Adult and Juvenile Correctional Population Projections
Fiscal Years 2012—2017

ADULT AND JUVENILE CORRECTIONAL POPULATION PROJECTIONS
FISCAL YEARS 2012–2017

LEGISLATIVE BUDGET BOARD
JUNE 2012

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ADULT AND JUVENILE CORRECTIONAL POPULATION PROJECTIONS
FISCAL YEARS 2012–2017

June 2012

One responsibility of the Legislative Budget Board Criminal Justice Data Analysis Team 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 the Texas Juvenile Justice Department and the Texas Department of Criminal Justice so they may incorporate the relevant information into their Legislative Appropriations Requests for the 2014–15 biennium.

In January 2013, updated projections will be published in preparation for the Eighty-third Legislative Session. Enhancements to the current projections will be made by conducting focus groups and interviews with practitioners and officials in various parts of the criminal and juvenile justice systems to obtain a more in-depth understanding of factors impacting criminal justice populations. Additionally, comprehensive data through fiscal year 2012 will be analyzed and incorporated into the updated projections.

Ursula Parks
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ADULT INCARCERATION ACTUAL AND PROJECTED POPULATIONS
FISCAL YEARS 2007–2017

The adult incarceration population projection for the Texas Department of Criminal Justice (TDCJ) is based on a discrete-event simulation modeling approach resulting from the movement of individual offenders into, through, and out of TDCJ. Discrete-event simulation focuses on the modeling of a system over time as a dynamic process. The model simulates offender movement based on a number of characteristics such as offense type, sentence length, and time credited to current sentence.

The correctional institutions population is expected to increase modestly, 1.8 percent over the projection period, from fiscal year 2012 to fiscal year 2017. This increase is due primarily to increasing admissions to correctional institutions. The major drivers of the projected adult incarceration population are future admissions and releases. Admissions are based on Texas' at-risk populations, court conviction rates, and probation and parole revocations. Future releases are largely driven by release approval decisions. The projected incarceration population for TDCJ is provided in Figure 1 along with the TDCJ internal operating capacity. Any significant change in projection drivers (e.g., increases or decreases in parole and/or discretionary mandatory supervision case considerations and approval rates) may impact projected populations. This projection does not assume any additional changes in treatment and diversion programs. Additional information regarding projections and model assumptions are detailed in Appendix A.

Figure 1: Actual and Projected TDCJ Incarceration Populations and Internal Operating Capacity, Fiscal Years 2007-2017
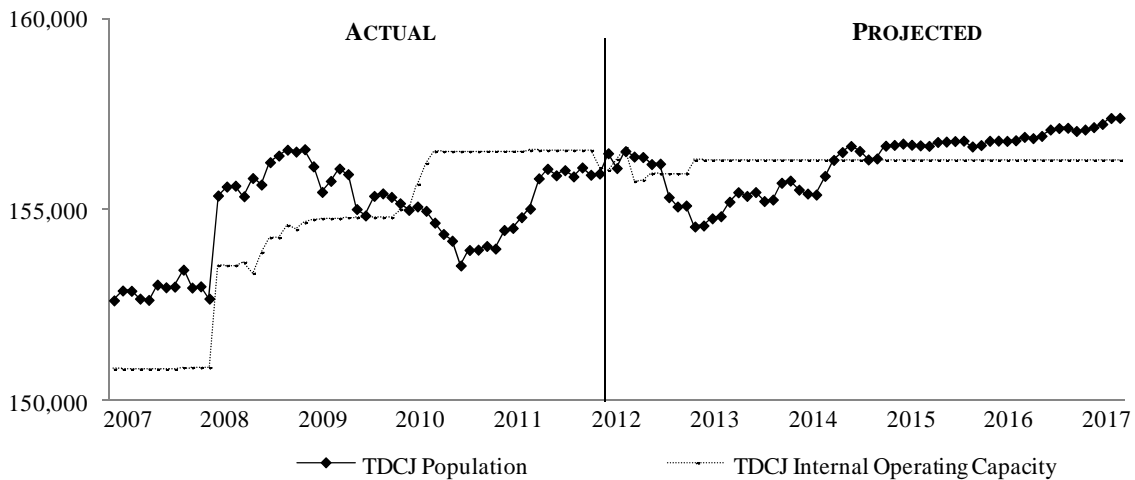
- As of June 1, 2012, the total unit capacity was 162,809 beds and the internal operating capacity was 156,297 beds. The internal operating capacity is total number of beds available to house offenders allowing prison administrators to accommodate logistical issues, safety issues, separating offenders by custody, type, gender, and those in transit status.

- In addition to state operated capacity, the agency currently is appropriated funds to contract for temporary capacity if needed in the 2012–13 biennium. To date, the agency has not accessed those funds.

ADULT INCARCERATION PROJECTED POPULATIONS
FISCAL YEARS 2012–2017

Table 1: Projected TDCJ Incarceration Populations and Operating Capacity

FISCAL YEAR	INCARCERATION POPULATION (END-OF-YEAR)	TDCJ INTERNAL OPERATING CAPACITY[1]	PROJECTED POPULATION COMPARED TO STATE OPERATING CAPACITY[2]	
			NUMBER	PERCENT
2012	155,202	156,297	(1,095)	-0.7%
2013	156,296	156,297	(1)	0.0%
2014	156,765	156,297	468	0.3%
2015	156,923	156,297	626	0.4%
2016	157,605	156,297	1,308	0.8%
2017	157,950	156,297	1,653	1.1%

Table 2: Projected TDCJ End-of-Month Incarceration Populations, Fiscal Years 2013-2015

FISCAL YEAR 2013	END-OF-MONTH POPULATION	FISCAL YEAR 2014	END-OF-MONTH POPULATION	FISCAL YEAR 2015	END-OF-MONTH POPULATION
Sep-12	155,451	Sep-13	156,502	Sep-14	156,774
Oct-12	155,355	Oct-13	156,660	Oct-14	156,787
Nov-12	155,456	Nov-13	156,530	Nov-14	156,798
Dec-12	155,221	Dec-13	156,307	Dec-14	156,647
Jan-13	155,260	Jan-14	156,334	Jan-15	156,683
Feb-13	155,699	Feb-14	156,666	Feb-15	156,795
Mar-13	155,754	Mar-14	156,687	Mar-15	156,799
Apr-13	155,518	Apr-14	156,721	Apr-15	156,792
May-13	155,416	May-14	156,691	May-15	156,808
Jun-13	155,390	Jun-14	156,676	Jun-15	156,897
Jul-13	155,879	Jul-14	156,662	Jul-15	156,865
Aug-13	156,296	Aug-14	156,765	Aug-15	156,923
FY 13 Average	155,558	FY 14 Average	156,600	FY 15 Average	156,797

[1] TDCJ administrators use an internal operating capacity of 96.0 percent of system capacity. See Appendix A for additional details.

[2] The agency currently has appropriations to contract for temporary correctional capacity if populations exceed 96.0 percent of operating capacity. As of June 1, 2012, TDCJ has not accessed these funds.

ACTIVE ADULT PAROLE SUPERVISION ACTUAL AND PROJECTED POPULATIONS FISCAL YEARS 2012–2017

The active adult parole population projection is a component of the discrete-event simulation modeling approach. Individual offenders included in the parole model are released from prison by parole, mandatory supervision, or discretionary mandatory supervision. These offenders must serve the remainder of their sentence under supervision and are subject to sanctions or revocation of parole for violation of parole conditions.

