

**ADULT AND JUVENILE CORRECTIONAL POPULATION PROJECTIONS
FISCAL YEARS 2007–2012**



**LEGISLATIVE BUDGET BOARD
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FISCAL YEARS 2007-2012

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One responsibility of the Criminal Justice Data Analysis Team of the Legislative Budget Board (LBB) is to conduct periodic, long-term adult and juvenile correctional population projections to serve as a basis for biennial funding determinations. Projections were released in June 2006 for legislative planning to the Juvenile Probation Commission, the Texas Youth Commission, and the Texas Department of Criminal Justice so they may incorporate the relevant information into their Legislative Appropriations Requests for the 2008-09 biennium.

This report provides updated correctional population projections in preparation for the Eightieth Legislative Session. Enhancements to the June 2006 projections were made by conducting interviews and focus groups with decision-makers, practitioners, and offenders in all parts of the criminal justice process to obtain a more in-depth understanding of sentencing and supervision practices impacting criminal justice populations. Additionally, comprehensive data through fiscal year 2006 were analyzed and incorporated into the updated projections.



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INTRODUCTION

INTRODUCTION

This Legislative Budget Board (LBB) report, *Adult and Juvenile Correctional Population Projections*, provides updated correctional population projections for fiscal years 2007 through 2012 in preparation for the Eightieth Legislative Session. The report is designed to address the Legislature's need for useful and timely information on Texas correctional populations.

One responsibility of the 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. Projections were released in June 2006 for legislative planning to the Juvenile Probation Commission, the Texas Youth Commission, and the Texas Department of Criminal Justice so they could incorporate the relevant information into their Legislative Appropriations Requests for the 2008–09 biennium.

Enhancements to past projections were made by conducting interviews and focus groups with decision-makers, practitioners, and offenders involved in the adult and juvenile criminal justice system to obtain a more in-depth understanding of sentencing and supervision practices impacting criminal justice populations. Additionally, comprehensive data through fiscal year 2006 were analyzed and incorporated into the updated projections. The report is organized into the following five sections:

- Crime and Arrest Rates in Texas
- Adult Correctional Population Projections
- Juvenile Correctional Population Projections
- Qualitative Review Methodology and Findings
- Appendices

REPORT HIGHLIGHTS

- Texas Crime Rate – The crime rate (number of crimes reported per 100,000 population) decreased 3.5 percent between 2004 and 2005. The total number of reported crimes also decreased (1.9 percent) between 2004 and 2005.
- Texas Juvenile Arrest Rate – The juvenile arrest rate decreased 8.3 percent between 2004 and 2005 with the drug/alcohol arrest rate decreasing the most (13.4 percent).
- Adult Incarceration Projections – The Texas adult incarceration population is projected to increase by 6,598 offenders from the beginning of fiscal year 2007 until the end of fiscal year 2009 (from a total of 152,894 to 159,492). By fiscal year 2012, the incarcerated population is projected to increase to 168,166 under current sentencing practices and statutes.
- Adult Parole Supervision Projections – The parole supervision population is projected to increase by 357 offenders from the beginning of fiscal year 2007 through fiscal year 2009 (from 76,791 to 77,148 fiscal year 2009 average). The parole supervision population is projected to average 81,001 by fiscal year 2012 under current sentencing practices and statutes.
- Adult Felony Community Supervision Projections – The felony community supervision population is projected to increase by 893 offenders from the beginning of fiscal year 2007 through fiscal year 2009 (from 159,785 to 160,678 fiscal year 2009 average). The adult felony community supervision population is projected to average 163,011 by fiscal year 2012 under current sentencing practices and statutes.
- Adult Misdemeanor Community Supervision Placements – The average number of yearly adult misdemeanor community supervision placements is projected to increase by 4,011 from fiscal year 2006 through fiscal year 2009 (121,152 to 125,163). The adult misdemeanor community supervision placement population is projected to average 129,307 by fiscal year 2012 under current sentencing practices and statutes.
- Juvenile Residential Projections – As with the June 2006 projection, the juvenile residential population is expected to increase moderately through 2012. The increase in the population is primarily a result of the composition of the population rather than the increase or decrease of intakes. The number of intakes decreased slightly (0.9 percent) between fiscal years 2005 and 2006, while the average length of stay increased from 17.4 months to 17.9 months. The state's juvenile residential population is projected to increase by 262 offenders from the beginning of fiscal year 2007 until the end of fiscal year 2009 (from a total of 4,800 to 5,062). By fiscal year 2012, the juvenile residential population is projected to increase to 5,223 under current sentencing practices and statutes.
- Juvenile Probation Supervision Projections – The juvenile probation supervision population is projected to increase by about 2.9 percent each year through fiscal year 2012. The state's juvenile supervision population is projected to increase by 3,484 offenders from the beginning of fiscal year 2007 through fiscal year 2009 (from 43,562 to 47,046 fiscal year 2009 average). The juvenile probation supervision population is

REPORT HIGHLIGHTS

projected to average 51,283 by fiscal year 2012 under current sentencing practices and statutes.

- **Qualitative Review Findings** – According to focus groups and interviews with criminal justice decision-makers and practitioners, prison population growth is most often associated with the lack of substance abuse and mental health treatment within the criminal justice system. The increase in direct sentences to prison and state jail was primarily attributed to offender preference for incarceration over community supervision. Among other things, participants suggested restoration of treatment funding throughout the criminal justice system, specific revisions to Chapter 42.12 (Community Supervision) of the Code of Criminal Procedure, and recognition that juvenile offenders and issues should be managed differently than adult offenders and issues. Offenders primarily attributed prison population growth to an increase in drug addiction.

CRIME AND ARREST RATES IN TEXAS

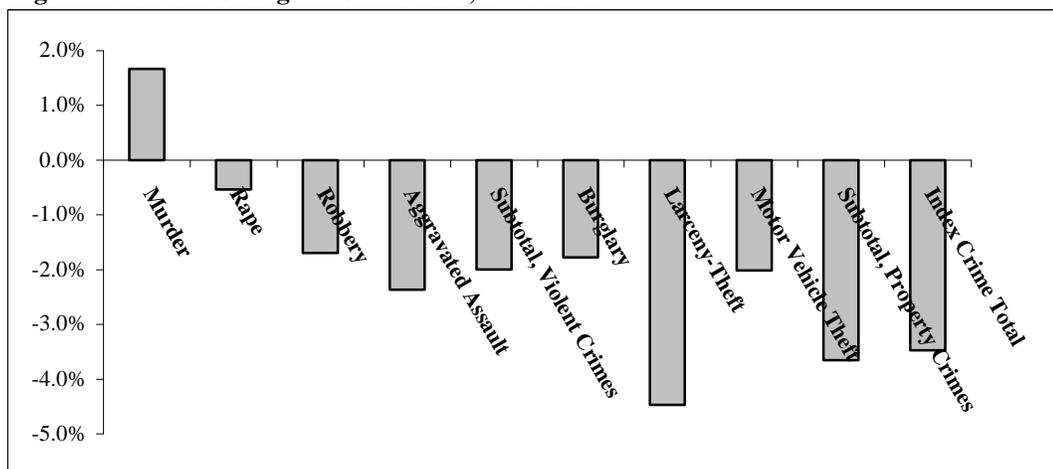
TEXAS CRIME RATE

Table 1: Texas Crime Rate, 2004–2005

INDEX CRIME	2004		2005		PERCENT CHANGE	
	NUMBER	RATE PER 100,000	NUMBER	RATE PER 100,000	NUMBER	RATE PER 100,000
Murder	1,359	6.0	1,405	6.1	3.4%	1.7%
Rape	8,401	37.4	8,505	37.2	1.2%	-0.5%
Robbery	35,811	159.2	35,781	156.5	-0.1%	-1.7%
Aggravated Assault	75,983	337.9	75,409	329.9	-0.8%	-2.4%
Subtotal, Violent Crimes	121,554	540.5	121,100	529.7	-0.4%	-2.0%
Burglary	220,079	978.6	219,733	961.2	-0.2%	-1.8%
Larceny-Theft	696,220	3,095.7	676,022	2,957.2	-2.9%	-4.5%
Motor Vehicle Theft	93,844	417.3	93,471	408.9	-0.4%	-2.0%
Subtotal, Property Crimes	1,010,143	4,491.5	989,226	4,327.3	-2.1%	-3.7%
Index Crime Total	1,131,697	5,032.0	1,110,326	4,857.1	-1.9%	-3.5%

Source: Texas Department of Public Safety, *Crime in Texas 2004 and 2005*.

