

Texas At-Risk Youth Services Project



SUBMITTED TO THE 82ND TEXAS LEGISLATURE

JANUARY 2011

LEGISLATIVE BUDGET BOARD STAFF

TEXAS AT-RISK YOUTH SERVICES PROJECT

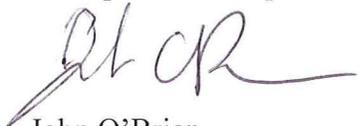


**LEGISLATIVE BUDGET BOARD
JANUARY 2011**

TEXAS AT-RISK YOUTH SERVICES PROJECT

January 2011

The At-Risk Youth Services Project (ARYSP) is an interim research project directed by the Criminal Justice Data Analysis Team of the Legislative Budget Board (LBB). The goal of the ARYSP is to provide legislative recommendations to improve the delivery of services to at-risk youth in Texas. The ARYSP employs a multi-faceted research methodology to gain a comprehensive view of the various services available to at-risk youth in Texas and how local, state, private, non-profit, and educational entities serve at-risk youth in their communities.

A handwritten signature in black ink, appearing to read "JOH O'BRIEN", with a long horizontal flourish extending to the right.

John O'Brien
Director
Legislative Budget Board

Acknowledgements

We would like to thank the following juvenile probation departments and state agencies for their assistance and dedication to this project. In addition to the entities listed below, we would also like to thank the numerous practitioners and youth caregivers across the state who participated in this project.

Juvenile Probation Departments:

Dallas County
El Paso County
Harris County
McCulloch County
Nueces County
Potter County
Travis County
Williamson County

State Agencies:

Texas Department of Criminal Justice
Texas Juvenile Probation Commission
Texas Youth Commission

TABLE OF CONTENTS

INTRODUCTION AND BACKGROUND 1

 PAST RESEARCH..... 2

 THE CURRENT PROJECT 3

LEGISLATIVE RECOMMENDATIONS AND POLICY CONSIDERATIONS: HIGHLIGHTS..... 4

PROJECT DESCRIPTION AND METHODOLOGY: HIGHLIGHTS..... 6

THE YOUTH: DEMOGRAPHICS AND CURRENT ISSUES 8

THE YOUTH: LIFE HISTORIES 11

WHAT’S WRONG WITH THE EXISTING SYSTEM? 14

 MEET JAMES 15

LEGISLATIVE RECOMMENDATIONS 18

POLICY CONSIDERATIONS 24

APPENDIX A: PROJECT DESCRIPTION AND METHODOLOGY 28

APPENDIX B: WHERE DO AT-RISK YOUTH RECEIVE SERVICES IN THE COMMUNITY? 33

APPENDIX C: QUALITATIVE RESULTS..... 36

INTRODUCTION AND BACKGROUND

INTRODUCTION AND BACKGROUND

The Texas At-Risk Youth Services Project (ARYSP) is an interim research project directed by the Criminal Justice Data Analysis Team of the Legislative Budget Board (LBB). The goal of the ARYSP is to provide legislative recommendations to improve the delivery of services to at-risk youth in Texas. For purposes of this report, “at-risk youth” are defined as youth who have significant potential to enter or further penetrate the juvenile and/or criminal justice system. The ARYSP employs a multi-faceted research methodology to gain a comprehensive view of the various services available to at-risk youth in Texas and how local, state, private, non-profit, and educational entities serve at-risk youth in their communities. The recommendations contained in this report focus primarily on prevention and intervention. Prevention of criminal behavior and intervention for risk factors correlated with crime contribute to public safety and conserve long-term state funding.

The Legislative Budget Board’s attention to at-risk youth services began during a separate research project conducted in the fall of 2008 for the January 2009 *Adult and Juvenile Correctional Population Projections* report. At the time, declining juvenile probation populations and the juvenile justice reforms of the Eightieth Legislature, 2007, were not clearly understood and required in-depth qualitative analysis. The qualitative component of the report explored the juvenile justice system at the local level through focus groups with various local juvenile justice entities across the state of Texas.

The qualitative research mentioned above revealed juvenile probation departments across Texas provide a wide array of services, separate from the traditional concept of probation supervision and enforcement. In addition, focus group findings indicated youth served by juvenile probation departments were often served by other public and private agencies (e.g., mental health agencies, Child Protective Services (CPS), non-profit organizations, schools, etc.). The limited scope of the qualitative component of the projections report prevented a more comprehensive assessment of at-risk youth services in Texas, but the findings indicated a need for just such an assessment.

PAST RESEARCH

The state of Texas has periodically researched and reported on the needs of at-risk youth through various projects. A significant research study on at-risk youth resulted in the report produced by the Texas Commission on Children and Youth: *Safeguarding our Future: Children and Families First*. This report was published in December 1994, immediately prior to the Seventy-fourth Legislature, 1995. This study aimed to provide a base to reform juvenile justice, focus resources on early intervention and prevention, and improve the health and well-being of children and families in Texas. *Safeguarding our Future* contained numerous legislative and funding recommendations, several of which were ultimately adopted by the Seventy-fourth Legislature, 1995.

Similarly in 1998, the Criminal Justice Policy Council (CJPC) published *A Statewide Strategy for Reducing Youth Risk Factors Related to Criminality*. This report recommended the consolidation of various at-risk youth services into the Department of Family and Protective Services (DFPS) (then the Texas Department of Protective and Regulatory Services - TDPRS).

INTRODUCTION AND BACKGROUND

Subsequently, consolidation was statutorily mandated by the Seventy-sixth Legislature, 1999, by SB 1574 and the Prevention and Early Intervention (PEI) division of the TDPRS (DFPS) went into effect on September 1, 1999. The CJPC also published several subsequent reports monitoring the consolidation and performance of the PEI division.

Academic research has shown the need to approach at-risk youth issues from a global perspective. In this sense, previous research shows children whose circumstances make them more likely to receive various governmental services (Child Protective Services (CPS), Mental Health and Mental Retardation (MHMR) resources, special education, etc.) are generally more likely to become involved in juvenile justice, and subsequently, the adult criminal justice system. However, research also shows these various agents of service delivery often do not fully address children's needs. As a result, the juvenile justice system is typically an agent of last resort, and generally held most accountable in the rehabilitation of children who engage in delinquency.