The active adult parole supervision population is expected to increase modestly, 3.9 percent over the projection period, from fiscal year 2012 to fiscal year 2017. This increase is due to increasing parole and discretionary mandatory supervision case considerations, increasing parole and discretionary mandatory supervision case approvals, and increasing placements onto parole supervision. The simulation model keeps track of individuals released to parole, mandatory supervision, or discretionary mandatory supervision for the amount of time they are on active adult parole supervision and removes the individuals from supervision when they have satisfied the requirements of their term or are revoked for a violation of parole conditions. The June 2012 projection of the active adult parole supervision population is higher than previous parole supervision projections for two reasons: higher parole approval rates and low parole revocation rates. Any significant change in projection drivers (e.g., increases or decreases in parole and/or discretionary mandatory supervision case considerations and approval rates) may impact projected populations. Additional information regarding projection drivers and model assumptions are detailed in Appendix A.

Figure 2: Actual and Projected Active Adult Parole Supervision Populations, Fiscal Years 2007-2017
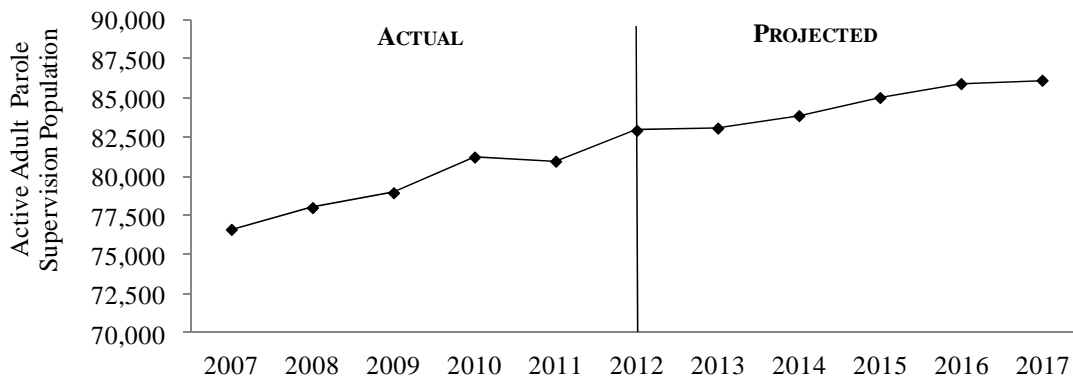

Table 3: Projected Active Adult Parole Supervision Populations

FISCAL YEAR	ACTIVE ADULT PAROLE SUPERVISION POPULATION (END-OF-MONTH YEARLY AVERAGE)
2012	82,919
2013	83,069
2014	83,867
2015	85,019
2016	85,906
2017	86,118

ADULT FELONY DIRECT COMMUNITY SUPERVISION ACTUAL AND PROJECTED POPULATIONS FISCAL YEARS 2007–2017

The adult felony direct community supervision (i.e., adult probation) population projection is also a component of the discrete-event simulation modeling approach. Yearly felony community supervision placements vary according to fluctuations in at-risk populations of the state, felony court activity, and sentencing trends. Placements are added to a discrete-event simulation model in which, over time, offenders complete their terms successfully or are revoked due to violations of the terms of community supervision. The probabilities of completion and revocation are based on release data from the community supervision tracking system and reflect the time served by individuals on community supervision with similar offense and sentence information.

Although the adult felony community supervision population decreased by 1.1 percent from fiscal year 2010 to fiscal year 2011, the population is expected to increase by an average of 0.3 percent each year during the projection period, from fiscal year 2012 to fiscal year 2017. Community supervision placements, the community supervision revocation rate, and the use of early termination release continue to moderate future growth of the felony community supervision population. Any significant change in projection drivers (e.g., sentencing practices, revisions to previously reported data) may impact projected populations. Additional information regarding projection drivers and model assumptions are detailed in Appendix A.

Figure 3: Actual and Projected Adult Felony Direct Community Supervision Populations, Fiscal Years 2007-2017
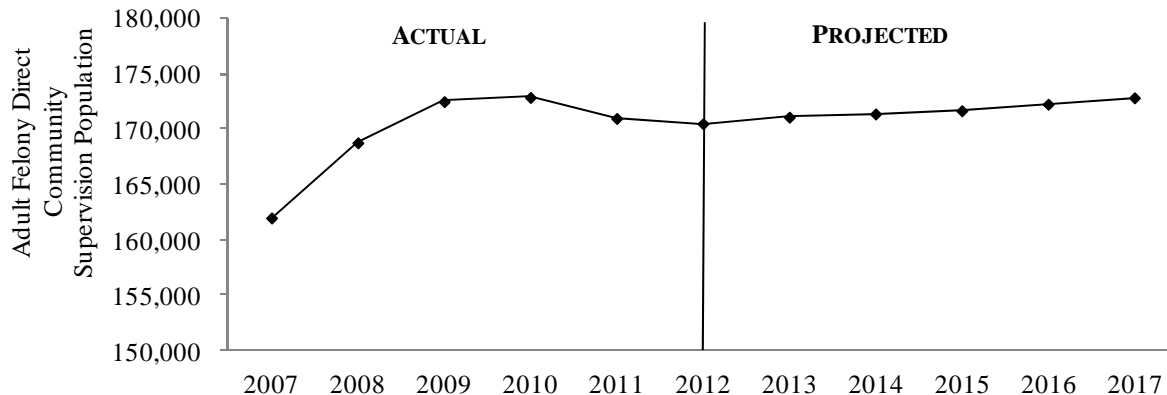

Table 4: Projected Adult Felony Direct Community Supervision Populations

FISCAL YEAR	FELONY DIRECT COMMUNITY SUPERVISION POPULATION (END-OF-MONTH YEARLY AVERAGE)
2012	170,514
2013	171,107
2014	171,399
2015	171,687
2016	172,279
2017	172,857

ADULT MISDEMEANOR DIRECT COMMUNITY SUPERVISION ACTUAL AND PROJECTED PLACEMENTS FISCAL YEARS 2007–2017

The adult misdemeanor direct community supervision (i.e., adult probation) placements projection is based on aggregate-level data collected by TDCJ in the Monthly Community Supervision and Corrections Report.

The misdemeanor direct supervision placements are projected to decrease slightly, an average of 0.2 percent each year during the projection period, from fiscal year 2012 to fiscal year 2017. Misdemeanor supervision annual placements decreased 5.6 percent from fiscal years 2010 to 2011 and have continued to decrease during the first five months of fiscal year 2012. In order to take yearly variation into account, the current misdemeanor placement projection was developed through a regression analysis of data from fiscal year 2000 through fiscal year 2011. Any significant change in projection drivers (e.g., sentencing practices, revisions to previously reported data) may impact projected placements. Additional information regarding the projection drivers and model assumptions is detailed in Appendix A.

Figure 4: Actual and Projected Adult Misdemeanor Direct Community Supervision Placements by Supervision Type, Fiscal Years 2007–2017
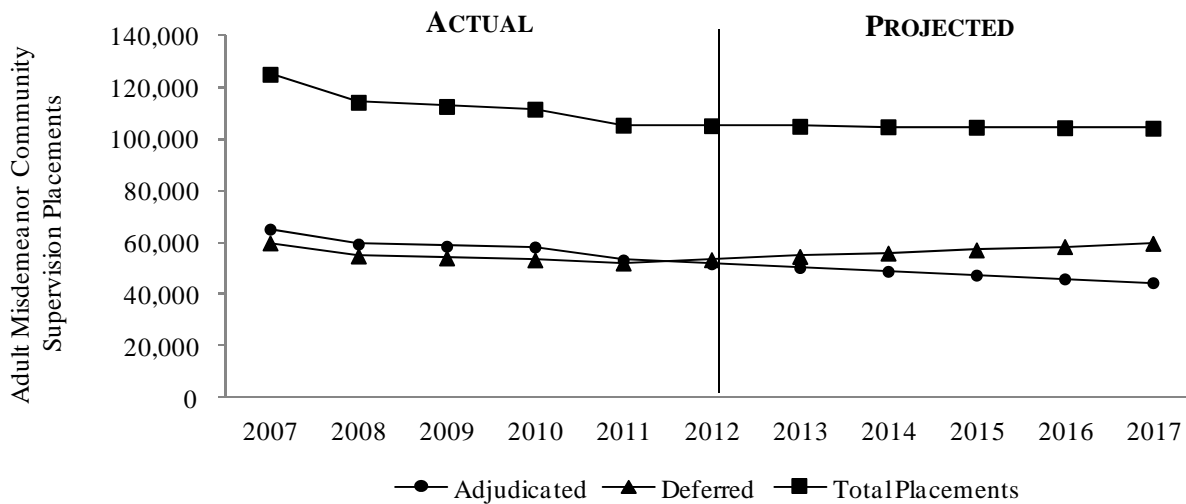
Table 5: Projected Adult Misdemeanor Direct Community Supervision Placements by Supervision Type

