION (END-OF-MONTH YEARLY AVERAGE)	INTERNAL CAPACITY	AVAILABLE CAPACITY	AVAILABLE CAPACITY AS A PERCENTAGE OF INTERNAL CAPACITY
2023	124,487	137,756	13,269	9.6%
2024	127,598	137,756	10,158	7.4%
2025	132,347	137,756	5,409	3.9%
2026	134,213	137,756	3,543	2.6%
2027	134,463	137,756	3,293	2.4%
2028	132,961	137,756	4,795	3.5%

NOTES: Internal capacity is the sum of: (1) 96.0 percent of the beds available for permanent assignment; plus (2) temporarily offline beds. SOURCES: Legislative Budget Board; Texas Department of Criminal Justice.

Individuals that are sentenced to a term of incarceration for a third-degree felony or greater are received into prisons. Most individuals sentenced to a term of incarceration within prisons are eligible for consideration and subsequent release onto parole supervision. The Board of Pardons and Parole (BPP) considers and approves individuals for release onto parole supervision through a parole or discretionary mandatory supervision (DMS) process. Statutory requirements determine an individual’s eligibility for parole or DMS, and these requirements commonly are based on offense dates and the offense committed. Individuals typically are eligible for parole release before DMS release. Parole is discretionary and always requires a decision from BPP. However, in accordance with state law in effect until August 31, 1996, release to mandatory supervision was automatic. If an incarcerated individual is serving time for an offense committed before that date and is eligible for mandatory supervision, the individual must be released on the date at which the sum of calendar time and time credited for good behavior equals the sentence length. Therefore, a relatively small number of individuals that committed offenses before September 1, 1996, are placed automatically onto parole supervision through a mandatory supervision release process. For offenses committed on or after September 1, 1996, BPP may review scheduled mandatory supervision releases on an individual case basis.

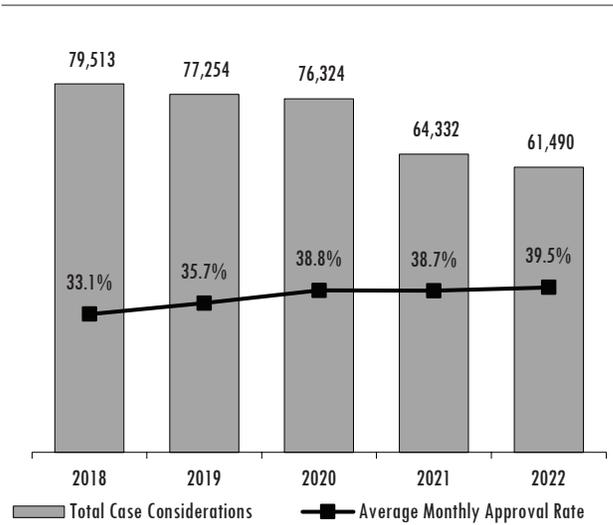
ADULT PAROLE SUPERVISION PLACEMENTS

Individuals placed on parole include those approved for release from prisons by BPP, those released from prisons through the mandatory supervision release process, those who committed an offense in another state and whose term of parole supervision was transferred to Texas, and those whose supervision was transferred from the juvenile justice system.

Placements onto parole increased slightly from fiscal years 2018 to 2019 but since have decreased through fiscal year 2022. As shown in **Figure 17**, parole case considerations decreased slightly from fiscal years 2018 to 2020 before decreasing 19.4 percent from fiscal years 2020 to 2022. The average monthly approval rate from fiscal years 2018 to 2022 has increased slightly from an average of 33.1 percent to 39.5 percent.

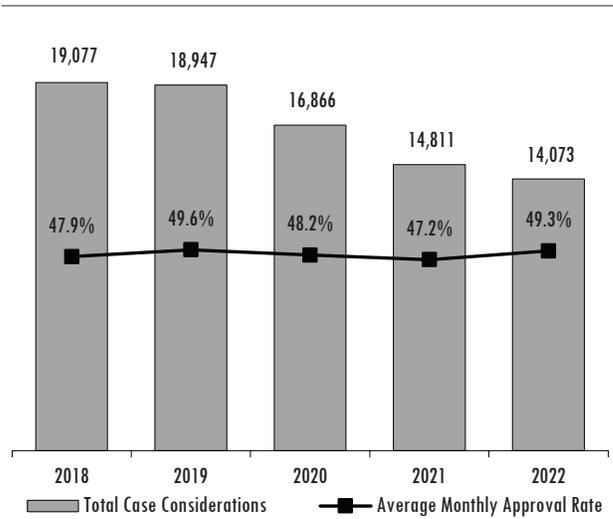
As shown in **Figure 18**, DMS case considerations decreased 26.2 percent from fiscal years 2018 to 2022, while DMS

**FIGURE 17
PAROLE CASE CONSIDERATIONS AND APPROVAL RATE
FISCAL YEARS 2018 TO 2022**



SOURCES: Legislative Budget Board; Texas Department of Criminal Justice.

**FIGURE 18
DISCRETIONARY MANDATORY SUPERVISION CASE
CONSIDERATIONS AND APPROVAL RATE
FISCAL YEARS 2018 TO 2022**



SOURCES: Legislative Budget Board; Texas Department of Criminal Justice.

approval rates remained steady at an average annual rate of 48.4 percent.

As shown in **Figure 19**, placements onto parole supervision increased slightly from fiscal years 2018 to 2019 before decreasing 22.5 percent from fiscal years

2019 to 2022; most of the decrease occurred during fiscal years 2021 and 2022.

LENGTH OF SUPERVISION

Parole length of supervision is driven by several factors, including the individual’s sentence length, compliance with supervision conditions, and the BPP’s parole revocation practices.

From fiscal years 2018 to 2022, the average length of supervision for individuals that were removed from parole supervision has remained stable overall, at an average of 1,083 days. **Figure 20** shows the trend in supervision length from fiscal years 2018 to 2022.

ADULT PAROLE SUPERVISION PROJECTED POPULATION

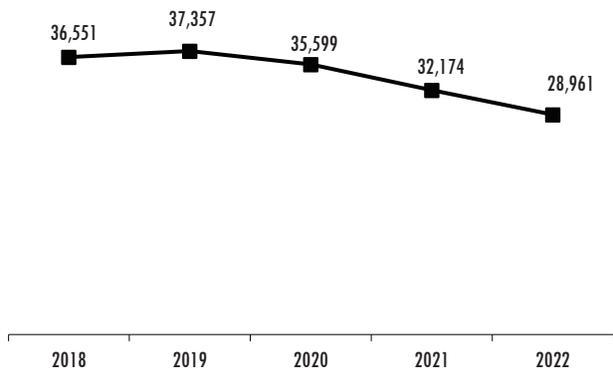
Although transfers from counties to TDCJ were suspended during calendar year 2020 in response to the COVID-19 pandemic, individuals continued to be reviewed, approved, and subsequently released onto parole supervision. LBB staff project that the parole population will increase slightly from fiscal years 2023 to 2028 as the incarceration population increases.

Figure 21 shows the actual and projected parole population from fiscal years 2018 to 2028.

ADULT PRETRIAL SERVICES

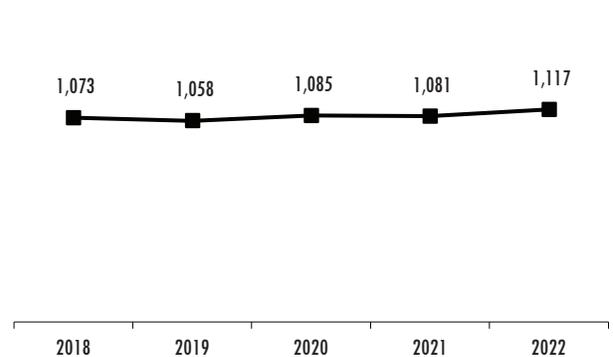
In addition to the populations for which LBB staff provides projections, staff monitor other supervision populations operated by CSCDs, including pretrial bond supervision and pretrial diversion. The Texas Government Code, Section 76.011, authorizes CSCDs to operate programs for the