Figure 1: Percent Change in Crime Rate, 2004–2005



- Both the crime rate and the actual number of crimes decreased (3.5 percent and 1.9 percent, respectively) between 2004 and 2005. The Texas State Data Center estimated the 2004 and 2005 Texas population at 22,490,022 and 22,859,968, respectively.
- Serious crimes known to police are reported to the Texas Department of Public Safety by law enforcement agencies in Texas using the Uniform Crime Report (UCR). The UCR provides standardized definitions for each of the index crimes to prevent reporting variations across jurisdictions.

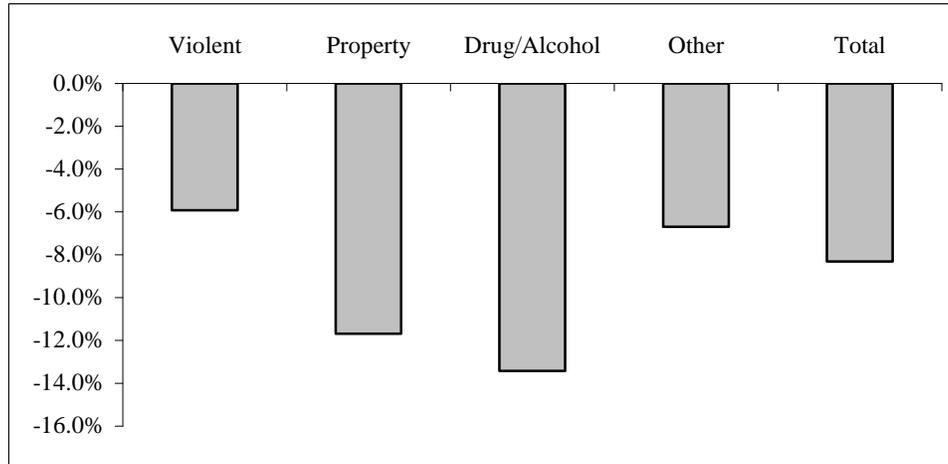
JUVENILE ARRESTS AND JUVENILE ARREST RATE IN TEXAS

Table 2: Texas Juvenile Arrests and Arrest Rate, 2004-2005

OFFENSE CATEGORY	2004		2005		PERCENT CHANGE	
	NUMBER	RATE PER 100,000	NUMBER	RATE PER 100,000	NUMBER	RATE PER 100,000
Violent ¹	27,110	1,121.1	25,703	1,054.7	-5.2%	-5.9%
Property ²	33,087	1,368.3	29,448	1,208.3	-11.0%	-11.7%
Drug/Alcohol ³	14,997	620.2	13,088	537.0	-12.7%	-13.4%
Other ⁴	77,499	3,205.0	72,874	2,990.2	-6.0%	-6.7%
Total	152,693	6,314.6	141,113	5,790.2	-7.6%	-8.3%

Source: Texas Department of Public Safety, Crime in Texas 2004 and 2005.

Figure 2: Percent Change in Juvenile Arrest Rate, 2004–2005



- The juvenile arrest rate⁵ decreased 8.3 percent between 2004 and 2005.
- The actual number of arrests also decreased (7.6 percent) between 2004 and 2005.

¹ Violent offenses include murder, non-negligent manslaughter, forcible rape, robbery, aggravated assault, other assaults, and sex offenses (except prostitution).

² Property offenses include burglary, larceny/theft, motor vehicle theft, forgery and counterfeiting, fraud, embezzlement, stolen property, and vandalism.

³ Drug/alcohol offenses include drug use, drug possession, driving while intoxicated (DWI), liquor law violations, and drunkenness.

⁴ Other offenses include arson, weapons carrying and possession, prostitution and commercial vice, gambling, offenses against children, disorderly conduct, vagrancy, curfew and loitering law violations, runaways, and all other offenses not mentioned above (except traffic).

⁵ The juvenile arrest rate (juveniles age 10–16) was computed by LBB staff by dividing the number of reported juvenile arrests by the juvenile population in the state (ages 10–16), and then multiplying by 100,000. The Texas State Data Center estimated the 2004 and 2005 Texas juvenile population at 2,418,084 and 2,437,078, respectively.

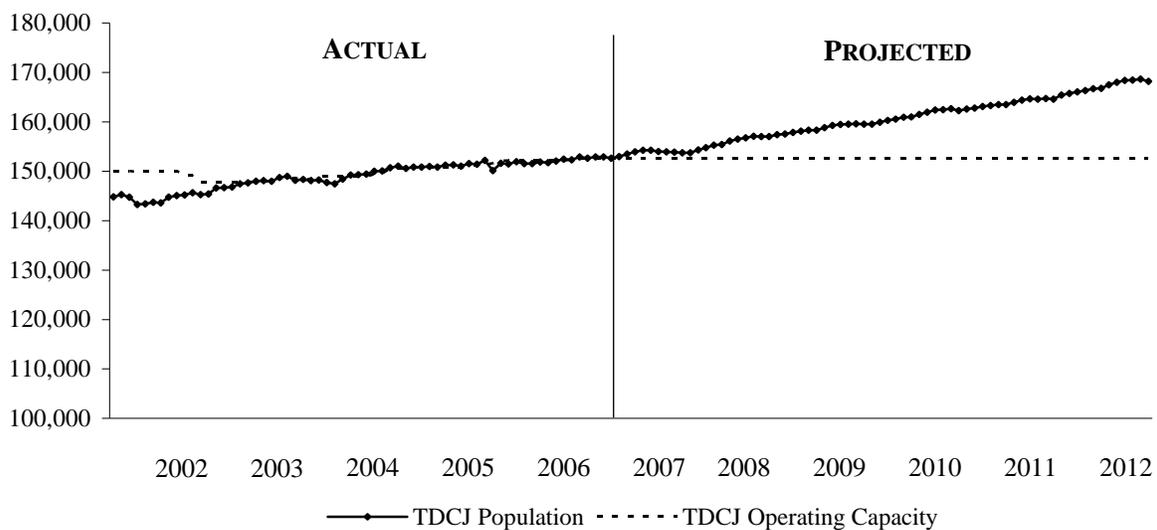
ADULT CORRECTIONAL POPULATION PROJECTIONS

ADULT INCARCERATION ACTUAL AND PROJECTED POPULATIONS FISCAL YEARS 2002–2012

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 projection model simulates offender movement based on offense type, sentence length, and time credited to their current sentence.

The adult incarceration population is projected to increase, at a rate comparable to the prior two forecasts through fiscal year 2009, with the current projection being 0.8 percent higher at the end of fiscal year 2009 than the June 2006 projection; and 1.5 percent lower at the end of fiscal year 2009 than the January 2005 projection. A continued increase in direct court sentences to prison is the primary driving force behind the projected growth in the incarcerated population. Any significant change in projection drivers (e.g., parole approval rates) may impact projected populations. Additional information regarding the projection drivers and model assumptions are detailed in Appendix A.

Figure 3: Actual and Projected TDCJ Inmate Population and Operating Capacity, Fiscal Years 2002–2012



- As of December 1, 2006, the total state prison capacity was 154,702 beds. Effective July 1, 2005, TDCJ began contracting for county jail beds. As of December 1, 2006 the total contracted capacity was 1,930. The operating capacity preferred by TDCJ prison administrators is 97.5 percent of the total combined capacity (156,632), which equals 152,716 beds.
- Projected incarceration populations at the end of each biennium are as follows: 153,849 for 2006–07; 159,492 for 2008–09; and 164,592 for 2010–11.