FISCAL YEAR	ADJUDICATED SUPERVISION	DEFERRED ADJUDICATION	TOTAL PLACEMENTS
2012	51,867	53,417	105,284
2013	50,401	54,686	105,087
2014	48,935	55,955	104,890
2015	47,469	57,224	104,693
2016	46,003	58,494	104,497
2017	44,537	59,763	104,300

JUVENILE CORRECTIONAL POPULATION PROJECTIONS

JUVENILE STATE RESIDENTIAL ACTUAL AND PROJECTED POPULATIONS
FISCAL YEARS 2007–2017

The projection for the Texas Juvenile Justice Department's (TJJD) state residential population is based on a discrete-event simulation modeling approach. The model simulates juvenile movement into, through, and out of the system based on a number of characteristics, such as offense type, intake type, minimum length of stay, and maximum length of stay possible given the youth's age. The projected number of admissions is based on an extrapolation of the admissions occurring between April 2011 and March 2012. To project releases, a multivariate regression analysis was used to predict length of stay. The regression analysis was based on the characteristics and experiences of youth released in the second half of fiscal year 2011. Appendix B provides additional information about these projections and model assumptions.

The model projects this population will continue to decrease slightly over the next five years primarily because admissions are projected to continue to fall modestly. Any significant change in projection drivers (e.g., sentencing practices, decisions on whether or not juveniles' time in state-operated facilities is extended) may impact actual populations.

Figure 5: Actual and Projected TJJD State Residential Population, Fiscal Years 2007–2017
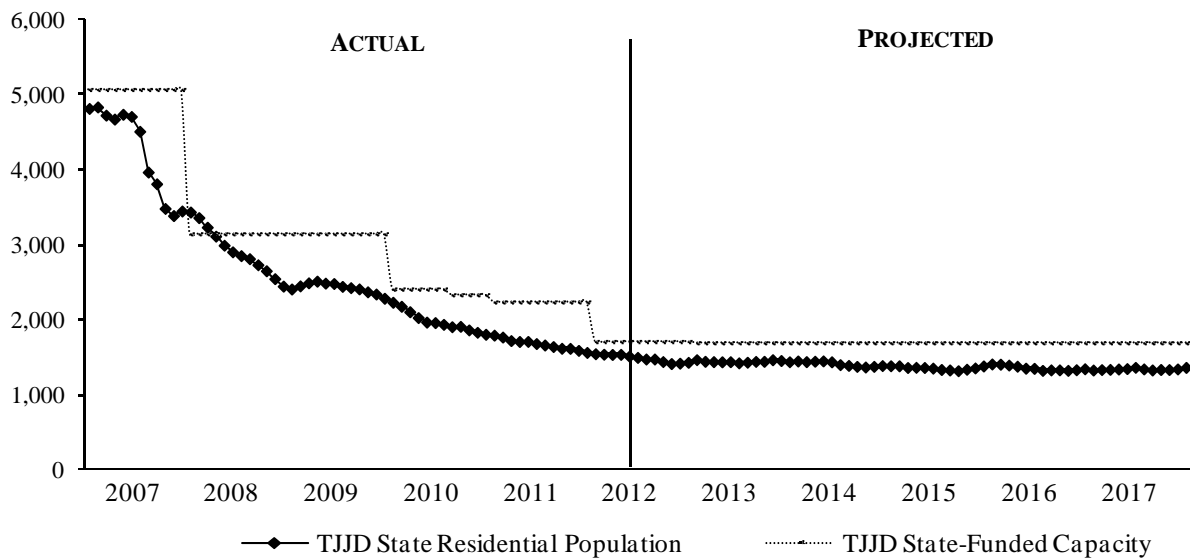
- The total state-funded residential capacity for the TJJD is 1,715 beds for fiscal year 2012 and 1,699 for fiscal year 2013.

- It is important to note that the state residential population includes youth who may be housed in contract facilities and state-funded capacity includes contract care funding.

Table 6: Projected TJJD State Residential Population and State-Funded Residential Capacity, Fiscal Years 2012–2017

FISCAL YEAR	STATE RESIDENTIAL POPULATION (AVERAGE DAILY POPULATION)	STATE-FUNDED RESIDENTIAL CAPACITY[3]	PROJECTED POPULATION COMPARED TO STATE CAPACITY	
			NUMBER	PERCENT
2012	1,469	1,715	(246)	-14.3%
2013	1,444	1,699	(255)	-15.0%
2014	1,409	1,699	(290)	-17.1%
2015	1,358	1,699	(341)	-20.1%
2016	1,350	1,699	(349)	-20.5%
2017	1,344	1,699	(355)	-20.9%

Table 7: Projected TJJD State Average Daily Residential Population, Fiscal Years 2013–2015

FISCAL YEAR 2013	AVERAGE DAILY POPULATION	FISCAL YEAR 2014	AVERAGE DAILY POPULATION	FISCAL YEAR 2015	AVERAGE DAILY POPULATION
Sep-12	1,466	Sep-13	1,449	Sep-14	1,385
Oct-12	1,445	Oct-13	1,440	Oct-14	1,362
Nov-12	1,440	Nov-13	1,446	Nov-14	1,364
Dec-12	1,438	Dec-13	1,450	Dec-14	1,363
Jan-13	1,440	Jan-14	1,438	Jan-15	1,354
Feb-13	1,424	Feb-14	1,400	Feb-15	1,336
Mar-13	1,432	Mar-14	1,391	Mar-15	1,329
Apr-13	1,443	Apr-14	1,377	Apr-15	1,319
May-13	1,444	May-14	1,369	May-15	1,339
Jun-13	1,466	Jun-14	1,377	Jun-15	1,356
Jul-13	1,455	Jul-14	1,388	Jul-15	1,383
Aug-13	1,439	Aug-14	1,385	Aug-15	1,409
FY 13 Average	1,444	FY 14 Average	1,409	FY 15 Average	1,358