THE CURRENT PROJECT

Many state and local services for youth at-risk of delinquent behavior exist outside the juvenile justice arena. In addition, these services are usually not tailored to delinquency prevention but address risk factors commonly associated with delinquent behavior (e.g., substance abuse services, mental health resources, school dropout prevention programs, gang intervention programs, etc.). Therefore, the ARYSP included analysis of agencies, entities and service providers within and outside of the juvenile justice arena. LBB staff who specialize in various areas of state government provided expertise in developing the project, its methodology, and legislative recommendations.

The legislative recommendations contained in the ARYSP were developed through analysis of the quantitative and qualitative data collected during the ARYSP research process and based on common themes and statewide patterns. The recommendations address particular areas of concern which arose during the research process. In addition to the recommendations, policy considerations are also included to provide the Eighty-second Legislature with broad policy guidance concerning at-risk youth in Texas. The policy considerations are not specific amendments or changes, but items of interest which arose during the research process. These policy considerations should be kept in mind when developing or amending policies and budget strategies for state agencies that actively serve or provide funds to entities that serve at-risk youth.

LEGISLATIVE RECOMMENDATIONS AND POLICY CONSIDERATIONS: HIGHLIGHTS

LEGISLATIVE RECOMMENDATIONS AND POLICY CONSIDERATIONS: HIGHLIGHTS

The following legislative recommendations and policy considerations address the most significant themes encountered during the research process of the ARYSP. The recommendations address particular areas of concern and the policy considerations are not specific amendments but provide broad guidance on items of interest. The items below are described and explained in greater detail in the “Legislative Recommendations and Policy Considerations: In Detail” section of the report.

LEGISLATIVE RECOMMENDATIONS:

- Include a rider in the 2012-13 General Appropriations Bill to contract with an independent entity to review Texas’ current methods of at-risk youth service delivery and recommend a model system to deliver these services with clear accountability measures.
- Amend statute to mandate information sharing and increased communication among the entities that serve at-risk youth.

POLICY CONSIDERATIONS:

- Focus resources and provide intervention and prevention services to at-risk youth as early as possible.
- Ensure comparable service delivery for at-risk youth who have not entered the juvenile justice system.
- Reduce duplicative services and assessments.
- Explore the possibility of using local public schools as social service delivery hubs.

PROJECT DESCRIPTION AND METHODOLOGY: HIGHLIGHTS

PROJECT DESCRIPTION AND METHODOLOGY: HIGHLIGHTS

The targeted research group for this project included youth involved at all levels of the juvenile and/or criminal justice system, from the least restrictive to the most restrictive. The ARYSP methodology utilized juvenile offenders as the primary sample selection, but obtained all available information regarding other services received from birth until the day of data collection (e.g., MHMR services, CPS services, community services, school resources, etc). Research subjects were selected from diverging geographic areas across the state of Texas, and from urban, suburban, and rural counties. Incidentally, urban, suburban, and rural counties all face different issues or have different resources when addressing the needs of at-risk youth, and the targeted research group included representation from each type of area.

A multi-faceted data collection strategy was developed in order to obtain the most comprehensive picture of at-risk youth services available in Texas. The ARYSP employed both quantitative and qualitative methods. Quantitative methods included data extraction and analysis of information from juvenile probation case files, Texas Youth Commission (TYC) files, and Texas Department of Criminal Justice (TDCJ) – COURAGE Program for Youthful Offenders files.

The total sample size for the quantitative component of the project (n=252) is relatively small and is not intended to be representative of the entire juvenile offender population. The goal of the case file review was to document the history of services for each child and allow the data gathering process to illuminate the varying methods of service delivery across the state of Texas. The development of a statistically representative, comparable database of juvenile offender information was not in the scope of the ARYSP. Quantitative data contained in this report must be interpreted with these considerations in mind.

Qualitative methods included compilation and analysis of interviews and focus groups with the following entities:

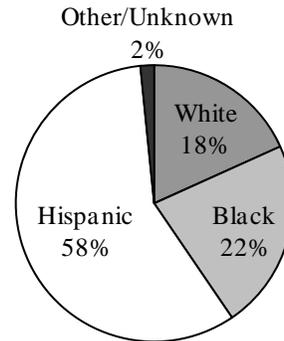
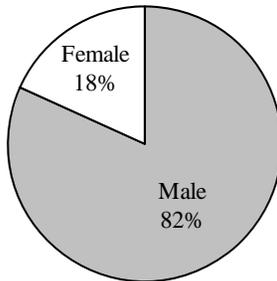
- Juvenile probation practitioners (administration and direct-delivery staff)
- Other governmental service providers (e.g., CPS, MHMR)
- Public education administrators and practitioners
- Non-governmental service providers (contract and non-profit)
- TYC and TDCJ staff
- Caregivers of youth on juvenile probation

Additional detail on the project description, methodology, and findings may be found in the Appendices.

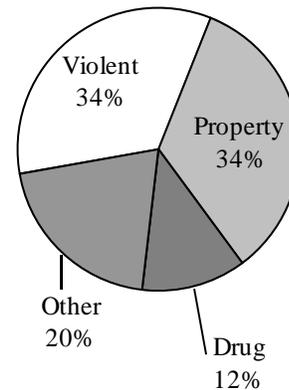
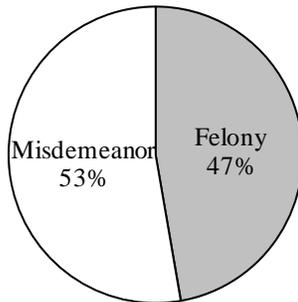
THE YOUTH: DEMOGRAPHICS AND CURRENT ISSUES

THE YOUTH: DEMOGRAPHICS AND CURRENT ISSUES

WHO ARE THEY?



WHAT CRIMES HAVE THEY COMMITTED?



- The three most common current referrals include: Burglary of a Habitation, Possession of Marijuana (under 2 ounces), and Theft \$50-\$500.

WHAT ISSUES DO THEY HAVE?

- 53 percent have a substance abuse issue
- 47 percent have a mental health issue
- 33 percent have both a substance abuse and mental health issue
- 37 percent have experienced some type of early childhood trauma (abuse, incarcerated parents, etc.)
- 25 percent have been a victim of abuse or neglect at some point in their lifetime
- 22 percent have had official involvement with CPS at some point in their lifetime
- 74 percent have experienced at least one of the above issues

THE YOUTH: DEMOGRAPHICS AND CURRENT ISSUES

WHAT ISSUES DO THEIR FAMILIES HAVE?