**ADULT INCARCERATION PROJECTED POPULATION
FISCAL YEARS 2007–2012**

Table 3: TDCJ Inmate Population and Operating Capacity, Fiscal Years 2007–2012

FISCAL YEAR	INCARCERATION POPULATION (END-OF-YEAR)	TDCJ STATE OPERATING CAPACITY ¹	PROJECTED POPULATION EXCEEDING STATE OPERATING CAPACITY ²	
			NUMBER	PERCENT
2007	153,849	150,834	3,015	2.0%
2008	157,029	150,834	6,195	4.1%
2009	159,492	150,834	8,658	5.7%
2010	162,298	150,834	11,464	7.6%
2011	164,592	150,834	13,758	9.1%
2012	168,166	150,834	17,332	11.5%

Table 4: TDCJ End-of-Month Populations, Fiscal Years 2007–2009

FISCAL YEAR 2007	END-OF-MONTH POPULATION	FISCAL YEAR 2008	END-OF-MONTH POPULATION	FISCAL YEAR 2009	END-OF-MONTH POPULATION
Sep-06	152,625	Sep-07	153,713	Sep-08	157,369
Oct-06	152,882	Oct-07	153,753	Oct-08	157,527
Nov-06	152,875	Nov-07	154,300	Nov-08	157,862
Dec-06	152,680	Dec-07	154,766	Dec-08	158,090
Jan-07	152,949	Jan-08	155,307	Jan-09	158,296
Feb-07	153,498	Feb-08	155,436	Feb-09	158,305
Mar-07	153,901	Mar-08	156,117	Mar-09	158,843
Apr-07	154,258	Apr-08	156,501	Apr-09	159,244
May-07	154,235	May-08	156,785	May-09	159,477
Jun-07	153,974	Jun-08	157,064	Jun-09	159,493
Jul-07	153,933	Jul-08	157,046	Jul-09	159,576
Aug-07	153,849	Aug-08	157,029	Aug-09	159,492
FY 07 Average	153,472	FY 08 Average	155,652	FY 09 Average	158,632

¹ The state operating capacity preferred by TDCJ prison administrators is 97.5 percent of bed capacity. As of December 1, 2006, the state prison capacity was 154,702 beds and the contracted capacity was 1,930 beds. TDCJ began contracting for county jail beds on July 1, 2005.

² TDCJ reported contracting for an average of 1,338 beds in fiscal year 2006. The agency has appropriated funding to contract for an average of 3,004 beds in fiscal year 2007.

ACTIVE ADULT PAROLE SUPERVISION ACTUAL AND PROJECTED POPULATIONS FISCAL YEARS 2002–2012

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 the sentence under supervision and are subject to sanctions or revocation of parole for violation of parole conditions.

The simulation model keeps track of individuals released to parole or 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. For fiscal year 2006, 12.9 percent of offenders were revoked to prison for violations of parole. The simulation model assumes the same parole revocation rate for fiscal years 2007 through 2012. Additional information regarding the projection drivers and model assumptions are detailed in Appendix A.

Figure 4: Actual and Projected Adult Parole Supervision Populations, Fiscal Years 2002–2012

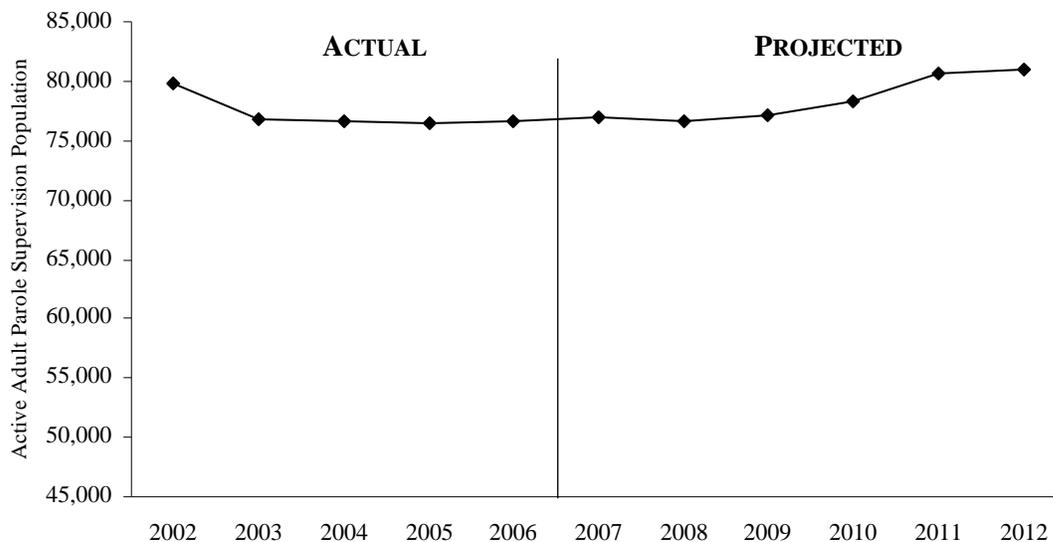


Table 5: Projected Adult Parole Supervision Populations

FISCAL YEAR	ACTIVE PAROLE SUPERVISION POPULATION (END-OF-MONTH YEARLY AVERAGE)
2007	76,958
2008	76,701
2009	77,148
2010	78,302
2011	80,643
2012	81,001

ADULT FELONY COMMUNITY SUPERVISION ACTUAL AND PROJECTED POPULATIONS FISCAL YEARS 2002–2012

The adult felony community supervision population projection is also a component of the discrete-event simulation modeling approach. Yearly felony community supervision intakes vary according to fluctuations of populations, felony court activity and sentencing trends. Intakes 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. For fiscal year 2006, 7.8 percent of offenders on adult felony community supervision were revoked to prison (this excludes revocations to state jail, state boot camp, county jail, and other revocations). The simulation model assumes the same revocation rate for fiscal years 2007 through 2012. Additional information regarding the projection drivers and model assumptions are detailed in Appendix A.

Figure 5: Actual and Projected Adult Felony Community Supervision Populations, Fiscal Years 2002–2012

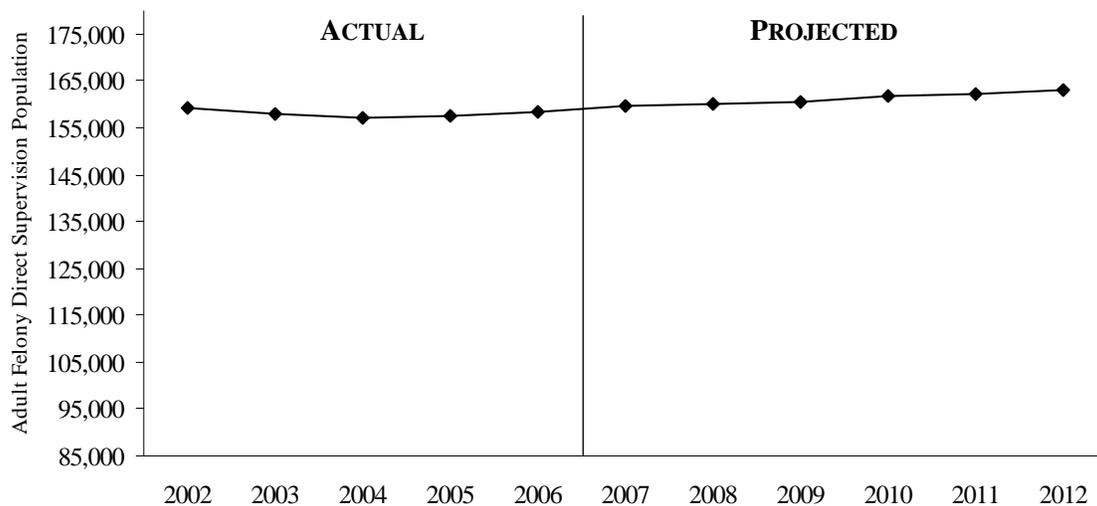


Table 6: Projected Adult Felony Direct Community Supervision Populations

FISCAL YEAR	FELONY DIRECT COMMUNITY SUPERVISION POPULATION (END-OF-MONTH YEARLY AVERAGE)
2007	159,668
2008	160,045
2009	160,678
2010	161,603
2011	162,381
2012	163,011

ADULT MISDEMEANOR COMMUNITY SUPERVISION ACTUAL AND PROJECTED PLACEMENTS FISCAL YEARS 2002–2012

The adult misdemeanor 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 (MCSCR). The projection is for misdemeanor placements by 121 local Community Supervision and Corrections Departments (CSCDs) statewide.