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[3] Appropriations for TJJD's state-funded residential capacity were based on 1,372 institutional, 218 halfway house, and 125 contract care beds for fiscal year 2012 and 1,356 institutional, 218 halfway house, and 125 contract care beds for fiscal year 2013.
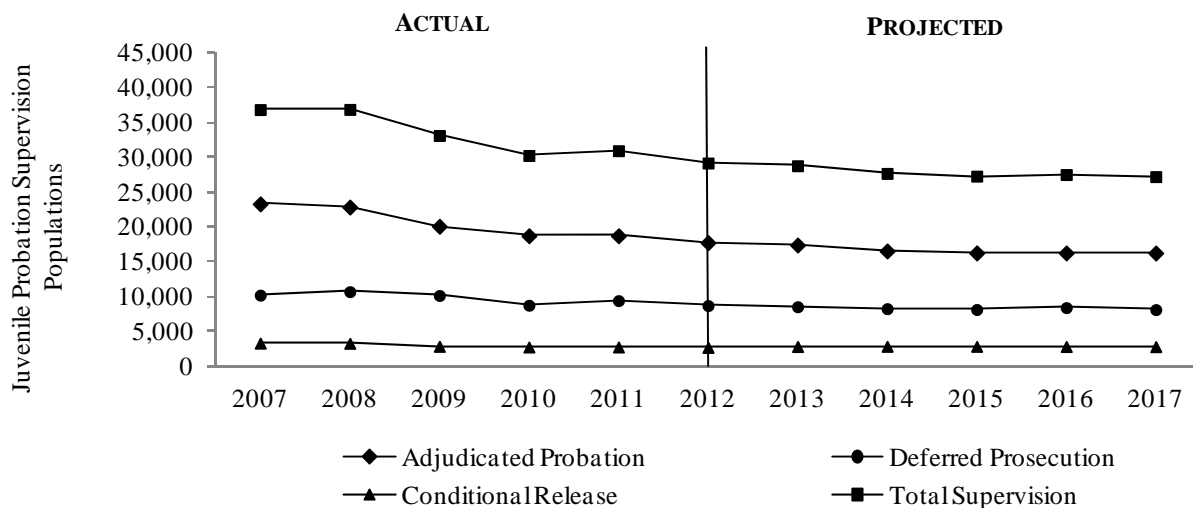
JUVENILE PROBATION SUPERVISION ACTUAL AND PROJECTED POPULATIONS FISCAL YEARS 2007–2017

The projection for the juvenile probation supervision population is based on a discrete-event simulation modeling approach. The model simulates juvenile movement into, through, and out of supervision based on a number of characteristics, such as offense type, supervision type, risk level, expected supervision length, and maximum length of supervision possible given the youth's age. The projected number of admissions is based on an extrapolation of monthly admissions occurring between April 2010 and March 2011. To project releases, a multivariate regression analysis was used to predict length of supervision. The regression analysis was based on the characteristics and experiences of youth released between March 2011 and February 2012. Appendix B provides additional information about these projections and model assumptions.

Between fiscal years 2007 and 2011, the total juvenile probation supervision population decreased 16.0 percent. During this time, adjudicated probation fell 19.6 percent, deferred prosecution fell 7.7 percent, and conditional release supervision fell 16.6 percent. These downward trends have continued in fiscal year 2012. Adjudicated probation and deferred prosecution are projected to continue to decrease slightly. Conditional release is projected to increase slightly because the Harris County Juvenile Probation Department will begin counting an existing program as conditional release supervision rather than temporary supervision, which will increase admissions to conditional release supervision counts. Due to the projected decreases in adjudicated probation and deferred prosecution supervision, total supervision is projected to decrease slightly over the next five fiscal years. Any significant change in projection drivers (e.g., sentencing practices) may impact actual populations.

Please note that, unlike previous reports, these projections cover conditional release supervision rather than both conditional release and temporary supervision because the report is now limited to only those supervisions codified in the Texas Family Code.

Figure 6: Actual and Projected Juvenile Probation Supervision Populations by Supervision Type, Fiscal Years 2007–2017

Table 8: Projected Juvenile Probation Supervision Populations by Supervision Type, Fiscal Years 2012–2017

	AVERAGE DAILY POPULATION			
FISCAL YEAR	**ADJUDICATED PROBATION**	**DEFERRED PROSECUTION**	**CONDITIONAL RELEASE[4]**	**TOTAL SUPERVISION**
2012	17,756	8,724	2,767	29,247
2013	17,412	8,553	2,843	28,808
2014	16,563	8,277	2,867	27,707
2015	16,284	8,160	2,857	27,301
2016	16,281	8,430	2,835	27,546
2017	16,270	8,141	2,828	27,239

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[4] These projections cover conditional release supervision rather than both conditional release and temporary supervision, as in previous reports. This shift is tied to refining funding strategies. These projections are now limited to only those supervisions codified in the Family Code.

APPENDIX A:
ADULT CORRECTIONAL POPULATION PROJECTION
METHODOLOGY AND ASSUMPTIONS

APPENDIX A: ADULT CORRECTIONAL POPULATION PROJECTION METHODOLOGY AND ASSUMPTIONS

ADULT INCARCERATION POPULATION PROJECTION

The adult incarceration population projection for the Texas Department of Criminal Justice (TDCJ) is based on a discrete-event simulation modeling approach resulting from the movement of individual offenders into, through, and out of TDCJ. Discrete-event simulation focuses on the modeling of a system as it evolves over time as a dynamic process. The model simulates offender movement based on offense type, sentence length, and time credited to current sentence.

ADMISSIONS: Admissions are based on the historical growth in direct sentences and the revocation rate for parolees and offenders under community supervision (i.e., probationers).

> DIRECT COURT COMMITMENTS — Projected yearly growth rates in direct court commitments vary according to fluctuations of Texas' at-risk populations, felony court activity, and trends in direct sentence admissions to TDCJ. Overall, direct sentences are projected to increase on average by 3.5 percent each year from fiscal year 2012 through fiscal year 2017. The 3.5 percent average annual growth rate in direct court commitments to prison is lower than the January 2011 projection, reflecting recent trends in court conviction rates.

> COMMUNITY SUPERVISION AND PAROLE REVOCATIONS — Projected yearly rates of felony community supervision revocations to the prison system (14.3 percent) and parole revocations (9.7 percent) are applied to the population projection model to determine the number of revocation admissions.

PAROLE RELEASE PRACTICES: Parole rates are based on historic parole release practices.

> PAROLE CASE CONSIDERATIONS AND APPROVALS — During fiscal year 2011, the average monthly parole approval rate was 31.1 percent and the average number of parole cases considered for approval each month was 6,450. To date, the average monthly parole approval rate for fiscal year 2012 is 36.9 percent and the average number of parole cases considered for approval each month is 6,256. This projection assumes parole case considerations and approval rates will remain, for the remainder of fiscal year 2012 through 2017, at rates higher than those observed during fiscal year 2011.

> DISCRETIONARY MANDATORY SUPERVISION (DMS) CASE CONSIDERATIONS AND APPROVALS — During fiscal year 2011, the average monthly DMS case approval rate was 48.6 percent and the average number of discretionary mandatory supervision cases considered each month was 1,740. To date, the average monthly DMS case approval rate for fiscal year 2012

is 57.6 percent and the average number of DMS cases considered for approval each month is 1,774. This projection assumes DMS case considerations and approval rates will remain at rates higher than those observed during fiscal year 2011, for the remainder of fiscal year 2012 through 2017.

OTHER CONSIDERATIONS: Though these factors are not used in the model, if major shifts occur from the latest trends in the areas listed below, adjustments to the projection may become necessary.

> TEXAS CRIME RATE — The total crime rate decreased from its peak in calendar year 1988 and has remained steady at a lower level since calendar year 2000.[5]

> TEXAS UNEMPLOYMENT RATE — The state unemployment rate is projected to decrease slightly from 7.1 percent in fiscal year 2012 to 6.6 percent in fiscal year 2013.[6]

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[5] Texas Department of Public Safety, *Crime in Texas 2010* (Texas: Texas Department of Public Safety), Chapter 2, p.8. http://www.txdps.state.tx.us/crimereports/10/citCh2.pdf (accessed: May 28, 2012).

[6] Moody's Analytics, *Economic and Consumer Credit Analytics*, April 2012.

APPENDIX A: ADULT CORRECTIONAL POPULATION PROJECTION METHODOLOGY AND ASSUMPTIONS

ACTIVE ADULT PAROLE SUPERVISION POPULATION PROJECTION

The active adult parole population projection is a component of the discrete-event simulation modeling approach. Discrete-event simulation focuses on the modeling of a system over time as a dynamic process. The model simulates offender movement through the system based on offense type, sentence length, and time credited to current sentence.