- 19 percent of the youth live with both biological parents
- 36 percent of the families are receiving some sort of public assistance (e.g., food stamps, Supplemental Security Income - SSI)
- 22 percent of the current caregivers are currently involved or have been involved with the criminal justice system in the past
- 15 percent of the youth had one or more parents in prison or jail at the time of their current offense

HOW ARE THEY DOING IN SCHOOL?

- 91 percent of the youth were enrolled in school at the time of their current offense
- 34 percent have failed at least one grade
- 33 percent are currently failing a class
- 48 percent have attendance problems and/or truancy issues
- 21 percent have special education needs

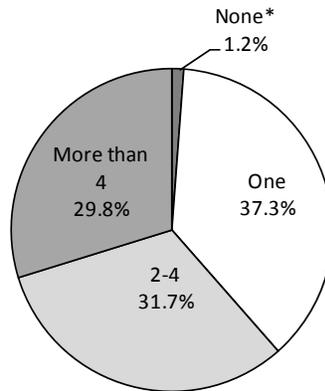
THE YOUTH: LIFE HISTORIES

THE YOUTH: LIFE HISTORIES

The life history of each youth in the sample was recorded as it relates to receiving services or major life events that may contribute to future at-risk status. The extent of information in each file varied greatly, so the highlights presented below must be considered with the knowledge that information may have been missing in certain files. Potential current and past services are numerous and include (but are not limited to) substance abuse treatment, mental health treatment, gang intervention, CPS services, or school-based social services.

REFERRALS

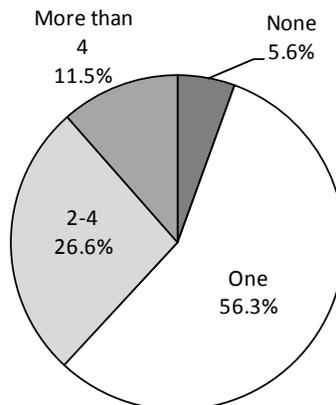
- Average age at first referral: 14.3 years
- Average number of total referrals per child (including current referral): 3.8 referrals
- Percentage of Youth by Number of Total Referrals:



*"None" includes youth included in the TDCJ sample who were arrested as adults and had no prior juvenile referrals (3 youth)

CURRENT PROGRAMS AND SERVICES

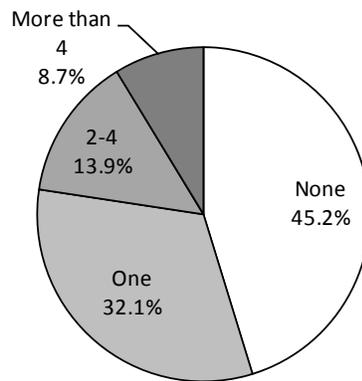
- Average number of currently received services/programs:..... 2.1 programs/services
- Percentage of Youth by Number of Currently Received Programs/Services:



THE YOUTH: LIFE HISTORIES

PAST PROGRAMS AND SERVICES

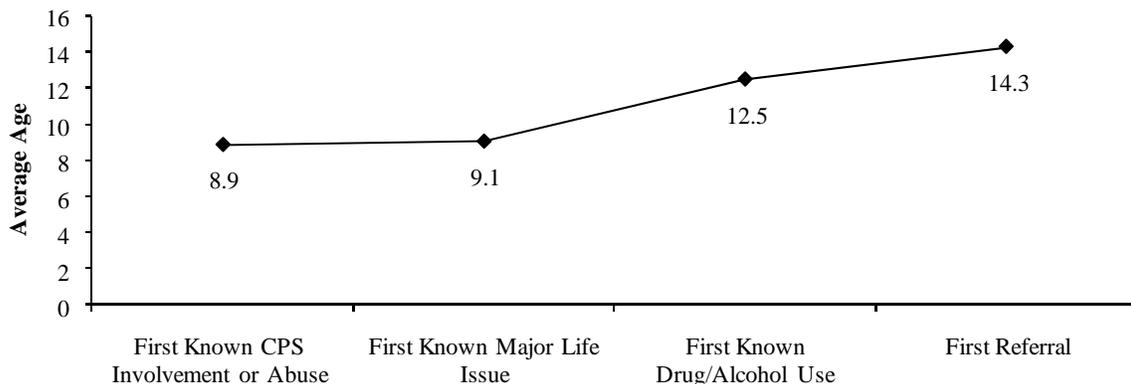
- Average number of past services/programs (prior to those resulting from the current referral):..... 1.4 programs/services
- Percentage of Youth by Number of Past Programs/Services:



EARLY LIFE EVENTS

The following graph shows the average age for various significant life events experienced by the youth in the sample. Not all youth in the sample experienced these events; these averages are specifically for youth who encountered these issues in their lives. This information was obtained through case file reviews and qualitative interviews with the sub-sample of youth caregivers.

Figure 1: Average Age at Various Significant Life Events (in years)



- The most common “Major Life Issues” include divorce or the absence of a parent or caregiver, a residence change, a death of a family member, or the arrest or incarceration of a family member.

WHAT'S WRONG WITH THE EXISTING SYSTEM?

WHAT'S WRONG WITH THE EXISTING SYSTEM?

The goal of the ARYSP is to provide legislative recommendations to improve the delivery of services to at-risk youth in Texas. The current delivery and accountability structures of service providers may inhibit effective provision of services to at-risk youth. Contributors to this problem include but are not limited to: lack of communication and information sharing, vague accountability structures regarding who has ultimate responsibility for addressing a child's specific needs, and unclear definitions of accountability related to prevention and intervention prior to involvement with the juvenile/criminal justice system. The following scenario will further illuminate the dynamics of addressing the needs of at-risk youth in Texas.

MEET JAMES

James is 16 years old and currently a resident at a post-adjudication facility run by a local juvenile probation department. He has been in the post-adjudication program for about four months and will soon be released into the community to the custody of his mother.

In the fifth grade, James started misbehaving in school and his grades started to drop. School counselors referred James to a psychologist at the local MHMR who diagnosed him with major depression. James was prescribed medication for his ailment, paid for by his Medicaid insurance, and his behavior improved.