The misdemeanor supervision placements are projected to grow at a modest rate. The current projection is based on the average percentage increase in adult misdemeanor community supervision placements for fiscal year 2005 through fiscal year 2006 (1.09 percent). Any significant change in projection drivers (e.g., sentencing practices) may impact projected placements. Additional information regarding the projection drivers and model assumptions are detailed in Appendix A.

Figure 6: Actual and Projected Adult Misdemeanor Community Supervision Placements, Fiscal Years 2002–2012

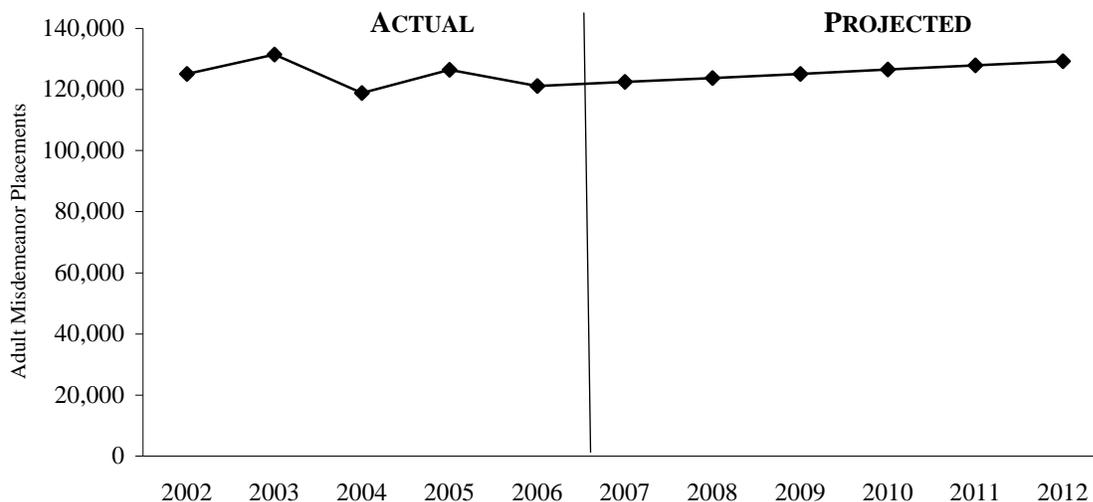


Table 7: Projected Misdemeanor Community Supervision Placements

FISCAL YEAR	MISDEMEANOR COMMUNITY SUPERVISION YEARLY PLACEMENTS
2007	122,475
2008	123,812
2009	125,163
2010	126,529
2011	127,911
2012	129,307

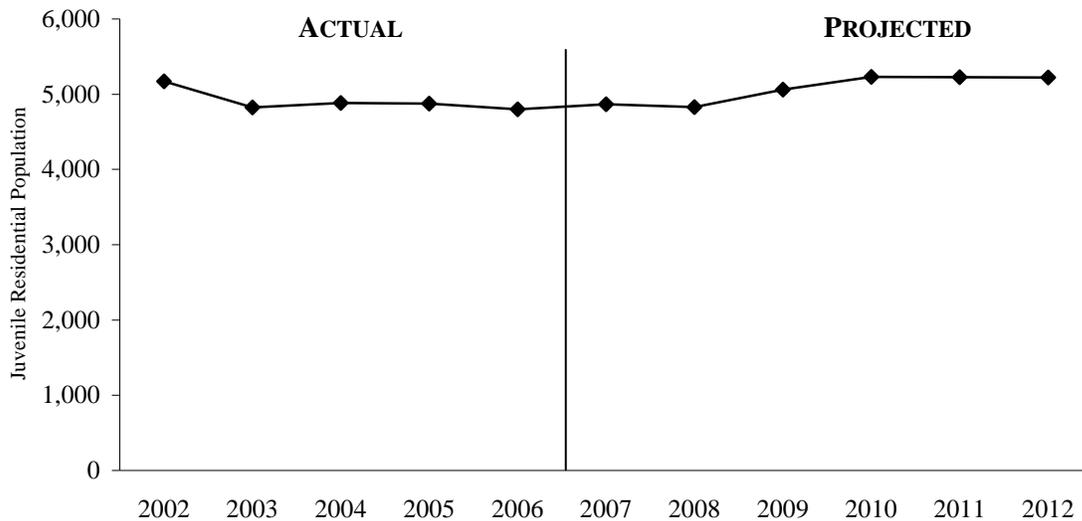
JUVENILE CORRECTIONAL POPULATION PROJECTIONS

JUVENILE RESIDENTIAL ACTUAL AND PROJECTED POPULATIONS FISCAL YEARS 2002–2012

The residential population projection for the Texas Youth Commission (TYC) is based on a discrete-event simulation modeling approach resulting from the movement of individual juveniles into, through, and out of TYC. The projection model imitates offender movement based on offense type, age, and historical average lengths of stay within TYC.

The residential population is projected to grow moderately through 2012. Depending on the composition of the offender population, the residential population may at times decrease due to release criteria characteristics of the population. The growth in the projected residential population is more attributable to the composition of the population than the increase or decrease of intakes. The number of intakes from fiscal year 2005 to 2006 decreased slightly (0.9 percent), while the average length of stay increased from 17.4 months to 17.9 months. The average length of stay for juveniles released during fiscal year 2006 for various offense types and age groupings is used to move juveniles through the projection model. Any significant change in projection drivers (e.g., length of stay) may impact actual populations. Additional information regarding projections and model assumptions are detailed in Appendix B.

Figure 7: Actual and Projected TYC Residential Populations, Fiscal Years 2002–2012



- Projected TYC residential populations at the end of each biennium are as follows: 4,866 for 2006–07; 5,062 for 2008–09; and 5,227 for 2010–11.
- The Texas juvenile arrest rate decreased between 2004 and 2005 (8.3 percent) after increases in 2003 and 2004.

**JUVENILE RESIDENTIAL PROJECTED POPULATION
FISCAL YEARS 2007–2012**

Table 8: TYC Population and State-Operated Facility Capacity, Fiscal Years 2007–2012

FISCAL YEAR	TYC POPULATION (END-OF-YEAR)	TYC STATE-OPERATED FACILITY CAPACITY ³	PROJECTED POPULATION EXCEEDING STATE-OPERATED CAPACITY	
			NUMBER	PERCENT
2007	4,866	4,462	404	9.1%
2008	4,830	4,462	368	8.2%
2009	5,062	4,462	600	13.4%
2010	5,231	4,462	769	17.2%
2011	5,227	4,462	765	17.1%
2012	5,223	4,462	761	17.1%

Table 9: TYC End-of-Month Population, Fiscal Years 2007–2009

FISCAL YEAR 2007	END-OF-MONTH POPULATION	FISCAL YEAR 2008	END-OF-MONTH POPULATION	FISCAL YEAR 2009	END-OF-MONTH POPULATION
Sep-06	4,815	Sep-07	4,835	Sep-08	4,799
Oct-06	4,835	Oct-07	4,829	Oct-08	4,854
Nov-06	4,838	Nov-07	4,783	Nov-08	4,867
Dec-06	4,831	Dec-07	4,773	Dec-08	4,882
Jan-07	4,838	Jan-08	4,796	Jan-09	4,891
Feb-07	4,810	Feb-08	4,810	Feb-09	4,900
Mar-07	4,833	Mar-08	4,857	Mar-09	4,956
Apr-07	4,825	Apr-08	4,851	Apr-09	4,996
May-07	4,879	May-08	4,855	May-09	5,036
Jun-07	4,881	Jun-08	4,821	Jun-09	5,060
Jul-07	4,869	Jul-08	4,820	Jul-09	5,054
Aug-07	4,866	Aug-08	4,830	Aug-09	5,062
FY 07 Average	4,843	FY 08 Average	4,822	FY 09 Average	4,946

³ The state operating capacity for the Texas Youth Commission (TYC) is 97.5 percent of the total bed capacity. As of October 31, 2006, the total state capacity was 4,576 beds. TYC received funding to contract for, on average, 539 beds in fiscal year 2006 and 613 beds in fiscal year 2007 in addition to their state-operated facility capacity.