FACTORS AFFECTING GROWTH OF THE ADULT PAROLE SUPERVISION POPULATION:

PAROLE AND DISCRETIONARY MANDATORY SUPERVISION (DMS) CASE APPROVAL RATE — The monthly parole case approval rate has averaged 30.7 percent since fiscal year 2007. The monthly parole case approval rate for the first eight months of fiscal year 2012 is 36.9 percent. For this projection, it is assumed 32.5 percent of cases considered for parole will be approved. The monthly DMS case approval rate has averaged 49.7 percent since fiscal year 2007. The monthly DMS case approval rate for the first eight months of fiscal year 2012 is 57.6 percent. For this projection, it is assumed 51.4 percent of cases considered for DMS will be approved.

PAROLE AND DMS CASE CONSIDERATIONS — The number of parole cases considered each year has increased since fiscal year 2003. During fiscal year 2011, an average of 6,450 parole cases were considered monthly. For the first eight months of fiscal year 2012, the monthly average number of cases considered is 6,256. This model indicates a stable number of parole considerations for fiscal years 2012 through 2017 based on the sentence lengths, time served, and parole eligibility of the individual offenders in the incarceration population. The number of DMS cases considered each year has increased since fiscal year 2003. During fiscal year 2011, an average of 1,740 parole cases were considered monthly. For the first eight months of fiscal year 2012, the monthly average number of cases considered is 1,774. This model indicates a stable number of DMS considerations for fiscal years 2012 through 2017 based on the sentence lengths, time served, and parole eligibility of the individual offenders in the incarceration population.

PAROLE REVOCATION RATES — Fewer parolees are removed from the supervision population when parole revocation rates are lower. The annual adult parole revocation rate has decreased since fiscal year 2004. In fiscal year 2004, the annual revocation rate was 14.8 percent while in fiscal year 2011 it was 8.3 percent. For this projection, it is assumed 9.7 percent of parolees will be revoked to prison annually.

APPENDIX A: ADULT CORRECTIONAL POPULATION PROJECTION METHODOLOGY AND ASSUMPTIONS

TERMS DEFINED:

PAROLE — Parole is the conditional release of offenders from prison after approval by members of the parole panel. Offenders serve the remainder of their sentence under supervision in the community. In most cases, approval by two of the three members of the parole committee is sufficient; however, in some cases, approval must be received from two-thirds of the full parole board for parole to be granted.

MANDATORY SUPERVISION (MS) — MS is an automatic release when time served plus good time earned equals the sentence length, with no requirement for release approval from the Board of Pardons and Paroles. MS was abolished in August 1996 and replaced with Discretionary Mandatory Supervision (DMS); however, there are some offenders who entered prison prior to that time who are still eligible for MS release.

DISCRETIONARY MANDATORY SUPERVISION (DMS) — DMS is the current form of mandatory release except that it requires approval by a parole panel for release of eligible offenders.

APPENDIX A: ADULT CORRECTIONAL POPULATION PROJECTION METHODOLOGY AND ASSUMPTIONS

ADULT FELONY DIRECT COMMUNITY SUPERVISION POPULATION PROJECTION

The adult felony direct community supervision population projection is based on the discrete-event simulation modeling approach. Discrete-event simulation focuses on the modeling of a system over time as a dynamic process. The model simulates offender movement through the system based on a number of characteristics such as offense type, sentence length, and time credited to current sentence. During fiscal year 2010, the Texas Department of Criminal Justice–Community Justice Assistance Division transitioned from compiling aggregate population data from counties through the Monthly Community Supervision and Corrections Report (MCSCR) to generating monthly population reports based on detailed case-based data collected through the Community Supervision Tracking System/Intermediate System (CSTS Intermediate System). Community supervision data through fiscal year 2009 are based on population counts reported to the MCSCR, and fiscal years 2010 to date data are based on monthly reports generated from the CSTS Intermediate System.

FACTORS AFFECTING GROWTH OF THE ADULT FELONY DIRECT COMMUNITY SUPERVISION POPULATION:

FELONY DIRECT COMMUNITY SUPERVISION PLACEMENTS — From fiscal year 2010 to fiscal year 2011, the number of adult felony direct community supervision placements decreased 0.4 percent. A negative growth in placements in fiscal years 2010 and 2011 has not been observed in the felony community supervision placements since fiscal year 2000. From fiscal years 2005 to 2009, the number of adult felony community supervision placements increased an average of 1.7 percent each year. However, placements for the first five months of fiscal year 2012 are 3.0 percent lower than the first five months of fiscal year 2011. Projected yearly growth rates in adult felony direct community supervision placements vary according to fluctuations in Texas' at-risk populations, felony court activity, and trends in court sentencing. For this projection, placements are expected to increase by an average of 0.2 percent each year during fiscal years 2012 through 2017.

COMMUNITY SUPERVISION REVOCATION RATES — Fewer probationers are removed from the adult felony direct community supervision population when community supervision revocation rates are lower. The annual felony community supervision revocation rate has decreased since fiscal year 2004. In fiscal year 2004, the annual revocation rate was 16.7 percent while in fiscal year 2011, it was 14.0 percent. For this projection it is assumed 14.3 percent of probationers will be revoked to prison and state jail annually.

EARLY TERMINATIONS — The simulation model assumes a continued increase in early terminations from community supervision, which will lower the felony direct community supervision population. This projection assumes early terminations will increase in subsequent years for three reasons: 1) from fiscal year 2004 through fiscal year 2011, early terminations have increased from an average of 329 per month to an average of 574 per month; 2) House Bill 1678, Eightieth Legislature, Regular Session, 2007, requires judges to review a probationer's record for consideration of early termination upon completion of one-half of the original community supervision period or two years of community supervision, whichever is greater; and 3) early termination review is a required component

for probationers that are part of a progressive sanctions community supervision system.

The assumptions regarding the unemployment rate and crime rate previously noted apply to the felony direct community supervision projections as well.

APPENDIX A: ADULT CORRECTIONAL POPULATION PROJECTION METHODOLOGY AND ASSUMPTIONS

ADULT MISDEMEANOR DIRECT COMMUNITY SUPERVISION PLACEMENTS PROJECTION

During fiscal year 2010, the Texas Department of Criminal Justice–Community Justice Assistance Division transitioned from compiling aggregate population data from counties through the Monthly Community Supervision and Corrections Report (MCSCR) to generating monthly population reports based on detailed case-based data collected through the Community Supervision Tracking System/Intermediate System (CSTS Intermediate System). Community supervision data through fiscal year 2009 are based on population counts reported to the MCSCR, and fiscal years 2010 to date data are based on monthly reports generated from the CSTS Intermediate System.

Adult misdemeanor placements have decreased since fiscal year 2007. From fiscal year 2010 to fiscal year 2011, annual placements were down 5.6 percent. Compared to the first five months of fiscal year 2011, the first five months of fiscal year 2012 continued at a downward trend of 1.5 percent. The adult misdemeanor community supervision placements projection is based on regression analysis of adjudicated and deferred supervision placements since fiscal year 2000.[7] The observed values show a steady decrease in the number of adjudicated community supervision placements and a slight decrease in the number of deferred adjudication placements (see Figure 7).

The assumptions regarding the unemployment and crime rates previously noted apply to the misdemeanor community supervision placement projections as well.