However, two years later in the seventh grade, James became friends with several delinquent youth and began smoking marijuana. He skipped school frequently and received several misdemeanor citations for truancy. His mother could not afford to pay the truancy fines, so he was assigned community service, which he never completed. James never knew his father, and his mother worked in the afternoons and evenings so she rarely had time to monitor his activities after school. James was sent to the local Disciplinary Alternative Education Program (DAEP) that year and ultimately failed the seventh grade. James stopped taking his medication once he was sent to the DAEP because the school counselor who checked up on him periodically at the traditional junior high was no longer present.

One day in the eighth grade when James was 15, he and his friends were caught breaking into a home in his neighborhood. They had planned to steal items they could sell in order to buy marijuana. James was arrested and referred to the local juvenile probation department. James was subsequently placed on adjudicated probation for his offense. In many cases, youth will receive deferred prosecution on their first offense, but James was adjudicated because he had serious mental health needs and a history of truancy. The local juvenile probation department could monitor James more closely and provide him with a broader array of services by placing him on adjudicated probation.

James was required to attend substance abuse education courses, anger management courses, pay restitution, complete community service hours, and re-start his medication regimen for depression. James was also required to attend counseling with a juvenile probation department psychologist once per month and attend school every day.

WHAT'S WRONG WITH THE EXISTING SYSTEM?

James' mother depended on the local public transportation system to get to and from work in the evenings, so she was not able to take James to his required probation appointments. She would arrange for her friends to provide him transportation when she could, and he was able to use the bus system with the bus passes given to him by the juvenile probation department. However, James continued to smoke marijuana and avoid his probation requirements; he stopped reporting all together shortly after he was placed on juvenile probation.

A few days after James' 16th birthday, he broke into another house to steal items to buy marijuana. He was then in the ninth grade and failing several of his classes. He was spotted by a neighbor who knew him to be a troubled child and was eventually caught by the police. He was arrested and brought back to the juvenile probation department for another burglary referral. Since his record on juvenile probation in the community was poor and he had serious mental health issues, the juvenile judge, prosecutor, and juvenile probation department all felt his needs could best be served in the local post-adjudication treatment facility.

James is doing much better. He's taking his medication regularly, meets with a counselor weekly, and is studying to complete his high school degree through a self-paced program. He is studying welding in the facility's job training program and has quickly become a model student. He also received his food handlers' permit after working in the facility kitchen. James' mother is still working her evening hours and tries to visit James every weekend she can, but the buses rarely run from her local bus stop to the bus stop nearest the facility. When James is released in a few weeks, he will return to his mother's house and enroll in the local high school as a sophomore. He will participate in an intensive supervision probation program the first three months after his release in order to ensure he is smoothly transitioning back into the community. If not, he may be required to return to the facility, or if he commits another serious crime, he may be committed to TYC.

JAMES' STORY IS NOT UNIQUE

However, James is not a real child. In order to maintain confidentiality, this is not an actual life history of a child in the sample, but similar to many children encountered during the case file review and caregiver interviews employed in the ARYSP.

James' story demonstrates the interaction with various entities, the difficult home life, transportation complications, and the lack of follow-up from school and local mental health resources. The various entities in James' life all sought to help him, but the fragmented method of service delivery prevented each entity from totally addressing his needs. His mother could not adequately supervise him or afford to provide him private mental health treatment. The MHMR could not force James to attend appointments or take his medication. The school counselor regularly checked up on James and helped him stay on track, but once he was placed in the DAEP, that consistent, positive influence went away. Ultimately, the juvenile probation department addressed his various needs by placing him in the post-adjudication treatment facility.

WHAT'S WRONG WITH THE EXISTING SYSTEM?

Conversely, not all juvenile probation departments would have handled James' situation identically. In another county, James may have been kept in his mother's home and provided intensive in-home services and therapy. In a rural county without access to a post-adjudication facility or service providers, James may have been placed in a contract treatment facility in another area of the state or committed to TYC to receive the mental health treatment he needed.

None of the various entities that tried to help James did anything wrong or ineffective. All entities worked according to their separate missions. However, all of the entities except the juvenile probation department were not able to address all James' needs because it was not their goal to do so. In addition, the services provided to James addressed issues correlated with risk of criminal behavior, but not with the intent goal of diverting James from crime. The juvenile probation department's clear goal of enhancing public safety by rehabilitating children like James required the department to address all of James needs. No such service delivery and accountability structure exists for children who have yet to enter the juvenile justice system.

LEGISLATIVE RECOMMENDATIONS

LEGISLATIVE RECOMMENDATIONS

The legislative recommendations presented earlier in this report are provided with greater detail below to demonstrate how the information is relevant to policy makers, administrators, and practitioners. These recommendations focus on early identification and provision of services and increased cooperation among the entities that serve at-risk youth.

INCLUDE A RIDER IN THE 2012-13 GENERAL APPROPRIATIONS BILLS TO CONTRACT WITH AN INDEPENDENT ENTITY TO REVIEW TEXAS' CURRENT METHOD OF AT-RISK YOUTH SERVICE DELIVERY AND RECOMMEND A MODEL SYSTEM TO DELIVER THESE SERVICES WITH CLEAR ACCOUNTABILITY MEASURES.

In order to better understand the current service delivery and accountability structures, the Legislative Budget Board and the Department of Family and Protective Services (DFPS) should develop a memorandum of understanding to contract with an independent, outside entity to conduct a thorough analysis of the state's current provision of prevention and intervention services and the related accountability structures. In addition, the contractor should also provide recommendations for implementing the most effective method of providing these services with an accompanying evaluation and accountability structure to ensure the state only supports evidence-based practices.

The Department of Family and Protective Services is best poised to assist the Legislative Budget Board in this undertaking. DFPS currently provides services to children at-risk of being abused or neglected (both directly and indirectly through grants), and operates a grant program that aims to divert children from the juvenile justice system (Community Youth Development program). In addition to the agency's expertise, the current recommendation utilizes DFPS in order to emphasize future prevention or intervention efforts to remain apart from the juvenile justice system and the subsequent criminal labeling of youth that may result. (Hence, the exclusion of the Texas Juvenile Probation Commission (TJPC) or TYC).