**FIGURE 19
PAROLE PLACEMENTS, FISCAL YEARS 2018 TO 2022**



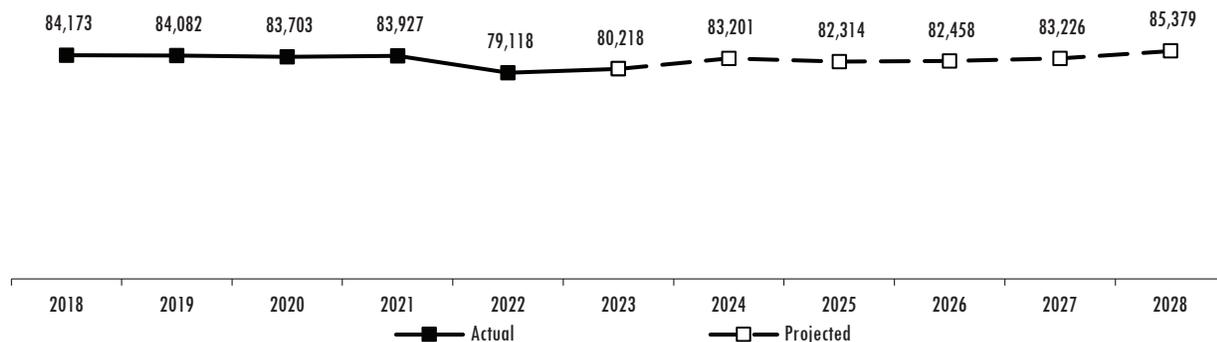
SOURCES: Legislative Budget Board; Texas Department of Criminal Justice.

**FIGURE 20
AVERAGE LENGTH OF SUPERVISION IN DAYS FOR
RELEASES FROM PAROLE SUPERVISION
FISCAL YEARS 2018 TO 2022**



SOURCES: Legislative Budget Board; Texas Department of Criminal Justice.

**FIGURE 21
ACTUAL AND PROJECTED ACTIVE ADULT PAROLE SUPERVISION POPULATIONS, FISCAL YEARS 2018 TO 2028**

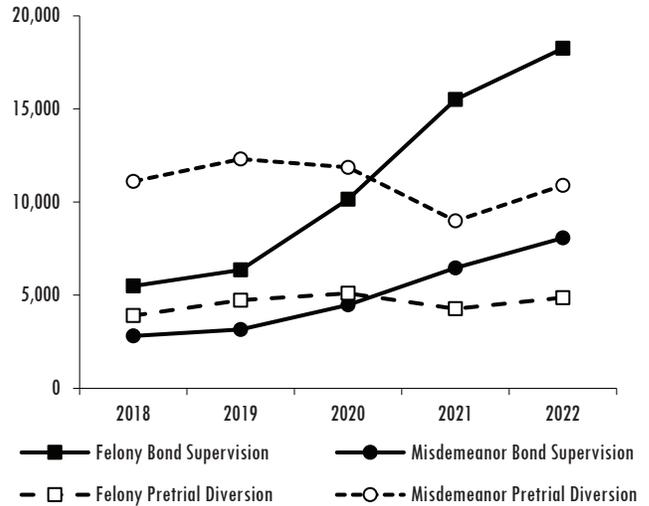


SOURCES: Legislative Budget Board; Texas Department of Criminal Justice.

supervision and rehabilitation of individuals in pretrial intervention programs and of individuals released on bail. Pretrial diversion programs are offered as an alternative to prosecution if individuals meet and maintain certain eligibility requirements, which may include completing community service, submitting to periodic drug testing, and attending educational or counseling sessions.

Figure 22 shows the felony and misdemeanor bond supervision and felony and misdemeanor pretrial diversion average populations from fiscal years 2018 to 2022. Pretrial diversion program populations have remained steady from year to year during this period; however, felony and misdemeanor bond supervision populations have increased significantly.

FIGURE 22
PRETRIAL BOND SUPERVISION AND PRETRIAL DIVERSION POPULATIONS, FISCAL YEARS 2018 TO 2022



SOURCES: Legislative Budget Board; Texas Department of Criminal Justice.

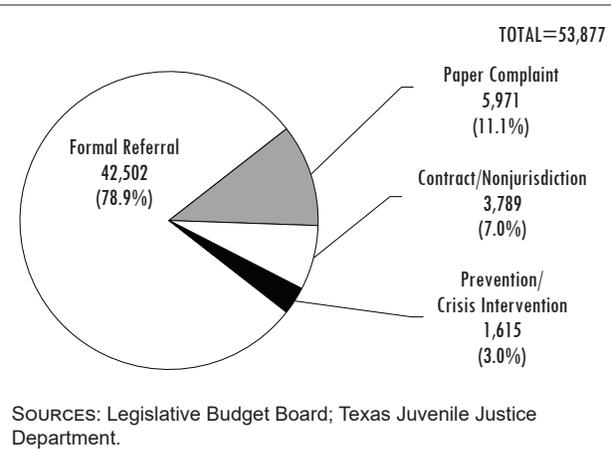
REFERRALS INTO THE JUVENILE JUSTICE SYSTEM

The Texas Human Resources Code, Chapter 201, directs the Texas Juvenile Justice Department (TJJJD) to work in partnership with local county governments, 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. Initial contact with the Texas juvenile justice system typically occurs when a victim, school, or other observer reports an incident or behavior to law enforcement, which then may decide whether to divert the youth away from the juvenile justice system or refer the youth to the local juvenile probation department. Currently, 165 juvenile probation departments serve all 254 counties in Texas. Juvenile probation departments supervise youth before and after adjudication, and they provide services to referred youth. These services may include protective services, prevention of delinquent conduct and conduct indicating a need for supervision, diversion, deferred prosecution, foster care, counseling, other services in response to court orders, and the operation of secure and nonsecure residential facilities for youth before and after adjudication.

For a youth to be referred formally into the juvenile justice system, the youth must allegedly have engaged in delinquent conduct, conduct indicating a need for supervision, or conduct violating a condition of probation. Delinquent conduct refers to certain conduct, other than a traffic offense, that violates a criminal law of Texas or of the United States and is punishable by imprisonment or by confinement in jail. Conduct indicating a need for supervision refers to certain conduct, other than a traffic offense, for which a youth may be referred to a juvenile court, including a misdemeanor offense punishable by fine only, and status offenses, or conduct that would not be a crime by state law if committed by an adult.

During fiscal year 2022, juvenile probation departments received 42,502 formal referrals, which constitute 78.9 percent of 53,877 total referrals. Formal referrals include paper complaints later formalized in person. The remaining referrals included 5,971 paper complaints (11.1 percent); 3,789 transfers, courtesy supervisions, and referrals from other juvenile probation departments and jurisdictions (7.0

FIGURE 23
TOTAL REFERRALS TO JUVENILE PROBATION
DEPARTMENTS BY TYPE, FISCAL YEAR 2022



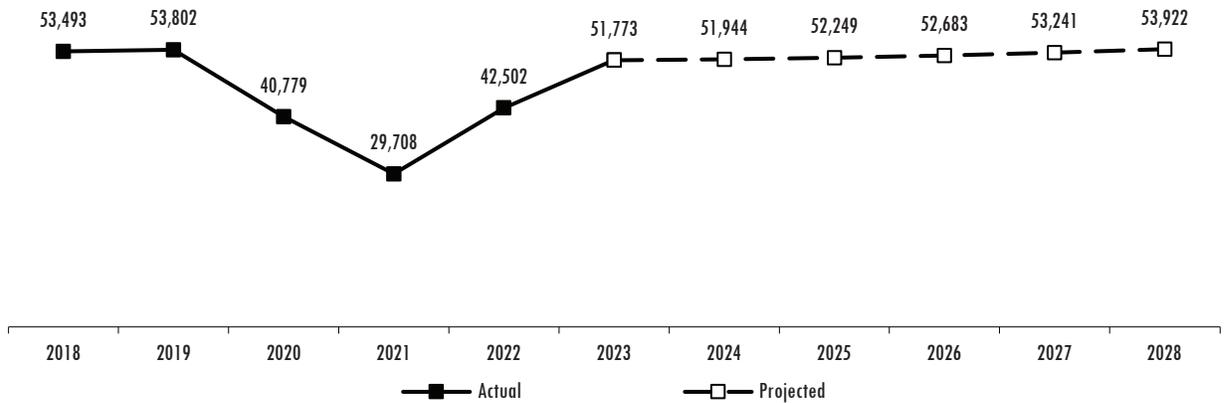
percent); and 1,615 referrals for prevention and crisis intervention (3.0 percent).

Figure 23 shows total referrals to juvenile probation departments by type during fiscal year 2022.