Figure 7: Adult Adjudicated and Deferred Misdemeanor Direct Community Supervision Placements, Fiscal Years 2002–2011

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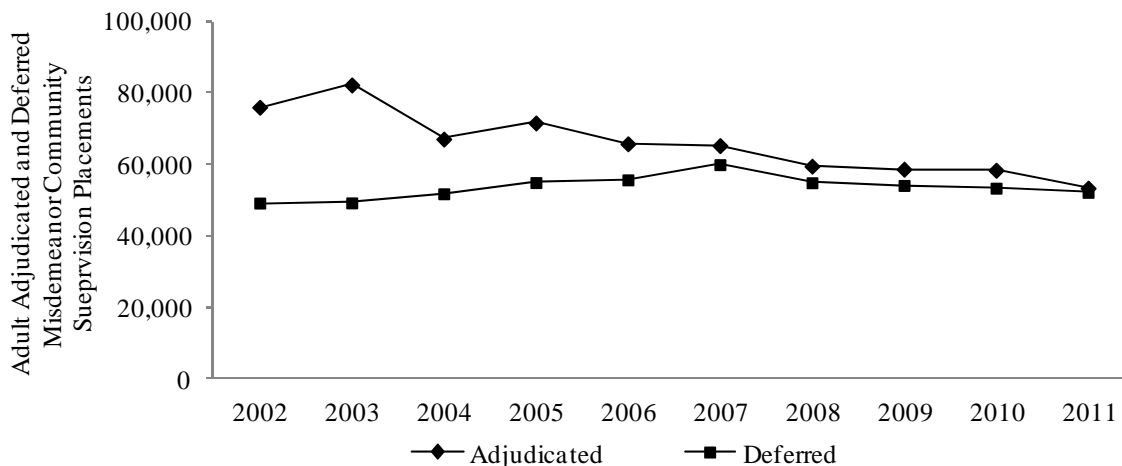
[7] Return from shock probation is a third type of misdemeanor placement and typically accounts for approximately 20 placements per year. These placements are not included in the projected numbers.

APPENDIX B:
JUVENILE CORRECTIONAL POPULATION PROJECTION
METHODOLOGY AND ASSUMPTIONS

APPENDIX B: JUVENILE CORRECTIONAL POPULATION PROJECTION METHODOLOGY AND ASSUMPTIONS

FACTORS AFFECTING JUVENILE CORRECTIONAL POPULATION PROJECTIONS

The following juvenile justice trends have been considered when producing the projections. If major shifts occur from the latest trends in the areas listed below, adjustments to the projection may become necessary.

TEXAS JUVENILE POPULATION — Between 2002 and 2011, the juvenile population (ages 10 through 16) grew 12.4 percent or by 294,946 youth.[8] Based on 2010 U.S. Census Bureau data, the Legislative Budget Board projects this population will increase 11.8 percent (or 314,585 youth) between 2011 and 2017. The Legislative Budget Board projects that the average increase in population each year during that time period (e.g., between 2011 and 2012) will be 1.9 percent.[9]

TEXAS JUVENILE ARREST RATE — In 2010, the most recent year for which arrest data are available, the juvenile arrest rate reached its lowest level since 1990 at 4,438 juvenile arrests per 100,000 juveniles.[10] This rate is 50.9 percent lower than the rate at its peak in 1996, which totaled 9,033 juvenile arrests per 100,000 juveniles. The arrest rate for serious offenses has also decreased. Between 2000 and 2010, the juvenile arrest rate fell 11.0 percent for violent offenses; fell 37.3 percent for property offenses; fell 18.5 percent for drug offenses; fell 54.4 percent for runaway, curfew and loitering law violations; and fell 31.5 percent for other offenses. Only the juvenile arrest rate for disorderly conduct offenses rose during this time (by 7.0 percent).

TEXAS JUVENILE REFERRAL RATE — The rate that juveniles are referred to county juvenile probation departments has also decreased notably over the last decade.[11] In 2011, the juvenile referral rate reached its lowest level since 2000 at 2,987 referrals per 100,000 juveniles. The juvenile referral rate reached its peak in 2000 at 4,970 referrals per 100,000 juveniles. The 2011 rate is 39.9 percent lower than the rate at its peak in 2000. Additionally, all offense types have fallen since 2004, the earliest time period when reliable offense-level data are available. Most notably, felony referrals decreased 29.5 percent and misdemeanor offenses decreased 18.5 percent during this time period.

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[8] The juvenile population data cover juveniles ages 10 through 16. This data is drawn from the Texas State Data Center and Office of the Demographer population estimates except for the 2010 census. Data is drawn from an analysis performed by the Texas State Data Center and Office of the Demographer using U.S. Census Bureau data since these agencies do not estimate populations in years when the U.S. Census Bureau executes its decennial population counts. All data cover the calendar year.

[9] Source: Legislative Budget Board. Adjusted Texas Population Projection for the One Half 1990-2000 (0.5) Migration Scenario by Sex and Single Years of Age, 2010-2020 (Texas State Data Center 2008 Population Projections adjusted for the 2010 U.S. Decennial Census, April 4, 2012).

[10] The juvenile arrest data are drawn from the Texas Department of Public Safety's annual *Crime in Texas* reports.

[11] The juvenile referral data are provided by the Texas Juvenile Justice Department.

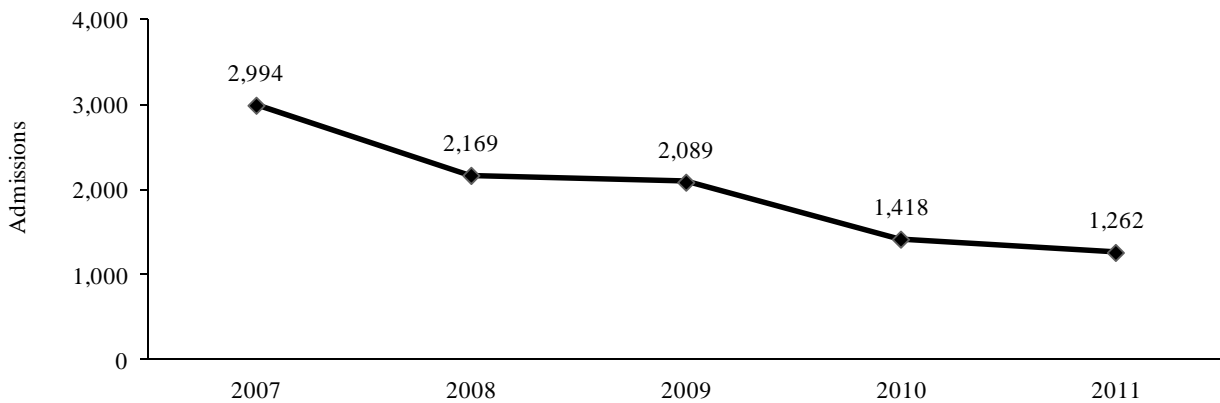**JUVENILE STATE RESIDENTIAL POPULATION PROJECTION**

The Texas Juvenile Justice Department's (TJJD) state residential population projections are based on individual-level data provided by TJJD and informed by budgetary, policy, and other considerations. The projection model is based on movement of individual juveniles moving into, through, and out of the TJJD's state residential programs.

The model projects this population to continue to decrease slightly in the coming years primarily as a result of a slight decrease in admissions.

ADMISSIONS: TJJD residential admissions decreased each year between fiscal year 2007 and 2011 (see Figure 8). During this time, admissions fell 57.8 percent (or 1,732 youth). This trend has continued in fiscal year 2012. The total number of admissions in the first seven months of fiscal year 2012 is 17.1 percent less than in the same time period in fiscal year 2011 (613 admissions compared with 739 admissions, respectively).

In addition to the considerations mentioned in this report, the total number of projected admissions is based on aggregate historical admission trends. In accordance with historical trends, admissions are projected to decrease slightly over the next five fiscal years. The number of projected annual admissions totals 1,153 in fiscal year 2013; 1,104 in fiscal year 2014; 1,137 in fiscal year 2015; 1,059 in fiscal year 2016; and 1,083 in fiscal year 2017.