WHY ADDITIONAL EXPLORATION IS NEEDED:

The various entities who provide services to at-risk youth likely help youth avoid crime. However, none are specifically charged with preventing crime, so their efforts at prevention and intervention mostly go unmeasured. Multiple state agencies and grant recipients from state funds provide intervention and prevention services, but there is no overarching system to measure the impact of these services.

For example, CPS expends most of its resources providing services to youth who have been or are at-risk of being abused or neglected; addressing these issues also helps reduce a child's potential to engage in delinquent activity. MHMR authorities are responsible for developing mental health treatment plans for all children they encounter, but proper mental health treatment reduces the risk of delinquency for at-risk youth. School districts are primarily responsible for educating children, even though they may provide an array of resources for at-risk youth. All of

LEGISLATIVE RECOMMENDATIONS

these services are prevention and intervention services, but not with the goal of diverting youth from engaging in delinquent behavior.

On the other hand, once a child actually engages in delinquency and is placed on juvenile probation, the juvenile probation department is responsible for protecting public safety and rehabilitating the child. Juvenile probation departments are held accountable for upholding these responsibilities by the counties that fund them, the state agency that funds them (TJPC), and the elected judges who govern the department. However, there is no statewide service delivery or accountability structure for providing intervention and prevention services for at-risk youth who have yet to commit a crime.

The current recommendation seeks to further explore the current methods of prevention and intervention service delivery and accountability structures. A comprehensive assessment of the services currently provided to at-risk youth outside the juvenile justice system will allow for meaningful recommendations to the Eighty-third Legislature to enhance and streamline these services. Contracting with an outside entity will help to ensure impartiality of both the assessment and the subsequent recommendations.

FUNDING THE RECOMMENDED STUDY:

The LBB estimates \$500,000 would be sufficient to contract with an outside entity to provide the requested comprehensive assessment and recommendations. Funding for the study would come from funds appropriated to the Department of Family and Protective Services in fiscal years 2012-13 from Strategy C.1.1., STAR Program. The LBB will have primary authority over the contract.

An investment into an independent study will provide the 83rd Legislature with the information necessary to implement an effective model of youth crime prevention. Diverting youth from criminal behavior through evidence-based practices should enhance public safety and conserve state resources through reduced juvenile justice and social service spending.

SOURCE OF THE FUNDING FOR THE STUDY:

In preparation for the Eighty-second Legislature, LBB staff conducted research on discretionary spending by state agencies. As part of this research, all the programs and services for at-risk youth were specifically identified for purposes of the ARYSP. The ARYSP sought to better understand where all the sources of at-risk youth funding were located. The following agencies all currently operate programs, grant programs, or provide services to at-risk youth in Texas:

- Office of the Attorney General
- Department of Family and Protective Services
- Department of State Health Services
- Health and Human Services Commission
- Texas Education Agency

LEGISLATIVE RECOMMENDATIONS

- Office of Court Administration
- Adjutant General’s Department
- Texas Juvenile Probation Commission
- Texas Youth Commission
- Texas Department of Criminal Justice
- Texas Parks and Wildlife Department

Of the above agencies, several provide indirect prevention and intervention services to at-risk youth. For example, the Department of State Health Services (DSHS) provides much of the state’s substance abuse resources and funding for local MHMRs. The services provided through DSHS likely help at-risk youth avoid crime, but the agency is not specifically charged with doing so.

A significant proportion of state funding that reaches at-risk youth comes in the form of indirect services (e.g., MHMRs, substance abuse resources, school-based resources), but there are budget items specifically geared toward at-risk youth services. Figure 2 below lists these sources of funding, their 2010-11 appropriated levels of funding, and the proposed funding included in the 2012-13 Introduced General Appropriations Bills. The funding amounts included in Figure 2 only include General Revenue funding; other sources of funding, such as federal funds, are not included.

Figure 2: Sources of At-Risk Youth Funding, 2010-11 Appropriated and 2012-13 Recommended

State Agency	Funding Source/Program	2010-11 Appropriated	2012-13 Recommended (House)	2012-13 Recommended (Senate)
Department of Family and Protective Services	Services to At-Risk Youth Program	\$42,001,720	\$27,399,457	\$27,399,457
	Community Youth Development Program	\$15,695,198	\$10,078,600	\$10,078,600
	Other At-Risk Prevention Programs	\$17,911,820	\$0	\$4,581,152
Adjutant General's Department	Youth Education Programs	\$5,570,800	\$0	\$0
Texas Education Agency	Communities in Schools	\$32,261,952	\$0	\$0
Total:		\$113,441,490	\$37,478,057	\$42,059,209
Difference from 2010-11 Appropriated and 2012-13 Recommended:			(\$75,963,433)	(\$71,382,281)

LEGISLATIVE RECOMMENDATIONS

The introduced 2012-13 General Appropriations Bills include recommendations to reduce funding across most areas of state government. Figure 2 indicates the amount of funding for at-risk youth services proposed for fiscal years 2012-13 is significantly less than what was appropriated for fiscal years 2010-11. The introduced 2012-13 General Appropriations Bills will also include notable funding reductions to the previously mentioned services that indirectly affect at-risk youth.

The funding for the proposed study would come from the amount proposed for DFPS' Services to At-Risk Youth (STAR) program, and not in addition to the recommended funding. In light of the significant proposed reductions to at-risk youth service funding for fiscal years 2012-13, the proposed study is an investment that will assist the Eighty-third Legislature in enhancing the effectiveness and efficiency of future prevention and intervention funding.

AMEND STATUTE TO MANDATE INCREASED COMMUNICATION AND INFORMATION SHARING AMONG THE ENTITIES THAT SERVE AT-RISK YOUTH.

Though many of the systems that address the needs of at-risk youth overlap in function and in the clients they serve, the level of cross-entity communication and collaboration is inconsistent. Some entities in certain counties communicate and share information well, while entities in other counties may rarely communicate at all. Current statutes regarding information sharing are permissive and the additional workload and potential liability of released information provide a disincentive to effectively share information.

The agencies and organizations that seemed to communicate well were those who had a certain degree of trust among administration and staff. Others who did not have this relationship seemed less likely to cooperate with each other. This model of cooperation is inherently inconsistent, and the lack of cooperation provides greater opportunity for missed treatment opportunities, duplication of services, and insufficient understanding of each youth's specific needs. These symptoms of inadequate collaboration and cooperation render services less effective and prevent the continuity of care necessary to address the needs of the entire child.