The number of formal referrals remained stable from fiscal years 2018 to 2019 before decreasing by 44.8 percent from fiscal years 2019 to 2021 during the COVID-19 pandemic. During the onset of the pandemic, law enforcement, courts, juvenile probation departments, and state residential institutions reassessed and modified practices and policies throughout the juvenile justice system. Consequently, referrals into the juvenile justice system decreased. Juvenile hearings were suspended and delayed across the state, resulting in a backlog of cases. According to OCA, Texas juvenile courts have now eliminated their backlogs. Formal referrals increased by 43.1 percent in fiscal year 2022 and are expected to continue increasing in fiscal year 2023, then remain stable through fiscal year 2028 as they return to the pre-pandemic trend. Any significant change to projection drivers, such as law enforcement and school policy, may affect actual referrals.

Figure 24 shows actual and projected formal referrals to juvenile probation departments from fiscal years 2018 to 2028.

FIGURE 24
ACTUAL AND PROJECTED FORMAL REFERRALS TO JUVENILE PROBATION DEPARTMENTS, FISCAL YEARS 2018 TO 2028



SOURCES: Legislative Budget Board; Texas Juvenile Justice Department.

Law enforcement agencies, including school district police departments, are the primary source of formal referrals to juvenile probation departments, initiating approximately 81.6 percent of formal referrals during fiscal year 2022. Juvenile probation departments, schools, and other sources in the community initiated the remaining referrals.

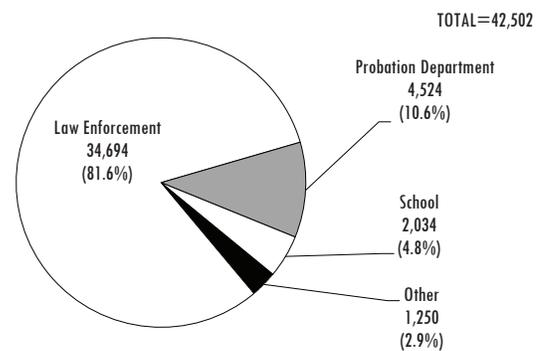
Figure 25 shows formal referrals by source during fiscal year 2022.

Referrals for property, drug, and other offenses decreased by 30.9 percent from fiscal years 2018 to 2022. Referrals for violent offenses increased by 2.3 percent. The proportion of referrals for violent offenses has increased steadily during the past decade, increasing by an average of 2.2 percent each fiscal year since 2013. As a result of this trend, violent offenses account for 40.2 percent of all formal referrals during fiscal year 2022.

Figure 26 shows formal referrals by offense type from fiscal years 2018 to 2022.

The disposition, or outcome of a referral, incorporates punishment and rehabilitation. During fiscal year 2022, 53.1 percent of all youth with disposed referrals were placed onto deferred prosecution supervision or adjudicated probation. Approximately 45.1 percent either were dismissed or received supervisory caution, a nonjudicial disposition that may involve referring the youth to a social service agency or a community-based first offender program operated by law enforcement, contacting parents to inform them of the youth’s activities, or warning the youth about the consequences of those activities.

FIGURE 25
FORMAL REFERRALS BY SOURCE, FISCAL YEAR 2022

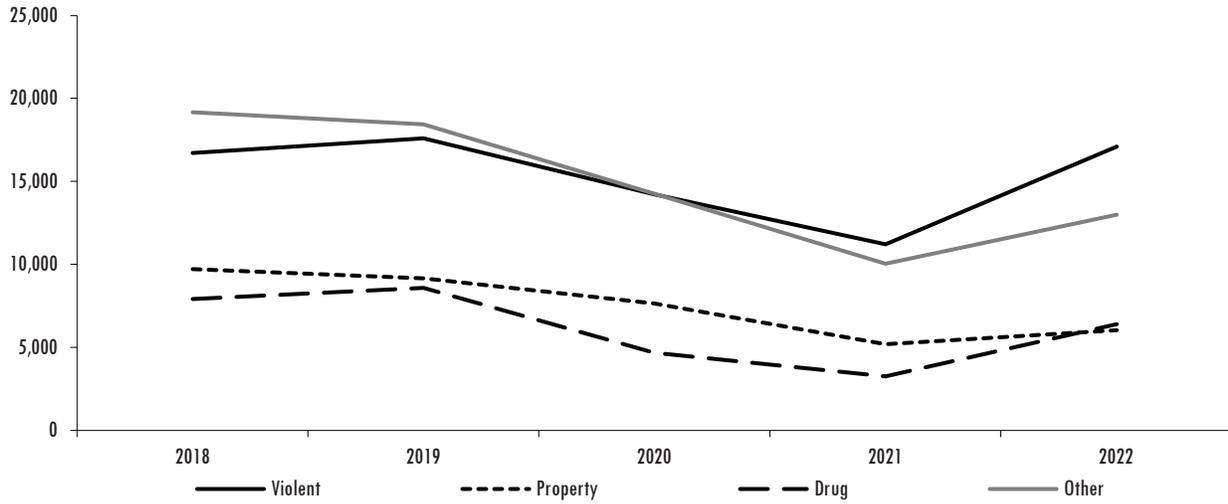


SOURCES: Legislative Budget Board; Texas Juvenile Justice Department.

A small number of cases resulted in more severe dispositions, with 1.4 percent receiving a commitment to a TJJD residential facility and 0.4 percent being certified to stand trial as an adult. These dispositions do not include referrals that were consolidated or transferred to another juvenile probation department.

Figure 27 shows dispositions made for formal referrals by disposition type during fiscal year 2022.

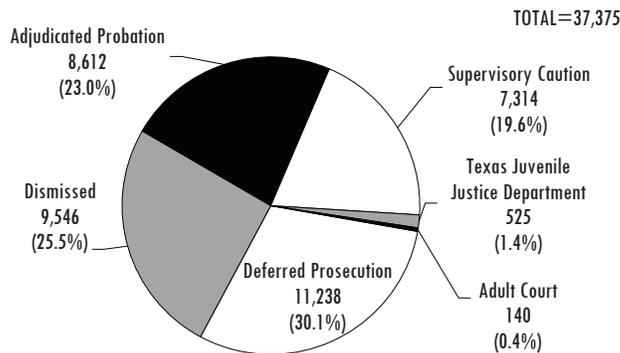
FIGURE 26
FORMAL REFERRALS BY OFFENSE TYPE, FISCAL YEARS 2018 TO 2022



OFFENSE	2018	2019	2020	2021	2022
Total, All Offenses	53,493	53,802	40,779	29,708	42,502
Violent					
Cases	16,712	17,606	14,214	11,216	17,093
Percentage of Caseload	31.2%	32.7%	34.9%	37.8%	40.2%
Property					
Cases	9,713	9,158	7,634	5,198	6,035
Percentage of Caseload	18.2%	17.0%	18.7%	17.5%	14.2%
Drug					
Cases	7,904	8,596	4,667	3,250	6,384
Percentage of Caseload	14.8%	16.0%	11.4%	10.9%	15.0%
Other					
Cases	19,164	18,442	14,264	10,044	12,990
Percentage of Caseload	35.8%	34.3%	35.0%	33.8%	30.6%

SOURCES: Legislative Budget Board; Texas Juvenile Justice Department.

FIGURE 27
FORMAL REFERRAL DISPOSITIONS, FISCAL YEAR 2022



NOTE: Dispositions do not include referrals that were consolidated or transferred to another juvenile probation department.

SOURCES: Legislative Budget Board; Texas Juvenile Justice Department.

JUVENILE CORRECTIONAL POPULATION PROJECTIONS

METHODOLOGY

LBB staff produce juvenile probation supervision, state residential, and parole supervision population projections using a discrete event simulation model that incorporates updated correctional information. The model simulates an individual's movement through the juvenile justice system to produce aggregate population estimates for the next five fiscal years. Each youth's projected movement is governed by the state laws in place at the time of the offense. Projections assume that current law will remain constant throughout the projection period while considering certain trends and changes to practice, including referrals to juvenile probation departments; court activity, such as disposition decisions and pending caseloads; admissions into TJJD custody; length of supervision and detention; and parole decisions.

JUVENILE PROBATION SUPERVISION ACTUAL AND PROJECTED POPULATIONS, FISCAL YEARS 2018 TO 2028

Juvenile probation supervision populations are projected to increase by an annual average of 13.0 percent from fiscal years 2022 to 2024 as referrals to juvenile probation departments increase and dispositions to state residential commitment continue to decrease. The population is projected to remain steady from fiscal years 2025 to 2028 as referrals stabilize. Any significant change in projection drivers, such as diversion and probation approval or revocation practices, may affect actual populations.