Figure 8: Juvenile State Residential Admissions, Fiscal Years 2007–2011

APPENDIX B: JUVENILE CORRECTIONAL POPULATION PROJECTION METHODOLOGY AND ASSUMPTIONS

LENGTH OF STAY: Projected length of stay is based on factors that multivariate regression analysis show to be statistically significant predictors of length of stay. Future releases are driven by factors such as minimum length of stay (MLOS) set by TJJD policy, maximum length of stay possible given the youth's age, the behavior of juveniles while on supervision, and release approval decisions. Some factors increase length of stay (the high severity of current offense and offense history) and some decrease length of stay (turning 19 years of age shortly after entering the facility).

The data used in the regression analysis included juveniles released in the second half of fiscal year 2011. This time period provided the most representative sample of juveniles released under the classification system implemented on February 1, 2009, which established a new method for determining minimum length of stay. By analyzing the most recent sample of youth available, the sample includes a larger share of juveniles with longer minimum lengths of stay and provides a more accurate representation of the length of stay that will occur in future populations.

The projection model also reflects policy changes that exclude the placement of persons adjudicated for misdemeanor offenses and that require the release or transfer of individuals who are 19 years of age or older when the original commitment date occurred on or after June 8, 2007, when Senate Bill 103, Eightieth Legislature, Regular Session, 2007, went into effect.

The average length of stay for juveniles released from TJJD residential facilities decreased between fiscal years 2007 and 2009 and rose in the two subsequent fiscal years. Between 2007 and 2011, the average length of stay fell 8.1 percent, decreasing from 17.3 months to 15.9 months. For juveniles released in the first seven months of fiscal year 2012, the average length of stay was 15.8 months, down from 16.1 months during the first seven months of fiscal year 2011. The average length of stay is projected to remain relatively stable. The average length of stay of the projected population is 15.8 months in fiscal year 2013, 15.2 months in fiscal year 2014, 15.7 months in fiscal year 2015, and 15.4 months in fiscal years 2016 and 2017.

Figure 9: Length of Stay for Juveniles Released from State Residential Facilities, Fiscal Years 2007–2011
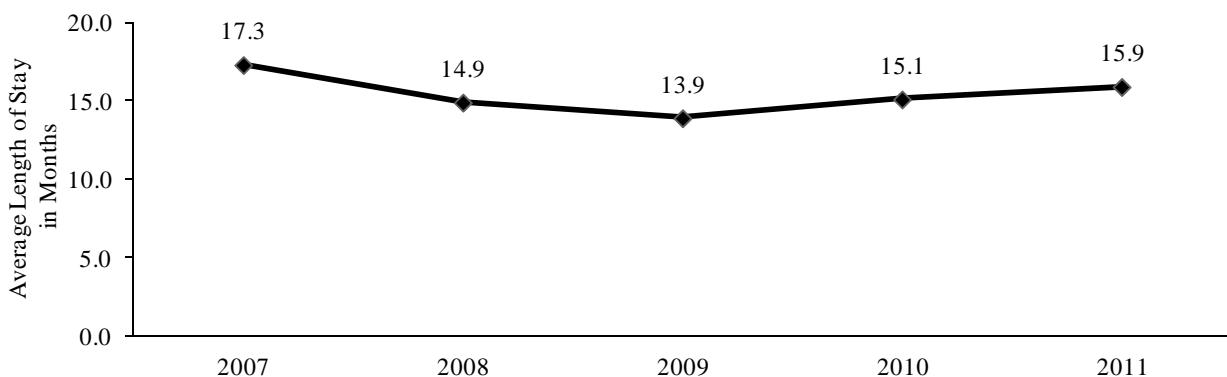
APPENDIX B: JUVENILE CORRECTIONAL POPULATION PROJECTION METHODOLOGY AND ASSUMPTIONS

OTHER CONSIDERATIONS: These projections are informed by ongoing and planned trends in policy and practice in juvenile justice populations. The impact of these shifts on populations was assessed through site visits to state facilities, discussions with TJJD staff, and data analysis.

COMMUNITY CORRECTIONS DIVERSION PROGRAM — The Community Corrections Diversion Program provides county juvenile probation departments with funding for community-based rehabilitation services. Begun on September 1, 2009, the purpose of the program is to divert youth from being committed to TJJD state residential facilities. Commitments to TJJD decreased 32.1 percent between fiscal years 2009 and 2010, due in part to this program. Funding for this program has been held constant since its initiation in fiscal year 2010 and is assumed to remain at the same level for these projections. A change in this program's funding level or structure, however, could impact TJJD populations.

APPENDIX B: JUVENILE CORRECTIONAL POPULATION PROJECTION METHODOLOGY AND ASSUMPTIONS

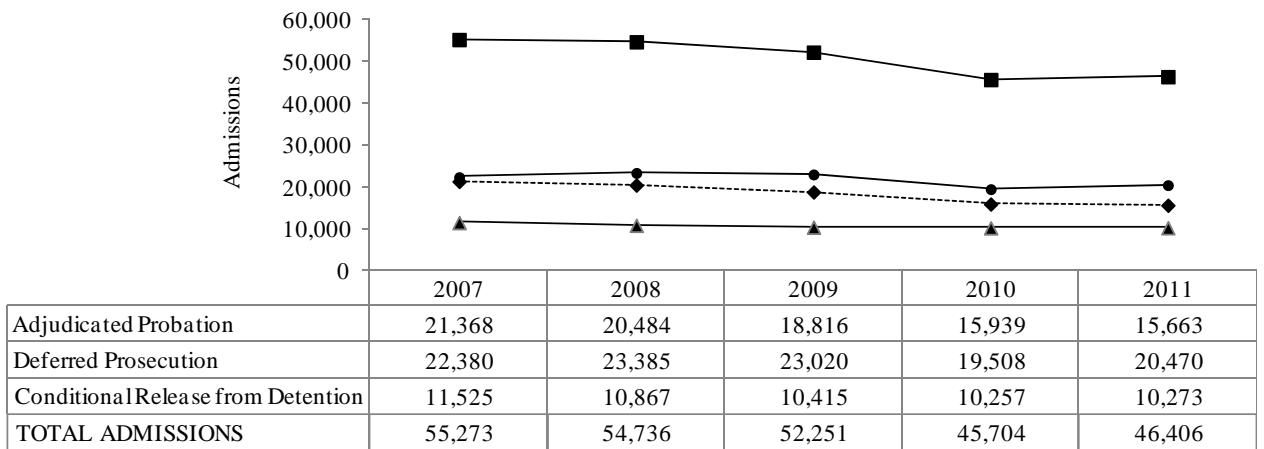## JUVENILE PROBATION SUPERVISION POPULATION PROJECTION

Juvenile probation supervision population projections are based on individual-level data provided by the Texas Juvenile Justice Department (TJJD) and informed by budgetary, policy, and other considerations. The projection model is based on movement of individual juveniles moving into, through, and out of juvenile probation supervision.

The model projects that the total supervision population will continue to decrease slightly in the coming years primarily as a result of projected decreases in adjudicated probation and deferred prosecution supervision.

ADMISSIONS: Supervision admissions decreased each year between fiscal year 2007 and 2010, then increased slightly in fiscal year 2011 (see Figure 10). Between 2007 and 2011, admissions fell 16.0 percent. This trend has continued in fiscal year 2012. The total number of admissions in the first six months of fiscal year 2012 is 11.5 percent less than in the same time period in fiscal year 2011. Examining trends by supervision type between 2007 and 2011, adjudicated probation supervision decreased 26.7 percent, deferred prosecution decreased 8.5 percent, and conditional release supervision decreased 10.9 percent.