Practitioners from all levels and various agencies indicated a need for better information sharing among the entities who serve at-risk youth. However, some noted certain legal parameters prevent them from communicating as much information as desired (HIPAA – Health Insurance Portability and Accountability Act, FERPA – Family Educational Rights & Privacy Act, etc.). And, some were concerned about the legal ramifications of sharing information with external agencies and organizations. Conversely, advocates for greater sharing of information indicated the restrictive statutory interpretation of these federal acts could be more flexible in order to ease liability concerns among those who share information.

Statutorily mandating information sharing among entities that commonly provide services to at-risk youth would relax certain liability issues and provide these entities with the best opportunity to provide appropriate resources to each youth served. Practitioners who were most outspoken

LEGISLATIVE RECOMMENDATIONS

regarding cross-entity information sharing and communication indicated mandatory information sharing would be the quickest and most effective solution to the issue.

There are several statutes that currently permit entities who serve at-risk youth to share information, yet it is fairly common for those entities to avoid sharing information. In these instances, statute would be amended to require entities to share related information regarding at-risk youth. If statute currently permits the sharing of information in these circumstances, there should not be any conflict with federal privacy laws if information sharing was mandated.

The LBB will enlist the services of the Texas Legislative Council (TLC) to develop the appropriate statutory amendments to implement this recommendation via a bill and the standard legislative process.

POLICY CONSIDERATIONS

POLICY CONSIDERATIONS

FOCUS RESOURCES ON AND PROVIDE INTERVENTION AND PREVENTION SERVICES TO AT-RISK YOUTH AS EARLY AS POSSIBLE.

Practitioners and caregivers who participated in the ARYSP recommended most often the need for assistance and services earlier in the youth's life. Practitioners emphasized the need to reach youth as early as elementary school. Practitioners were afraid many of the youth they served as teenagers had already developed habits difficult to break, but indicated the opportunity for preventing bad habits is much greater and much less resource-intensive if these youth are reached earlier.

Approximately 45 percent of the youth in the sample received no social services or programs prior to their current referral (offense). Of the 45 percent of youth who received no prior services, they had the following issues:

Life Issues:

- 40 percent had substance abuse issues
- 38 percent had mental health issues
- 20 percent had both a substance abuse and mental health issues
- 29 percent experienced some type of early childhood trauma
- 33 percent had been a victim of abuse or neglect
- 29 percent had been involved with CPS
- 64 percent experienced at least one of the above issues

School Issues:

- 89 percent were attending school
- 30 percent failed at least one grade in the past
- 24 percent were currently failing a class
- 35 percent had attendance/truancy issues

The above statistics indicate a notable proportion of these youth have serious social needs. In addition, 89 percent were in school at the time of their referral (many of whom were not doing well – a common risk factor), indicating the youth were not unknown to public authorities.

Many youth with serious issues such as mental health problems and substance abuse do not receive adequate services until they commit a crime. These youth are precisely the population in which resources and services should be concentrated but ideally before they engage in criminal behavior. The ARYSP research process indicated mandatory information sharing among the entities who serve at-risk youth would assist children in receiving services earlier in their lives. In addition, increased information sharing would allow juvenile probation departments to assess children more accurately. This would allow the departments to focus appropriate resources on a child as soon as possible.

POLICY CONSIDERATIONS

ENSURE COMPARABLE SERVICE DELIVERY FOR AT-RISK YOUTH WHO HAVE NOT ENTERED THE JUVENILE JUSTICE SYSTEM.

Practitioners and administrators who work with at-risk youth in various contexts consistently indicated the best way for a youth with serious needs to get necessary services was to commit a crime and be placed on juvenile probation. This phenomenon was common in various counties across the state. Interviews and focus groups indicate mental health caseworkers and CPS caseworkers often advised caregivers to notify law enforcement of their children's behavior in order to have them placed on juvenile probation and obtain access to the services they needed.

Technically, at-risk youth have access to various services outside the juvenile justice system. However, the current model of service delivery does not ensure these services are delivered or continued upon initial access. For example, a mother may take a child to the local MHMR after repeated instances of troubling behavior. However, the MHMR is not required to follow-up with the child or the mother if she does not return the child for subsequent appointments or medication. A child may have access to a voluntary program in the community or at school, but is not required to participate or may not have adequate transportation to access the program(s).

In many cases, juvenile probation departments provide mental health treatment, substance abuse treatment, family therapy, counseling, educational resources and tutoring, transportation to and from appointments (mostly through public transportation vouchers in urban areas), and various other social services. While various social issues contribute to criminal behavior, many youth do not receive these much-needed services until they commit crimes and are referred to the local juvenile probation department. They may have access to services, as demonstrated above, but actual delivery and follow-up of these services may not occur until the child is under the jurisdiction of the juvenile probation department. The social issues at-risk youth experience are likely present before criminal behavior occurs; these issues should be addressed outside of the juvenile justice system.

Youth who become involved in the juvenile justice system are more likely to become adult criminals which will ultimately cost the state more resources in future incarceration and public assistance, as well as endanger the public with future criminal activity. The receipt of necessary social services should not require a criminal label.

REDUCE DUPLICATIVE SERVICES AND ASSESSMENTS.

This study indicates that youth involved in the juvenile justice system also receive (or have received) services from entities outside the juvenile justice system. Examples include: local MHMR authorities, CPS, school district resources for at-risk students, non-profit community organizations and public assistance authorities. While not all youth in the sample had contact with all of these entities, the overlap is notable.

POLICY CONSIDERATIONS

Practitioners and caregivers specifically mentioned the inefficiency of requiring at-risk youth to participate in multiple assessments for the same issues. A youth may be administered several different mental health assessments by various entities; these assessments may be expensive, time consuming, and ultimately diagnose the same issues repetitively. Inconsistent communication and sporadic information sharing among entities who serve at-risk youth were the primary cause of these duplicative assessments. The second legislative recommendation contained in this report mandating increased information sharing would likely reduce duplicative services and assessments.

EXPLORE THE POSSIBILITY OF USING LOCAL PUBLIC SCHOOLS AS SOCIAL SERVICE DELIVERY HUBS.