TYPES OF SUPERVISION

The juvenile probation supervision population projections consist of three statutory supervision types managed by juvenile probation departments: (1) conditional predisposition supervision, (2) deferred prosecution supervision, and (3) adjudicated probation supervision. In addition, LBB staff monitor other supervision populations, including temporary pre-court monitoring and supervision in local residential facilities.

CONDITIONAL PREDISPOSITION SUPERVISION

The Texas Family Code, Section 53.02, establishes conditional predisposition supervision, sometimes referred

to as conditional release or conditions of release. After youth are referred to juvenile court, they must be released unless detention is required by law. The juvenile probation department may decide to release a youth on specific conditions of release, which must be related to ensuring that the youth will appear in court. The conditions must be in writing and filed with the office or official designated by the court, and a copy must be provided to the youth. A youth who violates the written and court-approved conditions of release may be taken into custody for probable cause of the violation.

TEMPORARY PRE-COURT MONITORING

Conditional predisposition supervision is the only statutory type of predisposition supervision. However, juvenile probation departments may supervise youth through temporary pre-court monitoring. Pre-court monitoring is an unofficial form of predisposition supervision used only when a youth is pending a disposition decision or court action. It may be used voluntarily when youth and their guardians agree to it. Youth cannot be sanctioned for violating the conditions of this supervision because pre-court monitoring is not based in statute. As it has no statutory basis, temporary pre-court monitoring is not included in the juvenile probation supervision population projections. From fiscal years 2018 to 2021, the average daily population of youth subject to temporary pre-court monitoring decreased approximately 46.5 percent before increasing by approximately 14.9 percent during fiscal year 2022.

Figure 28 shows the average daily population of youth subject to temporary pre-court monitoring from fiscal years 2018 to 2022.

DEFERRED PROSECUTION SUPERVISION

Deferred prosecution supervision, established in the Texas Family Code, Section 53.03, enables youth who have less severe offense histories to avoid adjudication. If an intake officer, probation officer, or other court representative determines that proceedings against a youth would be authorized, that officer may recommend deferred prosecution. Participation requires consent from the

youth and a parent, guardian, or custodian, who at any time may terminate the supervision and request an adjudication hearing. Supervision may last up to six months unless a judge extends it for up to six additional months. Deferred prosecution includes supervision conditions. If the youth violates any of the conditions during the supervision period, the probation department may request formal adjudication of the case. A youth who completes deferred prosecution successfully is released from supervision, and the case is dismissed.

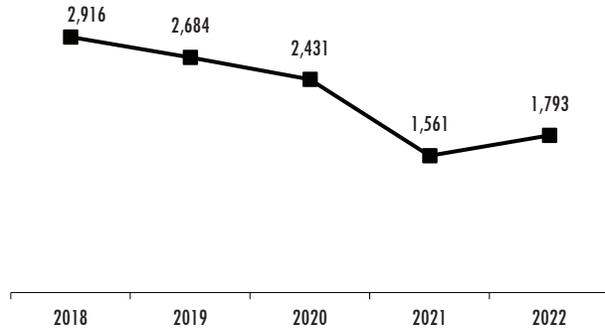
ADJUDICATED PROBATION SUPERVISION

Adjudicated probation supervision, established in the Texas Family Code, Section 54.04, may be ordered only by a judge after determining during an adjudication hearing that the youth committed an offense. Like deferred prosecution, adjudicated probation includes supervision conditions. The judge specifies the length and conditions of supervision, which may include requirements to attend school, abide by curfews, attend counseling, participate in specified programs, or make restitution. With limited exceptions, community service is a mandatory condition of probation. If the youth violates these conditions, probation terms may be modified or, if the youth and violation meet certain conditions, probation may be revoked, and the youth may be committed to TJJD custody.

SUPERVISION IN LOCAL RESIDENTIAL FACILITIES

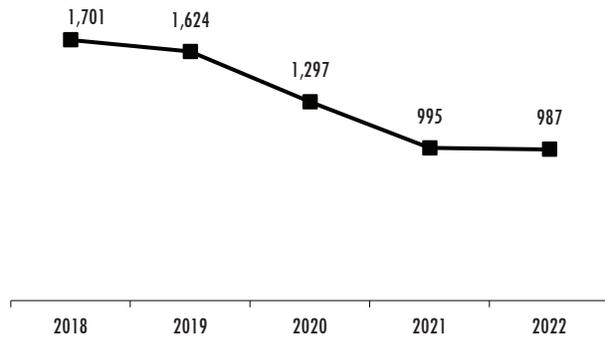
A youth under supervision may receive an emergency local residential placement if no suitable living arrangement is available, or the youth may be placed in a local secure or nonsecure residential facility as a condition of deferred prosecution or adjudicated probation supervision. From fiscal years 2018 to 2022, an average of approximately 9.5 percent of youth under deferred prosecution or adjudicated probation supervision were placed in local residential facilities. The exceptional cases when a residential placement is associated with conditional predisposition supervision are typically placements with relatives or through the Texas Department of Family and Protective Services, or cases where a youth already on deferred prosecution or adjudicated probation supervision receives a new referral and is placed in a residential facility pending a new disposition. The average daily population of youth in local residential facilities decreased by 4.5 percent from fiscal years 2018 to 2019, then decreased by an annual average of 21.7 percent until fiscal year 2021. The population remained steady from fiscal years 2021 to 2022.

FIGURE 28
AVERAGE DAILY POPULATION OF YOUTH SUBJECT TO TEMPORARY PRE-COURT MONITORING
FISCAL YEARS 2018 TO 2022



SOURCES: Legislative Budget Board; Texas Juvenile Justice Department.

FIGURE 29
AVERAGE DAILY POPULATION OF YOUTH IN LOCAL RESIDENTIAL FACILITIES
FISCAL YEARS 2018 TO 2022



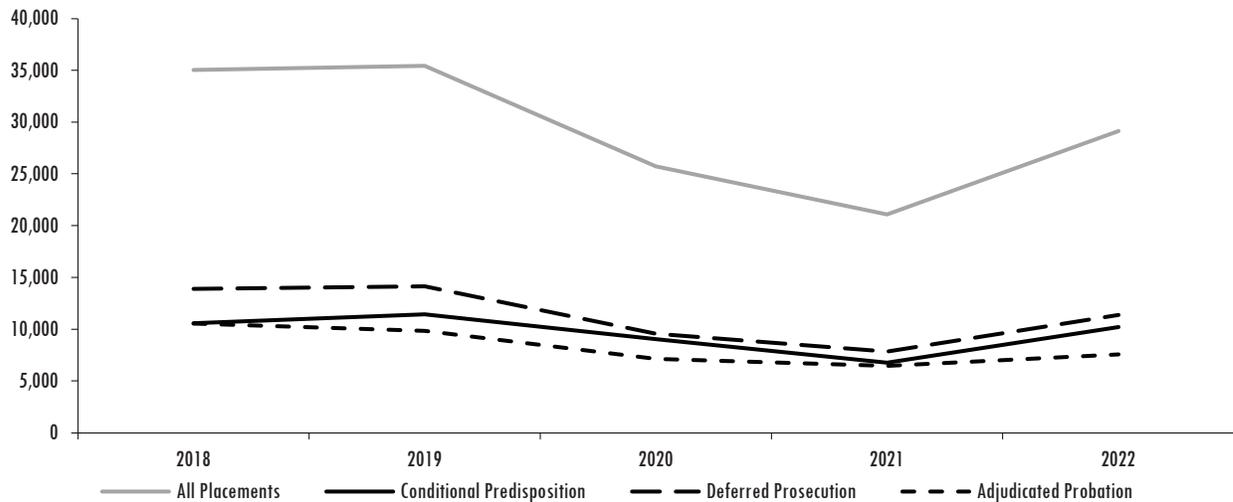
SOURCES: Legislative Budget Board; Texas Juvenile Justice Department.

Figure 29 shows the average daily population of youth under supervision in local residential facilities from fiscal years 2018 to 2022.