The total number of admissions projected to occur over the next five fiscal years is based, in part, on aggregate historical admission trends. Another consideration is that, in June 2012, Harris County will begin counting an existing program under conditional release supervision rather than temporary supervision, which will increase admissions to that supervision type. Based on these considerations and analysis, admissions are projected to remain stable rather than follow the historical downward trend. The number of projected annual admissions totals 47,549 in fiscal year 2013; 46,895 in fiscal year 2014; 46,266 in fiscal year 2015; 46,879 in fiscal year 2016; and 46,690 in fiscal year 2017.

Figure 10: Juvenile Probation Supervision Admissions, Fiscal Years 2007–2011

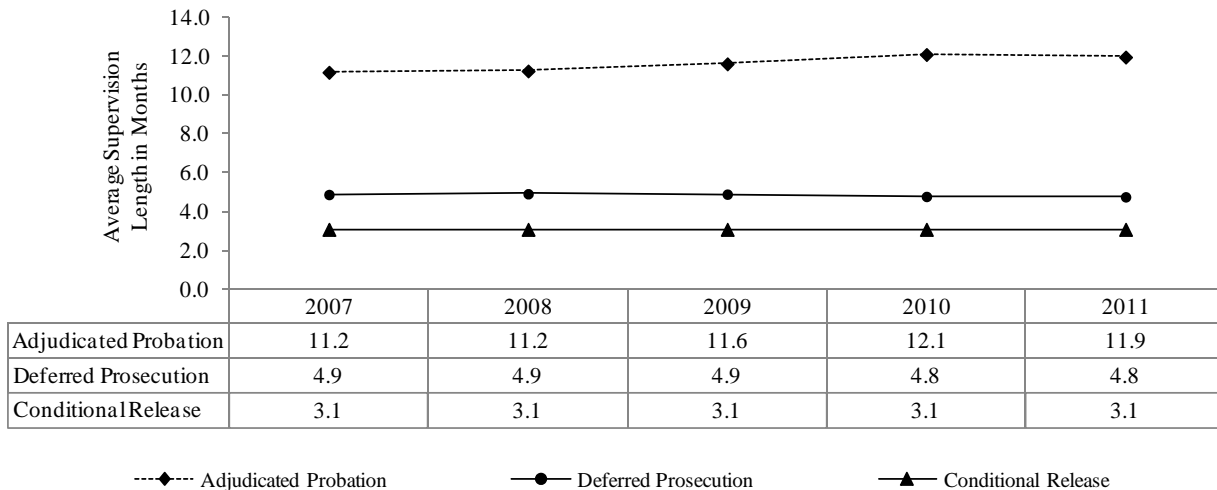|	2007	2008	2009	2010	2011
Adjudicated Probation	21,368	20,484	18,816	15,939	15,663
Deferred Prosecution	22,380	23,385	23,020	19,508	20,470
Conditional Release from Detention	11,525	10,867	10,415	10,257	10,273
TOTAL ADMISSIONS	55,273	54,736	52,251	45,704	46,406

- - -◆- - - Adjudicated Probation   ──●── Deferred Prosecution   ──▲── Conditional Release from Detention   ──■── TOTAL ADMISSIONS

APPENDIX B: JUVENILE CORRECTIONAL POPULATION PROJECTION METHODOLOGY AND ASSUMPTIONS

SUPERVISION LENGTH: Projected supervision length is based on factors that multivariate regression analysis shows to be statistically significant predictors of length of stay. Future releases are driven by factors such as expected supervision length, maximum length of supervision possible given the youth's age, and the behavior of juveniles while on supervision. Some factors increase length of stay (such as gang involvement) and some factors decrease length of stay (such as turning 18 years of age shortly after starting supervision). The regression model analyzed the supervision length of juveniles released from supervision between March 2011 and February 2012, which was the most recent individual-level data available at the time of this analysis.

As shown in Figure 11, the length of supervision remained relatively stable between fiscal years 2007 and 2011, though adjudicated probation increased 6.3 percent during that time. Supervision length is projected to remain relatively stable over the next five fiscal years. The length of conditional release supervision totaled 3.1 months each year from 2007 to 2011, and is projected to remain the same during the next five fiscal years. The length of deferred prosecution supervision ranged between 4.8 and 4.9 months during the last five fiscal years and is projected to total 5.0 months over the next five. The length of adjudicated probation supervision ranged from 11.2 to 12.1 months during the last five fiscal years and is projected to range from 11.9 to 12.5 months during the next five years.

Figure 11: Average Length of Supervision in Months for Juvenile Probation Supervision Releases, Fiscal Years 2007–2011

	2007	2008	2009	2010	2011
Adjudicated Probation	11.2	11.2	11.6	12.1	11.9
Deferred Prosecution	4.9	4.9	4.9	4.8	4.8
Conditional Release	3.1	3.1	3.1	3.1	3.1

---‍♦--- Adjudicated Probation   ——●—— Deferred Prosecution   ——▲—— Conditional Release

APPENDIX B: JUVENILE CORRECTIONAL POPULATION PROJECTION METHODOLOGY AND ASSUMPTIONS

JUVENILE TERMS DEFINED: There are three types of juvenile probation department supervision defined in the Texas Family Code: adjudicated probation, deferred prosecution, and conditional release. A separate projection is done for each supervision group.

ADJUDICATED PROBATION — Adjudicated probation is a type of community-based supervision. To be placed on this type of supervision, a judge must first determine, during an adjudication hearing, that the youth committed the petitioned offense(s). During a disposition hearing the judge then specifies the supervision length of probation and the conditions of supervision. The judge may place the youth on probation at home or in a secure or non-secure residential facility. As part of this supervision, the youth is required to follow certain requirements (e.g., meet with the probation officer regularly or be at home by a certain time of day), participate in programs (e.g., mentoring, drug treatment, or counseling), and/or fulfill obligations (e.g., complete community service restitution, pay a fine, or have the family pay a fine). If the judge determines a juvenile violated the conditions of probation, the judge may modify the probation terms (e.g., extend the length of probation or increase requirements) or, if the youth is eligible, revoke probation and commit the youth to the custody of the Texas Juvenile Justice Department. For further detail see the Family Code, Chapter 54, Section 4.

DEFERRED PROSECUTION — Juveniles may avoid adjudication by successfully completing another community-based supervision program called deferred prosecution. This supervision type is typically reserved for juveniles with less significant and severe offense histories. Participation requires consent from the youth and the youth's family. At any time during supervision, the youth and the family may terminate the supervision and request a court hearing to determine guilt or innocence. Supervision may last up to six months unless extended by the judge for up to another six months. Similar to adjudicated probation supervision, deferred prosecution includes supervision conditions. If the juvenile violates any of the conditions during the supervision period, the department may request formal adjudication of the case. If a juvenile successfully completes deferred prosecution, the youth must be released from supervision and any filed petition for the case should be dismissed. For further detail see the Family Code, Chapter 53, Section 3.

CONDITIONAL RELEASE — This community-based supervision specifies the conditions of a juvenile's release from the department's custody. As indicated in Family Code, Chapter 53, Section 2, the conditions (e.g., setting a curfew and requiring regular presence in school) are intended to reasonably ensure that the juvenile will return to court. The conditions of the release must be in writing and filed with the office or official designated by the court and a copy furnished to the child. A youth participates in this type of supervision before his/her case is disposed. Violations of the conditions for this supervision type do not constitute a new offense but may result in a return to custody or detention.

These projections cover conditional release supervision rather than both conditional release and temporary supervision, as in previous reports. This shift is tied to refining funding strategies. At present, temporary supervision has limited field

definitions and is not defined in the Texas Family Code. The average daily population of youth under temporary supervision has ranged from 4,000 to 6,200 youth in recent years. The report is now limited to only those supervisions codified in the Texas Family Code.