JUVENILE PROBATION SUPERVISION ACTUAL AND PROJECTED POPULATIONS CALENDAR YEARS 2002–2003 AND FISCAL YEARS 2004–2012

The juvenile probation supervision projection is based on aggregate-level data compiled monthly by the Juvenile Probation Commission (JPC). The projection is for juveniles receiving three types of supervision: adjudicated probation, deferred prosecution, and supervision prior to disposition.

The juvenile probation supervision population is projected to moderately increase. Anticipated annual growth in adjudicated probation (2.72 percent), deferred prosecution (3.68 percent), and supervision prior to disposition (2.40 percent) are based on annual average percent change for fiscal year 2003 through fiscal year 2006. Any significant change in projection drivers (e.g., sentencing practices) may impact actual populations. Additional information regarding the projection drivers and model assumptions are detailed in Appendix B.

Figure 8: Actual and Projected Juvenile Probation Supervision Populations by Supervision Type, Calendar Years 2002–2003 and Fiscal Years 2004–2012

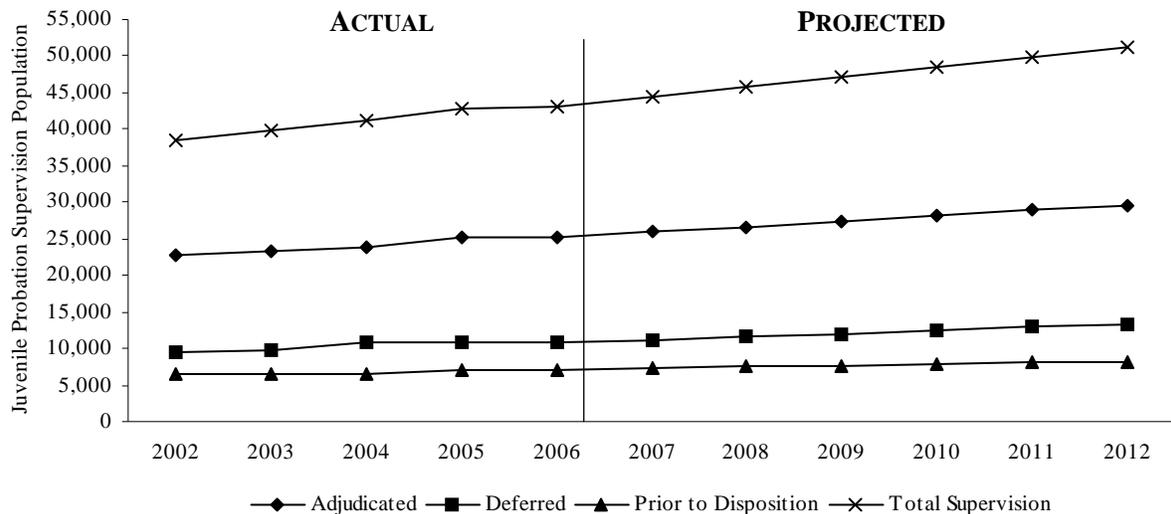


Table 10: Projected Juvenile Probation Supervision Populations by Supervision Type, Fiscal Years 2007–2012

FISCAL YEAR	ADJUDICATED PROBATION	DEFERRED PROSECUTION	SUPERVISION PRIOR TO DISPOSITION	TOTAL SUPERVISION (END-OF-MONTH YEARLY AVERAGE)
2007	25,925	11,162	7,336	44,423
2008	26,631	11,573	7,511	45,715
2009	27,356	11,999	7,691	47,046
2010	28,101	12,441	7,875	48,417
2011	28,866	12,900	8,064	49,830
2012	29,651	13,375	8,257	51,283

QUALITATIVE REVIEW METHODOLOGY AND FINDINGS

QUALITATIVE REVIEW METHODOLOGY AND FINDINGS

REVIEW METHODOLOGY: As part of the correctional population projections methodology, a qualitative review component was conducted for this January 2007 report. The purpose of the review was to obtain a more in-depth understanding of criminal justice trends that were originally reported in the June 2006 *Adult and Juvenile Correctional Population Projections* report. Interviews and focus groups were conducted with decision-makers, practitioners, and offenders involved in the adult and juvenile criminal justice systems.

Interviewees and focus group participants were shown the various trends in the June 2006 *Adult and Juvenile Correctional Population Projections* report and asked to respond to the reported trends, explain what may be causing them, and offer suggestions on how they could be shifted. Questions focused on the five primary populations in the Texas criminal justice system: adult incarceration, adult parole supervision, adult community supervision, juvenile residential and juvenile probation supervision. Offenders were asked questions about how their sentences were reached and their opinion on the trends and effectiveness of the various aspects of the criminal justice system.

MAJOR REVIEW FINDINGS:

Many consistent themes and suggestions surfaced among the cross-section of interview and focus group participants concerning adult and juvenile criminal justice. Bullets are separated by each major group of individuals involved in the qualitative review process.

ADULT CRIMINAL JUSTICE DECISION-MAKERS AND PRACTITIONERS

- Explanations for prison population growth most often related to a lack of substance abuse and mental health treatment available to offenders at all levels of the criminal justice system. Many believed this lack of treatment contributed to an increase in repeat offenders more likely to be sentenced to incarceration. Other consistent explanations related to socioeconomic factors such as low education levels, unemployment, and negative social and family environments.
- Explanations for increases in direct sentences were primarily attributed to offenders choosing state jail or prison sentences over community supervision or treatment alternatives.
- Stabilization of the current rising incarceration trends could be assisted by an overall reform of Chapter 42.12 (Community Supervision) of the Code of Criminal Procedure. Specific modifications that were mentioned included shortening community supervision sentence lengths and streamlining the conditions of community supervision (e.g., community service restitution, program referrals, fees). Participants stressed the need for flexibility within Chapter 42.12, as well as support for making the statute more concise.

QUALITATIVE REVIEW METHODOLOGY AND FINDINGS

- The most prevalent message to the Texas Legislature regarding the criminal justice system was the need for treatment funding to be restored and increased at all levels of the criminal justice system.

JUVENILE JUSTICE DECISION-MAKERS AND PRACTITIONERS

- The largest issue of concern to the juvenile justice system is the lack of community-based treatment alternatives for juvenile offenders.
- The primary message to the Texas Legislature regarding the juvenile justice system was the desire for the Texas Legislature to avoid addressing issues within the juvenile justice system as they are addressed within the adult criminal justice system. Differences between juveniles and adults were stressed, and participants believed that addressing juvenile justice issues could not be successful following the adult criminal justice model.

ADULT OFFENDERS

- Explanations for prison population growth primarily were related to increases in drug addiction among offenders.
- Explanations for increases in direct sentences primarily were related to growing numbers of repeat offenders.

JUVENILE OFFENDERS

- Community-based juvenile probation was viewed negatively; specifically mentioned reasons included insufficient supervision and an intensive focus on negative behavior.
- Confinement in community-based treatment was viewed positively; juveniles felt structure, accountability, and separation from families were necessary for rehabilitation.
- Continued family counseling and intensive supervision and structure were cited as necessary components of rehabilitation for juveniles released from confinement into the community.

Appendix C details the review findings in more detail.

**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 over time as a dynamic process. The model simulates offender movement through the system based on their offense type, sentence length, and time credited to their current sentence.

ADMISSIONS: Admissions are based on the historical growth in direct sentences and the historical rate at which probationers (offenders on community supervision) and parolees are revoked.

DIRECT COURT COMMITMENTS — Projected yearly growth rates in direct court commitments vary according to fluctuations of populations, felony court activity, and trends in direct sentence admissions to TDCJ. It is projected that direct sentences to TDCJ will increase at varying rates for each year depending upon population growth and court activity trends. Overall, direct sentences are projected to increase by 6.8 percent during fiscal years 2007 through 2012.

COMMUNITY SUPERVISION AND PAROLE REVOCATIONS — Projected yearly rates of community supervision revocations (7.7 percent) and parole revocations (12.9 percent) are applied to the population projection model to determine the number of revocation admissions.