PLACEMENTS

Placements onto juvenile probation supervision increased by 1.2 percent from fiscal years 2018 to 2019, driven largely by increasing placements onto conditional predisposition supervision. Adjudicated probation placements decreased during the same period, and deferred prosecution placements did not change significantly. During fiscal years 2020 and 2021, the juvenile justice and education systems modified practices in response

FIGURE 30
JUVENILE PROBATION SUPERVISION PLACEMENTS
FISCAL YEARS 2018 TO 2022



YEAR	ALL PLACEMENTS	CONDITIONAL PREDISPOSITION	DEFERRED PROSECUTION	ADJUDICATED PROBATION
2018	35,024	10,564	13,898	10,562
2019	35,436	11,444	14,141	9,851
2020	25,720	9,038	9,561	7,121
2021	21,106	6,789	7,856	6,461
2022	29,128	10,195	11,368	7,565

SOURCES: Legislative Budget Board; Texas Juvenile Justice Department.

to the COVID-19 pandemic resulting in an average annual decrease of 22.7 percent as all three supervision types decreased.

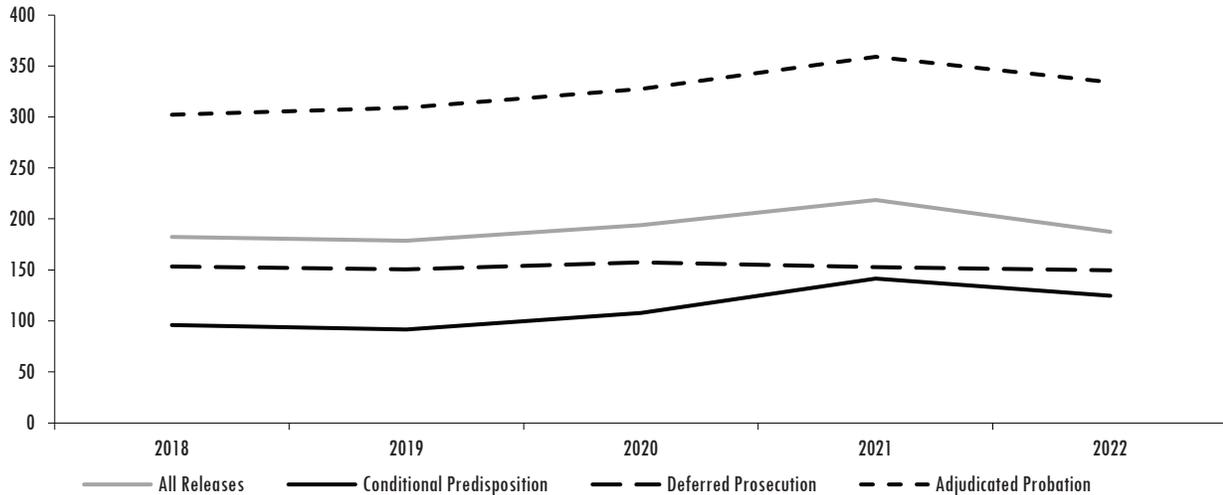
During fiscal year 2022, referral sources and courts began to resume their normal functions, resulting in an increase of 38.0 percent in placements across all supervision types. Placements onto all three supervision types are projected to increase through fiscal year 2023. Total probation supervision placements then are projected to increase slightly through fiscal year 2028, as conditional predisposition supervision and deferred prosecution placements increase and adjudicated probation placements decrease. Changes to prevention and intervention policies may affect these projections by altering the number of youth who formally enter the juvenile justice system.

Figure 30 shows juvenile probation supervision placements from fiscal years 2018 to 2022.

LENGTH OF SUPERVISION

The average length of supervision for all releases increased by an annual average of approximately 6.6 percent from fiscal years 2018 to 2021. From fiscal years 2021 to 2022, the average length of supervision for youth on deferred prosecution remained stable, while average lengths of supervision for youth on conditional predisposition supervision and adjudicated probation decreased by 17 days and 25 days, respectively, causing a 14.3 percent decrease in the overall length of supervision. Lengths of supervision for all three supervision types are projected to remain stable through fiscal year 2028.

FIGURE 31
AVERAGE LENGTH OF SUPERVISION FOR JUVENILE PROBATION RELEASES, IN DAYS
FISCAL YEARS 2018 TO 2022



YEAR	ALL RELEASES	CONDITIONAL PREDISPOSITION	DEFERRED PROSECUTION	ADJUDICATED PROBATION
2018	182	96	153	302
2019	179	92	151	309
2020	194	108	157	327
2021	219	142	153	359
2022	187	125	150	334

SOURCES: Legislative Budget Board; Texas Juvenile Justice Department.

Figure 31 shows the average length of supervision in days for juvenile probation releases from fiscal years 2018 to 2022.

JUVENILE PROBATION SUPERVISION PROJECTED POPULATION

From fiscal years 2018 to 2020, the average daily population of youth on conditional predisposition and deferred prosecution supervision increased by an annual average of 6.6 percent and 4.4 percent, respectively, while the average daily population of youth on adjudicated probation decreased steadily. Overall, the total probation supervision population was stable before the pandemic, increasing by less than 1.0 percent from fiscal years 2018 to 2019 before decreasing by 11.3 percent in fiscal year 2020 and 25.9 percent in fiscal year 2021. The total population increased by 12.7 percent in fiscal year 2022.

Juvenile probation supervision populations are projected to increase by an annual average of 13.0 percent from fiscal years 2022 to 2024 as referrals to juvenile probation departments increase, after which the number of referrals is

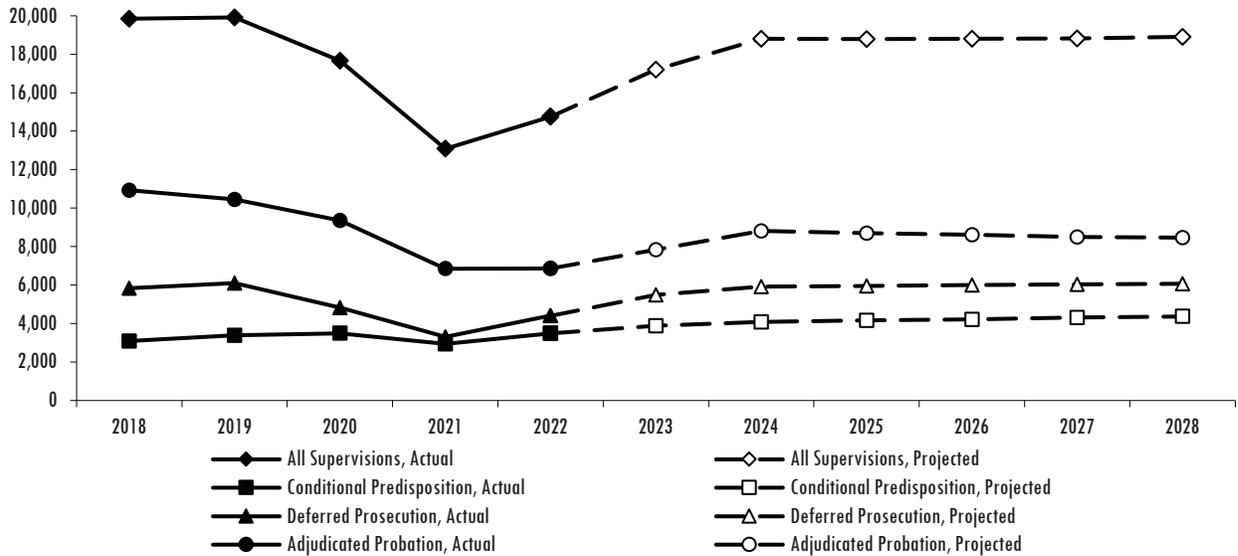
expected to stabilize. The average daily population of youth on conditional predisposition supervision is projected to increase by an annual average of 1.7 percent from fiscal years 2025 to 2028, while deferred prosecution is projected to increase by less than 1.0 percent per year, and adjudicated probation is projected to decrease by an average of 1.0 percent per year. The total supervision population is projected to remain stable from fiscal years 2025 to 2028.

Figure 32 shows actual and projected juvenile probation supervision populations from fiscal years 2018 to 2028.