The most commonly cited recommendation to the Legislature in the qualitative interviews conducted with practitioners, administrators, and caregivers related to the role of schools in providing community-based at-risk youth services. Caregivers and practitioners in various roles emphasized their desire to receive and provide services at local schools.

Local public schools are located in the communities in which they serve. In contrast, many services offered to at-risk youth may not be located near their homes and transportation for many families may present a daily struggle, particularly for families with only one caregiver. Resources and programming could be provided by non-school district entities during non-school hours and/or on weekends, but located in the school. In addition, many interviewees indicated the stigma attached to receiving certain social services could be reduced simply by providing them at local schools.

The few entities that provided services to public schools (and/or provided services in the past) either during school hours or non-school hours reported positive experiences and felt the school system was an efficient way to reach at-risk youth. Other entities indicated they possessed the resources to provide school-based services and were interested in doing so, but were not able to gain access to the schools or reach necessary agreements with local school districts.

Of the youth in the ARYSP sample, 91 percent were enrolled in school at the time of their current referral, many of whom were experiencing school-related troubles at the time. 34 percent failed at least one grade in the past, 33 percent were currently failing a class, and 48 percent had truancy and/or attendance problems. Youth who have trouble in school may be at risk for engaging in delinquent behavior or suffering from social problems outside of school. Providing services in schools or basing service entities in schools after-hours may reach these youth more effectively than waiting for their problems to manifest into a referral to juvenile probation.

APPENDIX A: PROJECT DESCRIPTION AND METHODOLOGY

APPENDIX A: PROJECT DESCRIPTION AND METHODOLOGY

The targeted research group for this project included youth involved at all levels of the juvenile and/or criminal justice system, from the least restrictive to the most restrictive. This research group was selected to not only obtain information about individual juvenile offenders and their experiences in various areas of the justice system, but also to obtain information regarding services they may have received throughout their lives, from birth until the day of data collection (e.g., MHMR services, CPS services, community services, school services, etc.). In addition to obtaining information on youth at various depths of the justice system, research subjects were selected from diverging geographic and from urban, suburban, and rural counties. Incidentally, urban, suburban, and rural counties all face different issues or have different resources when addressing the needs of at-risk youth, and the targeted research group included representation from each type of area.

A multi-faceted data collection strategy was developed in order to obtain the most comprehensive picture of at-risk youth services available in Texas. The ARYSP employed both quantitative and qualitative methods. Quantitative methods included data extraction and analysis of information from juvenile probation case files, Texas Youth Commission files, Texas Department of Criminal Justice – COURAGE Program for Youthful Offenders files. Qualitative methods included compilation and analysis of interviews and focus groups with the following entities:

- Juvenile probation practitioners (administration and line staff)
- Other governmental service providers (e.g., CPS, MHMR)
- Public education administrators and practitioners
- Non-governmental service providers (Contract and non-profit)
- TYC and TDCJ staff
- Caregivers of youth on juvenile probation

THE ROLE OF JUVENILE PROBATION DEPARTMENTS

Eight juvenile probation departments across the state were selected to be the primary locations of data collection (See Figure 3 for more detail about these site visits). The selected counties represent geographical and demographic diversity (urban, suburban, and rural).

Most of the data collection occurred at juvenile probation departments for two main reasons. First, juvenile probation departments maintain communication and connections with other governmental service providers, private and non-profit service providers, families of the youth, law enforcement, and school systems. Second, juvenile probation case files typically contain information regarding social histories, CPS involvement, MHMR involvement, school issues, and family issues. For these reasons, the project utilized juvenile probation case files for quantitative source data and relied on the expertise and connections among juvenile probation personnel to expand the qualitative component to entities separate from the juvenile probation departments.

APPENDIX A: PROJECT DESCRIPTION AND METHODOLOGY

THE ROLE OF THE TEXAS YOUTH COMMISSION AND THE TEXAS DEPARTMENT OF CRIMINAL JUSTICE – COURAGE PROGRAM FOR YOUTHFUL OFFENDERS

Data collection from the Texas Youth Commission (TYC) and the Texas Department of Criminal Justice (TDCJ) COURAGE Program was limited to case file reviews and facility/unit staff interviews. The information obtained from these two correctional sites yielded valuable information from staff and case file information on youth who have penetrated the system to the most severe levels. However, the breadth of interviews and data available were not as extensive as the juvenile probation department sites due to the facilities’ limited interaction with outside entities. As a result, a sub-sample of the files reviewed from both correctional sites also had any applicable juvenile probation files subsequently reviewed while on site at the various juvenile probation departments for additional detail and depth. For example, a TYC youth from Harris County who was on probation prior to TYC commitment also had his/her archived juvenile probation file reviewed while the research team was subsequently on-site in Harris County.

TOTAL SAMPLE IN DETAIL

Figure 3 below describes the entire ARYSP sample in detail.

Figure 3: Number of Case Files Reviewed and Interviews Conducted

Case Files Reviewed	Dallas	El Paso	Harris	McCulloch	Nueces	Potter	Travis	Williamson	TYC	TDCJ
TYC/TDCJ	-	-	-	-	-	-	-	-	20	20
Deferred Adjudication	10	10	10	7	10	10	10	10	-	-
Adjudicated Probation: Community	10	10	10	10	10	10	10	10	-	-
Adjudicated Probation: Residential	10	10	10	0	5	0	10	10	-	-
Youth Caregiver Interviews	4	5	5	4	3	4	3	6	-	-
Administration/Staff/Provider Interviews*	43	21	23	7	16	14	18	17	9	11

Total Number of Case Files Reviewed: 252

Total Number of Youth Caregiver Interviews: 34

Total Number of Administration/Staff/Provider Interviews: 179

*The number of interviews with Administration/Staff/Providers does not capture all those interviewed. The numbers reported are for formally scheduled interviews or focus groups. In many cases, information was obtained from various staff during site visits and general discussions.

APPENDIX A: PROJECT DESCRIPTION AND METHODOLOGY

CASE FILE REVIEW METHODOLOGY

Random samples of case files were reviewed and the data extracted in order to obtain general information about each youth contained in the sample. Demographics, family history, social service history, current and past offense information, educational information, and programmatic experiences were all documented to the extent possible given the level of documentation included in each file. Information in some files were more extensive than others, primarily depending on the youth's level of supervision (in general, the file of a youth in a post-adjudication residential facility would generally have much more information than the file of a youth on deferred adjudication).