STATE JAIL ADMISSIONS — State jail admissions have decreased in recent years due to statutory changes, and due to the temporary closure of state jail beds due to Hurricane Rita. House Bill 2668 (Seventy-eighth Legislature, Regular Session, 2003), implemented on September 1, 2003, requires community supervision for state jail felony drug offenders as long as the possessed amount of drugs is small and the offender has no previous felony convictions. The decrease in state jail admissions attributable to HB 2668 resulted in a decrease in state jail populations. Prior to the implementation of House Bill 2668, the state jail population increased by 12 percent in fiscal year 2002 and 9 percent in fiscal year 2003. During fiscal years 2004 and 2005, the state jail population decreased 2.3 percent and 2.2 percent respectively. More recently, state jail admissions in fiscal year 2006 were impacted by Hurricane Rita when the 2,276 bed Gist State Jail was damaged. Following the temporary closure of beds by Hurricane Rita in September 2005, the state jail population decreased by nearly 2,200 persons from the end of August 2005 to the end of September 2005. After isolating the impact of House Bill 2668 and Hurricane Rita, and examining population trends and felony court activity, it is projected that state jail admissions will not continue to decrease but will remain level at fiscal year 2006 levels.

APPENDIX A: ADULT CORRECTIONAL POPULATION PROJECTION METHODOLOGY AND ASSUMPTIONS

LENGTH OF SENTENCE: Length of sentence is based on actual sentence lengths for various offense types during fiscal years 2004–2006.

TIME SERVED: The time served is based on the actual amount of time served for various offense types and statutory requirements during fiscal years 2004–2006.

STATUTORY RULES OF MOVEMENT: The rules of movement used in the projection model are based on the laws in effect at the time an offender is sentenced, which specify how the offender can be processed through the prison system. This takes into account when and if offenders are eligible for parole, mandatory supervision, or discretionary mandatory supervision. For the purpose of the reported projection, admissions to TDCJ in fiscal year 2006 and beyond are processed through the prison system under current law. However, inmates in the population prior to fiscal year 2006 are processed through the prison system under the laws in place when the inmates committed their offense of record.

OFFENSE DISTRIBUTION: To accurately project future releases from TDCJ, the inmate population and admissions are divided into nine groups based on offenses and the time at which offenders committed their offense of record. The offense and the time at which the offender committed the offense help determine when the offender will be eligible for release and the likelihood that the inmate will be released. The model estimates future admissions and populations, which reflect changes in offense distribution based on actual TDCJ records dating back to fiscal year 1999.

PAROLE RELEASE PRACTICES: The model assumes current parole release practices.

PAROLE APPROVAL RATE — During fiscal year 2006, the average parole approval rate was 26.4 percent. For the first two months of fiscal year 2007, the rate has been higher at 28.8 percent. The model is based on an average of 26.4 percent for fiscal years 2007 through 2012.

PAROLE CASE CONSIDERATIONS — During fiscal year 2006, there were an average of 5,981 parole cases considered each month. For the first two months of fiscal year 2007, the monthly average has increased to 6,235 parole cases considered. It is expected that case considerations will increase during the remainder of fiscal year 2007 through 2012.

DISCRETIONARY MANDATORY SUPERVISION (DMS) APPROVAL RATE — During fiscal year 2006, the average DMS approval rate was 52.14 percent. For the first two months of fiscal year 2007, the rate has averaged 52.8 percent. The model is based on an average of 52.14 percent for fiscal years 2007 through 2012.

DISCRETIONARY MANDATORY SUPERVISION CONSIDERATIONS — During fiscal year 2006, there were an average of 1,419 discretionary mandatory supervision cases considered

APPENDIX A: ADULT CORRECTIONAL POPULATION PROJECTION METHODOLOGY AND ASSUMPTIONS

each month. For the first two months of fiscal year 2007, the monthly average has increased to 1,539 cases considered. It is expected that case considerations will continue to increase during fiscal years 2007 through 2012.

In addition to the assumptions discussed above, there are other adult criminal justice trends that have been considered; however, 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.

CRIME RATE: The crime rate declined from its peak in 1988 and has remained steady at a lower level since 2000.

UNEMPLOYMENT RATE: The unemployment rate is projected to increase slightly from 5.1 in fiscal year 2006 to 5.2 in fiscal year 2012 (Comptroller of Public Accounts, Fall 2006 Economic Forecast).

ACTIVE ADULT PAROLE 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 their current sentence.

In preparing the active adult parole population projection, monthly data on the active parole supervision population, intakes to parole supervision, and releases from parole supervision were analyzed to understand the dynamics of movement of the parole supervision population. Analysis of the monthly data was used to validate the growth rates used in the projection of the active adult parole supervision population.

Parole is the conditional release of offenders from prison, after approval by two (of three) members of the parole committee, to serve the remainder of their sentence under supervision in the community.

Mandatory Supervision (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) is the current form of “mandatory” release and requires approval by a parole panel for release of eligible offenders.

APPENDIX A: ADULT CORRECTIONAL POPULATION PROJECTION METHODOLOGY AND ASSUMPTIONS

The assumptions regarding the general adult population and crime rate previously noted apply to this projection as well.

ADULT FELONY COMMUNITY SUPERVISION POPULATION PROJECTION

The adult felony 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 offense type, sentence length, and time credited to their current sentence.

In preparing the projection for the adult felony community supervision population, monthly admission and release activity from the Monthly Community Supervision and Corrections Report (MCSCR) were analyzed to determine the most recent trends in community supervision placements and community supervision terminations. The monthly data provides validation of the results from the simulation model.

The assumptions regarding the general adult population and crime rate previously noted apply to this projection as well.

ADULT MISDEMEANOR COMMUNITY SUPERVISION PLACEMENT PROJECTION

The basis for the adult misdemeanor community supervision placement projection is the average percent increase of adult misdemeanor placements in the 121 local Community Supervision and Corrections Departments (CSCDs) during fiscal years 2005 through 2006 (1.09 percent). The assumptions regarding the general adult population and crime rate previously noted apply to this projection as well.

**APPENDIX B:
JUVENILE CORRECTIONAL POPULATION PROJECTION
METHODOLOGY AND ASSUMPTIONS**

APPENDIX B: JUVENILE CORRECTIONAL POPULATION PROJECTION METHODOLOGY AND ASSUMPTIONS

JUVENILE RESIDENTIAL POPULATION PROJECTION

The juvenile residential population projection for the Texas Youth Commission (TYC) is based on a discrete-event simulation modeling approach resulting from the movement of individual offenders into, through, and out of TYC. Discrete-event simulation focuses on the modeling of a system over time as a dynamic process. The model simulates juvenile movement through the system based on offense, intake type, age, and historic lengths of stay.

INTAKES: Intakes are based on the historical growth and decline of the various offense and intake types from fiscal years 2005 through 2006 (-0.9 percent). Growth or decline for the various offense and intake types was calculated for each subsequent year based on the projected change from the previous year. Overall, the growth in the projected residential population depends more on the composition of the population than on the growth or decline of the intake population.

Intake types include:

NEW COMMITMENTS — Juveniles committed to TYC for the first time.

RECOMMITMENTS — Juveniles previously committed to TYC who are again committed by the court.

NEW FELONY OFFENSE PAROLE VIOLATORS — Juveniles revoked from parole for a new felony offense.

MISDEMEANOR AND TECHNICAL PAROLE VIOLATORS — Juveniles revoked from parole for a misdemeanor offense or technical violation of parole.

NEGATIVE MOVEMENTS — Juveniles moved back into residential care from parole (not revoked or recommitted).

LENGTH OF STAY: The calculation of releases from the residential population is based on the length of stay by juveniles by offense groupings. Average time served in fiscal year 2005 was 17.4 months, but increased to 17.9 months in fiscal year 2006. The time served requirements used in the projection model are based on reported time served by releases for fiscal year 2006.

RULES OF MOVEMENT: Juveniles are aged in the projection model based on time served, offense, and intake type. New commitments stay in the model until they are first released. The other intake categories reflect the time a juvenile has served for that particular intake only. The model moves juveniles through the TYC system based on whether they receive determinate or indeterminate sentences. Most TYC offenders receive indeterminate sentences.

APPENDIX B: JUVENILE CORRECTIONAL POPULATION PROJECTION METHODOLOGY AND ASSUMPTIONS

In addition to the assumptions discussed above, there are other juvenile criminal justice trends that have been considered. These factors are not used in the projection model. If major shifts occur from the latest trends in the areas listed below, adjustments to the projection may become necessary.