JUVENILE STATE RESIDENTIAL ACTUAL AND PROJECTED POPULATIONS, FISCAL YEARS 2018 TO 2028

Juvenile state residential populations are projected to increase by an annual average of 9.1 percent until fiscal year 2024 as TJJD accepts youth pending admission to state commitment. Following this increase, the population is expected to return to its previous trend, decreasing by an average of 4.6 percent per year through fiscal year 2028 as

FIGURE 32
ACTUAL AND PROJECTED JUVENILE PROBATION SUPERVISION AVERAGE DAILY POPULATIONS
FISCAL YEARS 2018 TO 2028



YEAR	ALL SUPERVISIONS	CONDITIONAL PREDISPOSITION	DEFERRED PROSECUTION	ADJUDICATED PROBATION
2018	19,846	3,077	5,837	10,932
2019	19,919	3,375	6,096	10,448
2020	17,669	3,497	4,818	9,355
2021	13,095	2,937	3,305	6,853
2022	14,754	3,485	4,403	6,866
2023	17,193	3,872	5,485	7,837
2024	18,812	4,084	5,916	8,812
2025	18,797	4,153	5,942	8,702
2026	18,803	4,207	5,991	8,605
2027	18,831	4,315	6,023	8,493
2028	18,906	4,369	6,066	8,471

SOURCES: Legislative Budget Board; Texas Juvenile Justice Department.

admissions decrease due to fewer expected dispositions to state commitment. The state residential population is expected to remain below budgeted operating capacity during the entire projection period. Any significant change in projection drivers, such as commitment and parole revocation practices, may affect populations.

The juvenile state residential population consists of youth housed in TJJD-operated secure facilities and halfway houses and youth housed in private residential facilities contracted for placements from TJJD. If a youth is found to have engaged in delinquent conduct involving a felony offense, the youth may be committed to a state residential facility for

an indeterminate stay. Youth on an indeterminate stay are committed to TJJD for rehabilitative programming rather than a specified length of time and must be released from detention by age 19. A youth who is found to have engaged in habitual felony conduct or delinquent conduct involving serious felony offenses specified in the Texas Family Code, Chapter 53, may be committed for a determinate stay, requiring a minimum sentence length, and enabling TJJD to transfer the youth to the adult criminal justice system when the youth turns age 19. During fiscal year 2022, 27.2 percent of admissions to state residential facilities were for youth serving determinate stays.

REGIONAL DIVERSION

The Eighty-second Legislature, 2011, established TJJD with a mandate to prioritize the use of community-based or family-based programs and services for youth over the placement or commitment of youth to secure facilities, which has contributed to a consistent decrease in the state residential population since the agency was established. The Eighty-fourth Legislature, 2015, directed TJJD to adopt a regionalization plan for keeping children closer to home in lieu of commitment to its secure facilities. In accordance with this directive, TJJD established the Regional Diversion Alternatives (RDA) grant program, through which juvenile probation departments that otherwise would recommend a youth for commitment to TJJD may apply for funding to provide local interventions for that youth to prevent more youth from being placed in state residential facilities. From fiscal years 2018 to 2022, an average of 80.6 percent of diversion applications were approved, and an average of 85.5 percent of approved applications resulted in a successful local placement. The RDA program has diverted an average of 254 youth per year from the state residential population since fiscal year 2018.

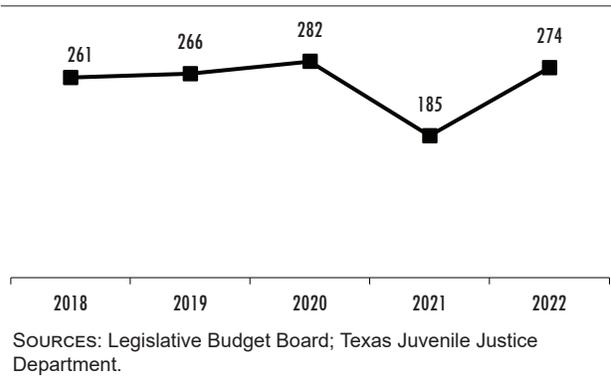
Figure 33 shows the number of youth diverted through RDA grants from fiscal years 2018 to 2022.

YOUTH PENDING ADMISSION TO A STATE RESIDENTIAL FACILITY

Since fiscal year 2020, TJJD has suspended or limited the transfer of youth from juvenile probation departments several times in response to COVID-19 outbreaks and staff shortages. TJJD limited admissions most recently in June 2022, reporting an inability to meet basic supervision needs and maintain compliance with the federal Prison Rape Elimination Act, which requires a minimum ratio of one adult staff to eight youth.

According to the State Auditor’s Office *Annual Report on Classified Employee Turnover for Fiscal Year 2022*, the turnover

**FIGURE 33
YOUTH DIVERTED THROUGH REGIONAL DIVERSION ALTERNATIVES GRANTS, FISCAL YEARS 2018 TO 2022**

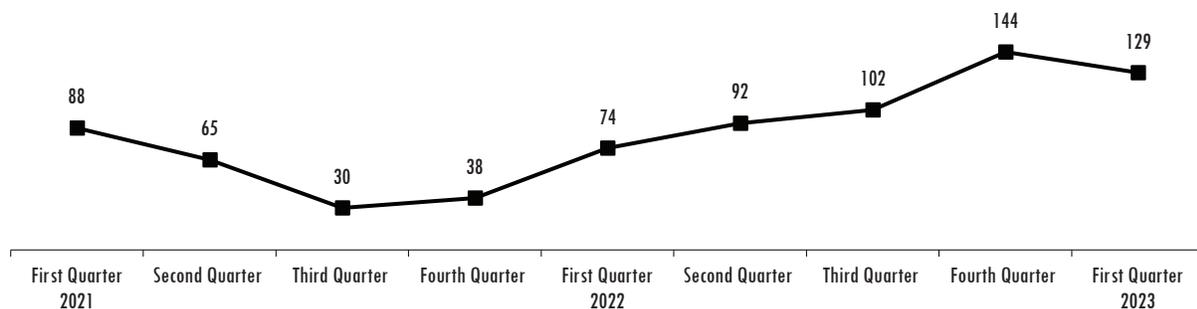


rate among juvenile correctional officers was 70.0 percent, the highest turnover rate among all job classification series with 100 or more employees across all state agencies. Since limiting admissions, TJJD has taken other actions in response to the staff shortage, including transferring youth to facilities that have more staff available, reallocating resources and programming, reviewing youth for earlier release to parole supervision, and implementing a 15.0 percent salary increase for direct-care staff. TJJD began increasing admissions two months after the implementing the most recent limit.

The average daily population of youth pending admission decreased from September 2020 to April 2021, when the population averaged 26 youth, before increasing through July 2022, when the population averaged 153 youth. As of January 23, 2023, 104 youth committed to TJJD custody were waiting in local detention facilities for admission into a secure state facility, with an average wait time of 59 days.

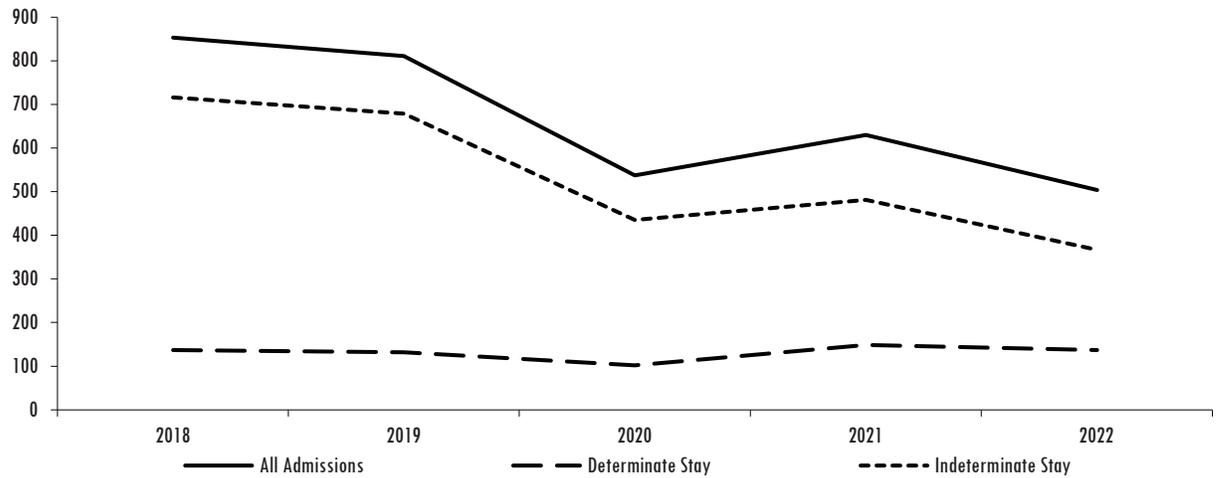
Figure 34 shows the average daily population of youth pending admission into TJJD from fiscal year 2021 to the first quarter of fiscal year 2023.

**FIGURE 34
AVERAGE DAILY POPULATION OF YOUTH PENDING ADMISSION TO STATE RESIDENTIAL FACILITIES, FISCAL YEARS 2021 TO 2023**



SOURCES: Legislative Budget Board; Texas Juvenile Justice Department.

FIGURE 35
JUVENILE STATE RESIDENTIAL ADMISSIONS
FISCAL YEARS 2018 TO 2022



YEAR	ALL ADMISSIONS	DETERMINATE STAY	INDETERMINATE STAY
2018	853	137	716
2019	811	132	679
2020	537	102	435
2021	630	149	481
2022	504	137	367

SOURCES: Legislative Budget Board; Texas Juvenile Justice Department.

ADMISSIONS

Admissions to state residential facilities decreased by 4.9 percent from fiscal years 2018 to 2019. During fiscal year 2020, admissions decreased by 33.8 percent due to modified practices related to the COVID-19 pandemic, then increased by 17.3 percent in fiscal year 2021 as intakes began returning to the pre-pandemic trend. During fiscal year 2022, admissions were limited due to staff shortages, causing a 20.0 percent decrease in admissions. Indeterminate admissions have contributed to the historical decrease, decreasing from 716 in fiscal year 2018 to 367 in fiscal year 2022. By contrast, determinate admissions have remained relatively stable, averaging 131 per year from fiscal years 2018 to 2022. During the projection period, admissions to state residential facilities are expected to increase during fiscal year 2023 as TJJD continues to accept youth pending admission into state residential facilities. From fiscal years 2024 to 2028, admissions are projected to decrease due to fewer expected dispositions to state commitment. Admissions of youth serving an indeterminate stay are expected to contribute to these changes, while admissions of youth serving a determinate stay are expected to remain stable.

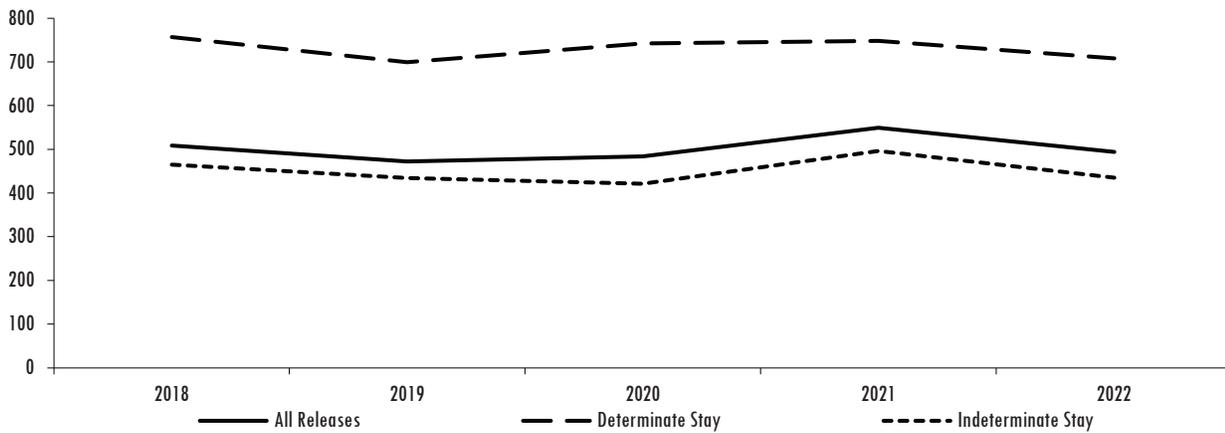
Figure 35 shows juvenile state residential admissions from fiscal years 2018 to 2022.

LENGTH OF STAY

Projected releases are determined by estimating length of stay using a multivariate regression. Factors shown to be statistically significant predictors of length of stay include the youth’s TJJD-determined minimum length of stay, the youth’s age at admission, the youth’s type of stay and admission, the facility to which the youth is assigned, minimum length of stay adjustments made while the youth is in TJJD custody, and home evaluation recommendations.

From fiscal years 2018 to 2022, the average length of stay for youth serving a determinate stay was 731 days, and the average length of stay for youth serving an indeterminate stay was 450 days. Overall, the average length of stay for youth exiting state residential facilities decreased by 36 days from fiscal years 2018 to 2019 before increasing by an average of 39 days per year during fiscal years 2020 and 2021. After decreasing by 56 days, the average length of stay during fiscal year 2022 was 494 days. During the projection period,

FIGURE 36
AVERAGE LENGTH OF STAY FOR JUVENILE STATE RESIDENTIAL RELEASES, IN DAYS, FISCAL YEARS 2018 TO 2022



YEAR	ALL RELEASES	DETERMINATE STAY	INDETERMINATE STAY
2018	509	757	465
2019	473	700	434
2020	484	742	421
2021	550	748	497
2022	494	708	435

SOURCES: Legislative Budget Board; Texas Juvenile Justice Department.

length of stay is expected to average 448 days, decreasing in fiscal years 2023 and 2024 due to increased admissions of youth serving an indeterminate stay, then increasing as such admissions decrease, causing youth serving a determinate stay to constitute a greater percentage of the state residential population.

Figure 36 shows the average length of stay of youth exiting state residential facilities from fiscal years 2018 to 2022.

JUVENILE STATE RESIDENTIAL PROJECTED POPULATION

Juvenile state residential populations are projected to increase by an annual average of 9.1 percent until fiscal year 2024 as TJJD accepts youth pending admission to state commitment. Following this increase, the population is expected to return to its previous trend, decreasing by an average of 4.6 percent per year through fiscal year 2028 as admissions decrease due to fewer expected dispositions to state commitment.

The state residential population is expected to remain below budgeted operating capacity during the entire projection period. Budgeted operating capacity is the sum of the following counts: (1) beds in secure state facilities and halfway houses that are online and available for permanent

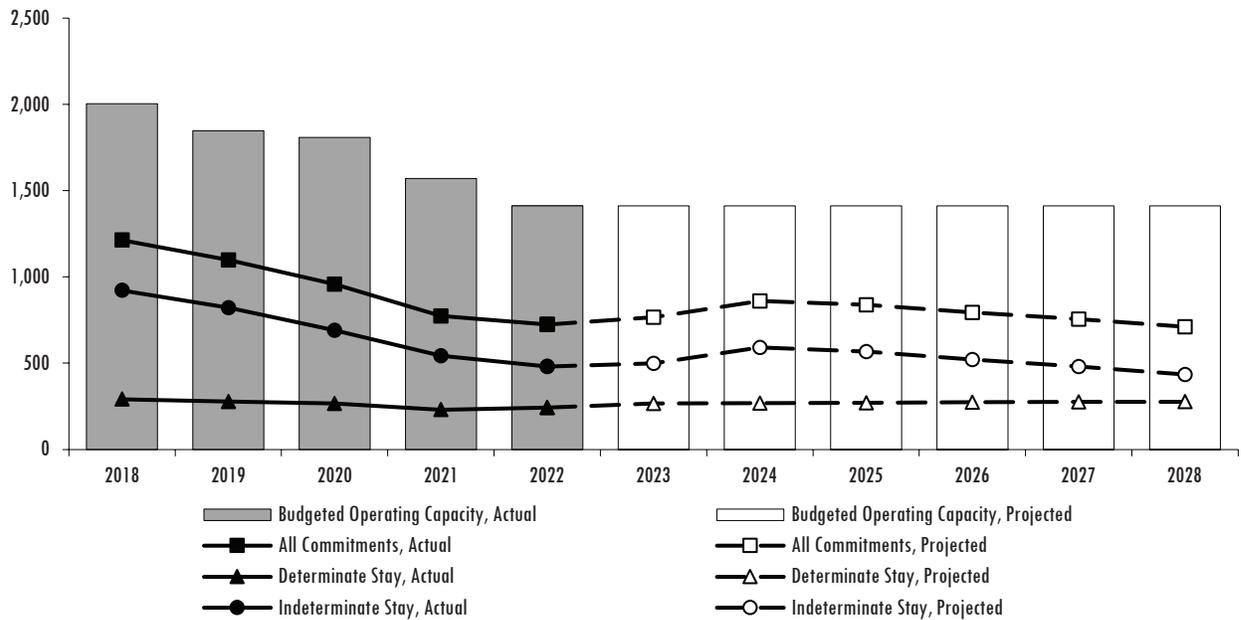
placement; (2) beds in secure state facilities and halfway houses that are offline but otherwise would be available for permanent placement; and (3) beds in contract residential facilities that are occupied.