JUVENILE ARREST RATE — The Texas juvenile arrest rate decreased between 2004 and 2005 (8.3 percent) after increases in 2003 and 2004.

JUVENILE POPULATION — Between fiscal years 2000 through 2006, the annual growth rate of the general juvenile population was 1.26 percent. The annual growth rate is projected to be 0.45 percent between fiscal years 2007 and 2012.

JUVENILE PROBATION POPULATION PROJECTION

The juvenile probation population projection is based on data reported to the LBB on a monthly basis by the Juvenile Probation Commission and data compiled by the Juvenile Probation Commission in their annual probation activity report. The assumptions regarding the general juvenile population and juvenile arrest rate previously noted apply to this projection as well.

There are three types of juvenile supervision: adjudicated probation, deferred prosecution, and supervision prior to disposition. Adjudicated probation is a form of community-based supervision for a specified period. Deferred prosecution is a voluntary alternative to adjudication with court-imposed conditions and supervision requirements. Supervision prior to disposition includes juveniles under temporary supervision pending a disposition or court action, and juveniles conditionally released from detention. A projection is done for each supervision group separately.

Projected growth in adjudicated probation (2.72 percent per year), deferred prosecution (3.68 percent growth per year), and supervision prior to disposition (2.40 percent growth per year) are based on annual average percent change from fiscal year 2003 to fiscal year 2006.

**APPENDIX C:
QUALITATIVE REVIEW FINDINGS**

APPENDIX C: QUALITATIVE REVIEW FINDINGS

As part of the correctional population projections methodology, a qualitative review component was conducted for this January 2007 report. The purpose of the review was to obtain a more in-depth understanding of criminal justice trends that were originally reported in the June 2006 *Adult and Juvenile Correctional Population Projections* report. Interviews and focus groups were conducted with decision-makers, practitioners, and offenders involved in the adult and juvenile criminal justice systems.

METHODOLOGY

Focus Groups: Seven focus groups involving 8–10 participants per group were conducted during the fall of 2006 consisting of a cross-section of representatives in the following areas: adult criminal justice agency stakeholders, defense attorneys, district attorneys, district judges, juvenile justice stakeholders, parole supervisors, and community supervision administrators. There were 62 focus group participants.

Site Visit Interviews: Site visits to the five largest Community Supervision and Corrections Departments (CSCDs) (Bexar, Dallas, Harris, Tarrant, and Travis counties) were conducted as part of the Community Supervision Revocation Project Follow-up study. During the site visits, 112 community corrections stakeholders (e.g., judges, district attorneys, CSCD directors, community supervision officers, offenders) were interviewed regarding criminal justice trends.

Adult Offender Interviews: Adult offender interviews were also conducted among a cross-section of the criminal justice system. A total of 96 adult male and female offenders currently in the criminal justice system were interviewed. One-half (48) of the offenders were in an incarcerated setting within the Texas Department of Criminal Justice – Correctional Institutions Division (e.g., state jail, prison, Substance Abuse Felony Punishment Facility, private prison). The other one-half (48) were under some form of community supervision (e.g., regular caseloads, specialized court caseloads, residential treatment).

Juvenile Offender Interviews: Interviews were also conducted with juvenile offenders on probation and confined in a community-based treatment program. A total of nine juvenile offenders were interviewed.

APPENDIX C: QUALITATIVE REVIEW FINDINGS

SUMMARY OF ADULT FOCUS GROUPS AND SITE VISIT INTERVIEWS

WHAT CAUSES WOULD YOU ATTRIBUTE TO THE GROWING TEXAS PRISON POPULATION?

Focus group participants responded with many similar explanations for prison population growth. The responses most often related to a lack of substance abuse and mental health treatment available to offenders at all levels of the criminal justice system. Many believed this lack of treatment contributed to an increase in repeat offenders more likely to be sentenced to incarceration.

Other reasons listed for the growing prison population were:

- Growth in the state adult population;
- Increases in community supervision revocations; and
- Offender preference for state jail or prison sentences over community supervision.

Decision makers and practitioners were also asked this question. The responses cited most often related to various socioeconomic factors such as low education levels, unemployment, and negative social and family environments.

Other reasons listed for the growing prison population were:

- A lack of treatment alternatives;
- Increases in the number of offenders “recycling” through the system; and
- Increases in drug use among offenders.

WHY ARE DIRECT SENTENCES TO INCARCERATION FROM THE COURTS INCREASING?

Focus group participants mainly attributed the increase in direct sentences to offenders choosing state jail or prison sentences over community supervision or treatment alternatives. The cost and difficulty of community supervision along with the long wait for treatment alternatives were cited as the main reasons causing this trend.

Other reasons listed for the increase in direct sentences to incarceration were:

- The “tough on crime” philosophy of the court system;
- Increases in repeat offenders; and
- A lack of incentives for the courts to avoid sentencing offenders to incarceration.

Decision-makers and practitioners were also asked this question. The responses paralleled those of the focus groups. In addition, numerous interviewees mentioned an increased intolerance towards Driving While Intoxicated offenders is adding to more direct sentences.

APPENDIX C: QUALITATIVE REVIEW FINDINGS

WHAT CAN BE DONE TO STABILIZE THE RISING ADULT INCARCERATION POPULATION TRENDS?

Focus group participants from all areas of the criminal justice system suggested that an overall reform of Chapter 42.12 (Community Supervision) of the Code of Criminal Procedure would assist in the stabilization of the current rising incarceration trends. Specific modifications that were mentioned included shortening community supervision sentence lengths and streamlining the conditions of community supervision (e.g., community service restitution, program referrals, fees). Participants stressed the need for flexibility within Chapter 42.12, as well as support for making the statute more concise. Participants also frequently mentioned reforming the structure in which the Texas Department of Criminal Justice – Community Justice Assistance Division funds community supervision, as determined by Chapter 509.011 of the Government Code. Adjustments should be made so CSCDs are not fiscally encouraged to keep offenders under supervision longer than deemed effective in order to receive state funding and supervision fees.

Other proposed strategies to stabilize the rising adult incarceration population trends were:

- Adjust the Penal Code, as it relates to offense enhancements. Overall, participants were not in favor of enhancing certain Class A misdemeanors to State Jail felonies. Specific enhancements included evading arrest with a motor vehicle, prostitution, and theft.
- Increase the amount of funding for treatment programming (specifically for community supervision and pre-parole services); and
- Develop incentives for local jurisdictions to keep non-violent offenders in community-based supervision/treatment.

PRIMARY MESSAGES TO THE TEXAS LEGISLATURE REGARDING THE CRIMINAL JUSTICE SYSTEM:

The most prevalent message among the focus groups was the need for treatment funding to be restored and increased at all levels of the criminal justice system. Treatment needs mentioned were community-based options for community supervision and parole, as well as in-prison programs, specifically in state jails. The treatment areas most often mentioned as needing expansion were substance abuse, mental health, and employment/life skills training.

Other frequent messages to the Texas Legislature regarding the criminal justice system were:

- Increase the integration and cooperation among state criminal justice agencies. Most participants did not support a complete merger of departments (e.g., combining community supervision and parole), but expressed the need for collaboration on certain policy matters (i.e., sharing community-based contracts);
- Community Supervision reform – Restructuring the method in which community supervision is funded was widely discussed. Participants also expressed the need for shorter sentence lengths and revised conditions of community supervision (i.e., eliminating unnecessary classes and programs); and
- Discretion – It was widely stated that discretion is necessary for the criminal justice system in Texas to function properly. Statute changes that take away discretion (e.g., mandatory sentencing guidelines) were not viewed favorably.

APPENDIX C: QUALITATIVE REVIEW FINDINGS

SUMMARY OF JUVENILE JUSTICE FOCUS GROUP

WHAT ARE THE MAJOR CURRENT ISSUES RELATED TO JUVENILE JUSTICE?

According to focus group participants, the largest issue of concern to the juvenile justice system is the lack of community-based treatment alternatives for juvenile offenders. Substance abuse and mental health were cited as treatment areas that needed expansion, but participants also expressed the need for treatment specific to the growing number of female offenders.

Other major current issues related to juvenile justice were:

- Increases in juvenile sex offenses and how to accurately address juvenile sex offenders;
- Prevalence of child abuse and neglect among youth who enter the juvenile justice system;
- Increases in gang participation; and
- Disproportionate numbers of minority and low-income offenders entering the juvenile justice system.

OPINIONS ON THE CURRENT JUVENILE JUSTICE POPULATION TRENDS AND PROJECTIONS:

Focus group participants responded that the current juvenile justice population trends and projections were not surprising. The tempered growth of the current Texas Youth Commission (TYC) population was expected, but participants stressed that without a future increase in community-based alternatives, TYC's population would increase at a much higher rate. All participants agreed that the current Juvenile Probation Commission population increases were expected, due to current policy regarding the juvenile justice system.

WHAT JUVENILE JUSTICE POLICY CHANGES ARE NEEDED?

Participants were unanimous in expressing the need for increased funding and investment into community-based treatment options for juvenile offenders, not only in the juvenile justice system, but also in the areas of mental health and protective services. The overlap between the juvenile justice system and other social service systems was greatly stressed. Specific recommendations called for increased investment in the Child Protective Services' Office of Prevention, and increased accountability measures for mental health providers.

Other juvenile justice policy changes suggested were:

- Increase re-entry resources for juvenile offenders released from TYC;
- Increase attention on juveniles with truancy problems, seen as common precursors for youth entering the juvenile justice system; and
- Maintain the discretion of juvenile justice practitioners. Discretion was seen as necessary for the juvenile justice system to function properly, and changes in statute that limit discretion were viewed negatively.

APPENDIX C: QUALITATIVE REVIEW FINDINGS

PRIMARY MESSAGES TO THE TEXAS LEGISLATURE REGARDING THE JUVENILE JUSTICE SYSTEM:

The primary message expressed by participants was the desire for the Texas Legislature to avoid addressing issues within the juvenile justice system as they are addressed within the adult criminal justice system. Differences between juveniles and adults were stressed, and participants believed that addressing juvenile justice issues could not be successful following the adult criminal justice model. Specific differences mentioned were issues related to juvenile sex offender registration; participants believed the “sex offender” label can be detrimental to the successful rehabilitation of juveniles.

Other messages to the Texas Legislature regarding the juvenile justice system were:

- Early intervention is the key to preventing juvenile crime; funding and investment in front-end community-based options are necessary for the juvenile justice system to be effective;
- The Texas Legislature should not espouse a “tough on crime” philosophy in order to stop the cycle of juvenile crime;
- Juvenile incarceration must be funded and staffed properly in order to effectively rehabilitate juveniles; and
- Policies that address the Texas Youth Commission like the adult prison system are counterproductive to the rehabilitation and reintegration of youth. Specifically, youth family units must be a part of their rehabilitation and re-entry.

APPENDIX C: QUALITATIVE REVIEW FINDINGS

SUMMARY OF OFFENDER INTERVIEWS

The objective of interviewing offenders was to understand decisions that led to their current sentences, collect data not currently available in automated databases, and obtain their perspective on factors contributing to the growth in criminal justice populations. The information reported in this section is from confidential interviews between LBB research staff and offenders. No other criminal justice personnel were present during the interviews. The information reflects the self-reported information provided by the offenders and their opinions. No attempts were made to verify the self-reported information. The responses were summarized for incarcerated and community-based offenders separately.

SENTENCING AND SUPERVISION

Offenders were asked a variety of questions regarding the sentencing process as it related to the offense for which they were currently in the criminal justice system. The table below provides their self-reported responses to a series of questions which could be quantified.

Table 11: Offender Responses to Interview Questions

Interview Question	Community-based Offenders	Incarcerated Offenders
Percent with prior juvenile offense	33%	40%
Percent that reported this was their first offense	40%	12%
Average amount of time in county jail prior to being sentenced	1 month	5 months
Percent that had a court appointed attorney	48%	71%
When offenders with court appointed attorneys were asked how well they thought they were represented, the percent that thought the attorney was effective	65%	40%
Percent whose sentence was reached through a plea bargain	67%	75%

APPENDIX C: QUALITATIVE REVIEW FINDINGS

COMMUNITY-BASED OFFENDERS

Offenders under community supervision were asked if they had been given a choice between community supervision or incarceration. Approximately 54 percent stated that they had a choice. The most common reason given for choosing community supervision was they did not want to do jail or prison time. Other major reasons included wanting to stay with their families and not wanting a conviction on their record. When asked if the current community supervision options were effective, 69 percent stated they were effective. Strategies mentioned to increase the success of community corrections were:

- Reduce community supervision related fees;
- Provide more general rehabilitative options (e.g., cognitive treatment, anger management); and
- Provide more substance abuse treatment.

INCARCERATED OFFENDERS

Incarcerated offenders were asked if they were previously on community supervision. Approximately 40 percent stated they were under community supervision at some point in time. A large portion of the incarcerated offenders had a fairly negative impression of community supervision. Incarcerated offenders were also asked about the effectiveness of incarceration. There was no consistent opinion. Generally, offenders in programming (e.g., treatment, classes, counseling) had positive things to say about their experiences. If nothing else, it kept them occupied. To obtain an estimate of other issues facing incarcerated offenders, they were asked if they had children. Over 60 percent of the offenders interviewed had at least one child.

WHAT CAUSES WOULD YOU ATTRIBUTE TO THE GROWING TEXAS PRISON POPULATION?

All of the interviewed offenders were asked this question. The most common and consistent responses were related to increases in drug addiction among offenders.

Other responses included:

- Socioeconomic factors, such as unemployment and poor education;
- A lack of treatment; and
- Unfair sentencing practices.

WHY DO YOU THINK JUDGES ARE SENDING MORE PEOPLE TO PRISON?

All of the interviewed offenders were asked this question. The most common and consistent responses were related to increases in repeat offenders. Many offenders that opted for state jail time a few years ago are getting in trouble again. Once an offender has been incarcerated, community supervision is not a common option – for them or the judges. Other responses focused on the “tough on crime” philosophy of the system, strict judges, and politics.

APPENDIX C: QUALITATIVE REVIEW FINDINGS

SUMMARY OF JUVENILE OFFENDER INTERVIEWS

The objective of interviewing juvenile offenders was to understand their experiences with juvenile probation, school, and community-based residential treatment. Juvenile offenders were asked to describe any concerns or challenges to rehabilitation they felt would be significant upon returning to the community and what could assist addressing those concerns and challenges. The information reported in this section is from confidential interviews between LBB research staff members and juvenile offenders. No other juvenile justice personnel were present during the interviews. The information reflects the self-reported statements and opinions provided by the juvenile offenders. No attempts were made to verify their statements.

COMMUNITY-BASED JUVENILE PROBATION:

Interviewees tended to view community-based juvenile probation negatively. Many juvenile offenders believed juvenile probation officers focused only on negative behavior without rewarding good behavior and generally did not assist in rehabilitation. Interviewees also stated community-based juvenile probation did not sufficiently supervise juvenile offenders.

COMMUNITY-BASED RESIDENTIAL TREATMENT PROGRAM:

Interviewees confined in community-based treatment believed the experience to be positive. Many juvenile offenders felt structure, accountability, and separation from families were necessary for rehabilitation. Improvements in anger management and self-expression were also attributed to confinement in residential treatment. The most prevalent negative experience cited by interviewees related to conflict caused by peer accountability.

SCHOOL EXPERIENCE:

Truancy was cited most often when asked about school experiences prior to confinement. Most felt school was going well in the treatment program; many interviewees were obtaining above average grades. Juveniles believed increased individual attention and structure of confinement contributed to positive school experiences.

CONCERNS AND CHALLENGES UPON RELEASE:

Peer pressure was cited as a primary concern and challenge. Many felt that negative influences (e.g., friends, family, substance abuse) in the community would be difficult to avoid. Interviewees were also concerned about managing negative reputations and stereotypes obtained prior to confinement.

SUGGESTIONS FOR ADDRESSING CONCERNS AND CHALLENGES UPON RELEASE:

The most prevalent suggestion for assisting their rehabilitation efforts once released from confinement was continued family counseling. Many juvenile offenders experienced family problems and felt successful rehabilitation would be difficult without family involvement. Interviewees also expressed a need for intensive supervision and structure upon release.