Figure 37 shows actual and projected average daily state residential populations and budgeted operating capacity for TJJD from fiscal years 2018 to 2028.

JUVENILE PAROLE SUPERVISION ACTUAL AND PROJECTED POPULATIONS, FISCAL YEARS 2018 TO 2028

The parole supervision population is projected to decrease slightly during fiscal year 2023 due to the decreased state residential population, as fewer youth are expected to be eligible for parole. The population then is expected to increase by an average of 11.0 percent per year until fiscal year 2026, as the state residential population increases. From fiscal years 2027 to 2028, during which the state residential population is expected to decrease, the parole supervision population is expected to decrease by an annual average of 2.8 percent. Any significant change in projection drivers, such as commitment and parole approval or revocation practices, may affect actual populations.

FIGURE 37
ACTUAL AND PROJECTED JUVENILE STATE RESIDENTIAL AVERAGE DAILY POPULATIONS AND BUDGETED OPERATING CAPACITY, FISCAL YEARS 2018 TO 2028



YEAR	AVERAGE DAILY POPULATION	DETERMINATE STAY	INDETERMINATE STAY	BUDGETED OPERATING CAPACITY	AVAILABLE CAPACITY	PERCENTAGE OF CAPACITY AVAILABLE
2018	1,214	292	922	2,004	790	39.4%
2019	1,099	278	821	1,847	748	40.5%
2020	957	266	691	1,809	852	47.1%
2021	774	231	542	1,570	796	50.7%
2022	724	243	481	1,412	688	48.7%
2023	765	266	499	1,412	647	45.8%
2024	861	269	592	1,412	551	39.1%
2025	838	271	567	1,412	574	40.6%
2026	794	273	521	1,412	618	43.8%
2027	755	275	480	1,412	657	46.5%
2028	711	277	434	1,412	701	49.6%

NOTE: The Texas Juvenile Justice Department’s budgeted operating capacity decreased from fiscal years 2018 to 2022 as facilities set beds aside for medical quarantine to accommodate youth exhibiting symptoms of COVID-19, facilities removed beds from operation due to insufficient staffing, facilities closed due to damage from Winter Storm Uri in February 2021, and the availability of contract residential placements fluctuated.

SOURCES: Legislative Budget Board; Texas Juvenile Justice Department.

Parole supervision is a verification of the youth’s location, daily schedule, and required activities after release from a TJJD residential facility. Most youth admitted to parole supervision initially are assigned to an intensive level of supervision. Youth who have earned parole credit in other programs may be assigned to

moderate or minimum supervision levels. While youth are on parole, the level of supervision may be modified based on their risks to reoffend and demonstrated compliance with their individual case plans. Discharge from parole typically depends on completing program objectives.

PLACEMENTS ONTO SUPERVISION

Placements onto parole supervision increased by 7.9 percent from fiscal years 2018 to 2019, then decreased during fiscal years 2020 and 2021 by an annual average of 29.3 percent. From fiscal years 2013 to 2022, an average of 71.7 percent of all youth released from state residential facilities were placed on parole supervision. Assuming that a similar percentage are admitted to parole during subsequent fiscal years, the number of youth admitted to parole supervision is expected to increase until fiscal year 2025 before decreasing through fiscal year 2028.

Figure 38 shows juvenile parole supervision placements from fiscal years 2018 to 2022.

LENGTH OF SUPERVISION

Since fiscal year 2018, the average length of supervision for youth released from parole has remained stable, a trend that is expected to continue throughout the projection period.

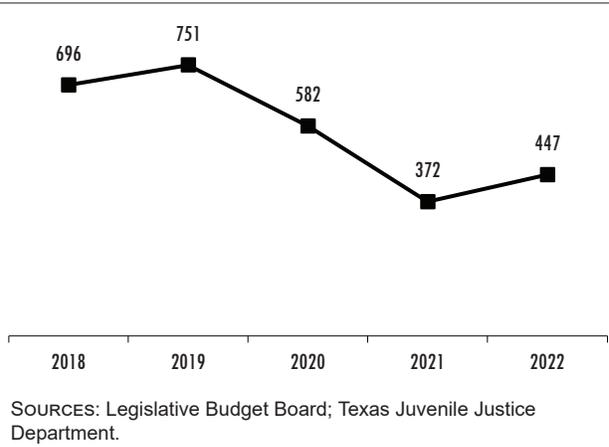
Figure 39 shows average lengths of supervision for juvenile parole releases from fiscal years 2018 to 2022.

JUVENILE PAROLE SUPERVISION PROJECTED POPULATION

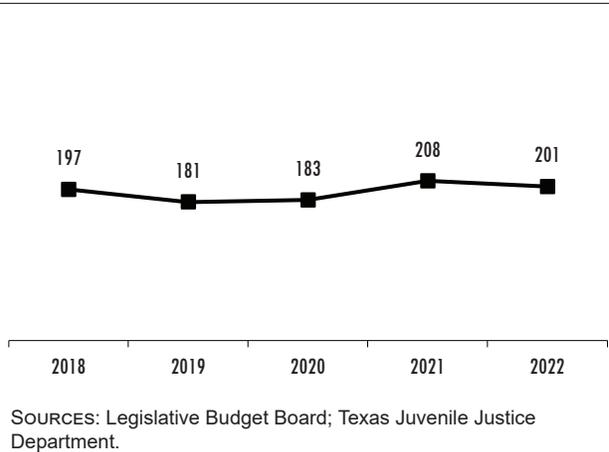
The juvenile parole supervision population remained stable from fiscal years 2018 to 2019 before decreasing by an annual average of approximately 16.9 percent until fiscal year 2022. It is projected to stabilize in fiscal year 2023 and increase through fiscal year 2026 as TJJD accepts youth pending admission to state commitment, before decreasing through fiscal year 2028 as a result of expected decreases in the juvenile state residential population.

Figure 40 shows actual and projected average daily juvenile parole supervision populations from fiscal years 2018 to 2028.

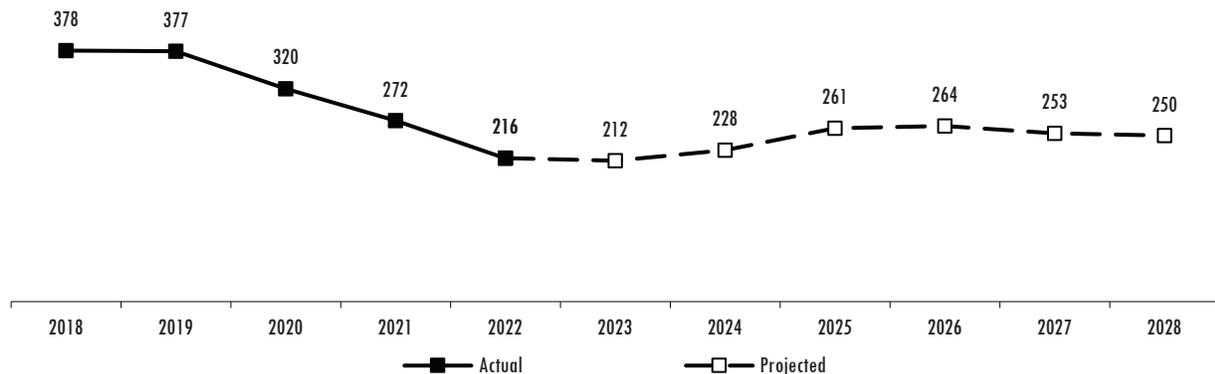
**FIGURE 38
JUVENILE PAROLE SUPERVISION PLACEMENTS
FISCAL YEARS 2018 TO 2022**



**FIGURE 39
AVERAGE LENGTH OF SUPERVISION FOR JUVENILE
PAROLE RELEASES, IN DAYS, FISCAL YEARS 2018 TO 2022**



**FIGURE 40
ACTUAL AND PROJECTED JUVENILE PAROLE SUPERVISION AVERAGE DAILY POPULATIONS, FISCAL YEARS 2018 TO 2028**



SOURCES: Legislative Budget Board; Texas Juvenile Justice Department.