Twenty randomly selected case files were reviewed at both TYC and TDCJ-COURAGE. Ten of the twenty files from each site were randomly selected from youth who were sentenced from counties included as part of the project; these youth's archived juvenile probation files were also examined while on site in each county in order to provide an additional layer of depth to the youth's life history.

Thirty randomly selected case files were reviewed at each of the urban and suburban juvenile probation departments (Dallas, El Paso, Harris, Travis, and Williamson): 10 deferred prosecution youth, 10 youth on adjudicated probation in the community, and 10 youth in a post-adjudication residential facility. The Nueces County sample only contained a total of 25 case files because the post-adjudication facility is relatively small and only 5 youth were included, instead of 10. The Potter County sample only contained a total of 20 case files (10 deferred adjudication, 10 adjudicated probation – community); Potter County juvenile probation does not operate a post-adjudication facility (though the department cooperates with Randall County Juvenile Probation for use of their post-adjudication facility when needed). The McCulloch County sample included every youth under the jurisdiction of the McCulloch County Juvenile Probation Department: 7 youth on deferred prosecution and 10 youth on adjudicated probation in the community.

The total sample size for the project (n=252) is relatively small and is not intended to be representative of the entire juvenile offender population and their experiences. The ultimate goal of the case file review was not to develop a representative, comparable database of information but to recreate a history of services for each child and to allow the data gathering process to illuminate the varying methods of service delivery to at-risk youth across the state of Texas. Quantitative data contained in this report must be interpreted with these considerations in mind.

YOUTH CAREGIVER INTERVIEWS

Due to confidentiality and liability issues, youth were not interviewed as part of the ARYSP. However, the primary caregivers of a sub-sample of youth from each research site were interviewed. The caregiver interviews gathered their experiences dealing with service delivery, juvenile probation, and the overall life experiences of the child in their care.

APPENDIX A: PROJECT DESCRIPTION AND METHODOLOGY

Caregiver interviews were not conducted with TYC and TDCJ youth since most of their families were located in different areas across the state. Juvenile probation files may not have contained all relevant information about certain youth, and the caregivers interviewed were asked to fill in any gaps regarding youth's education, life history, service experiences, and programmatic experiences. Caregivers were also given the opportunity to provide recommendations on various aspects of juvenile justice, social services, and legislative remedies.

All caregiver interviews were voluntary, confidential and each caregiver was assured their participation would in no way affect their child's supervision. Interviews were set up through each juvenile probation department at a departmental location convenient for the caregivers. Upon meeting each caregiver, LBB staff reviewed the confidential and voluntary nature of the interviews and obtained informed, written consent prior to beginning the interview. No juvenile probation staff were present during the interviews in order to ensure confidentiality.

PRACTITIONER INTERVIEWS

Practitioner interviews were conducted with an array of staff associated with juvenile probation departments, school districts, non-profit organizations, private service providers, CPS, MHMR entities, and various other organizations. Interviews were semi-structured with most questions relating to actual services provided to youth, the method of delivery, and the impact of the services. Funding streams, level of cooperation with external entities, and personnel are additional examples of items typically discussed during the interviews. In addition to obtaining information about at-risk youth services, all interviewees were given a chance to provide recommendations to the legislature as how to best address the needs of at-risk youth in Texas. All interviews were confidential. Informed, written consent was obtained prior to each interview.

APPENDIX B: WHERE DO AT-RISK YOUTH RECEIVE SERVICES IN THE COMMUNITY?

APPENDIX B: WHERE DO AT-RISK YOUTH RECEIVE SERVICES IN THE COMMUNITY?

Every county and every area of the state does things a bit differently, but in most cases the types of services available are similar. Larger counties typically have more resources than smaller counties; this is also the case for counties that possess more financial resources.

SCHOOLS – Schools are typically the front line for identifying which youth are at-risk. This can occur as early as elementary school, and is typically formalized in middle school. School misbehavior, failing grades, or obvious problems at home usually trigger some sort of counseling intervention, or additional resources the school district may provide. Some school districts provide a lot of resources to this population of at-risk youth, and others do not. The level of variation among the state in the school’s role of providing services is substantial.

MENTAL HEALTH AND MENTAL RETARDATION AUTHORITIES (MHMR) – County MHMR departments also serve at-risk youth to varying degrees. Parents or schools may refer a child or family to the MHMR for assessments following warning signs of mental health issues or medication if necessary. Follow-up seems to be limited across the state. MHMR caseloads are typically crowded and if a child misses an appointment, he or she will typically be cleared from the rolls and moved to the back of the line. Parents are responsible for maintaining appointments and filling prescriptions but often fail to perform these duties.

CHILD PROTECTIVE SERVICE (CPS) – CPS is responsible for protecting children from being abused or neglected. Children who are abused or neglected are at further risk for criminal/juvenile justice involvement due to problematic home lives and limited adult supervision. The volume of CPS and foster care caseloads make it challenging for CPS to provide prevention and intervention services to many of the families who are brought to their attention. In many cases, CPS only has enough resources to adequately address the families with severe cases of abuse and/or neglect.

JUVENILE PROBATION – Juvenile probation departments are responsible for protecting public safety through addressing the needs of certain children who engage in delinquent behavior in Texas. Juvenile probation departments in most counties provide a wide array of services including, but not limited to, mental health resources, family resources, behavioral treatment, substance abuse treatment, counseling, residential treatment facilities and sex offender treatment. It was widely reported that the best way for at-risk youth to get needed services and follow-up was for them to engage in delinquency and be placed on juvenile probation. In addition, juvenile probation departments in certain counties also operate the county Juvenile Justice Alternative Education Program (JJAEP).

PRIVATE SERVICE PROVIDERS – Private service providers are used in many aspects of addressing the needs of at-risk youth. CPS, MHMRs, and juvenile probation departments all use private providers for certain services. Psychiatrists, psychologists, counselors, residential treatment facilities, and educational resource entities are examples of services obtained through private providers.

APPENDIX B: WHERE DO AT-RISK YOUTH RECEIVE SERVICES IN THE COMMUNITY?

COMMUNITY ORGANIZATIONS AND NON-PROFIT ORGANIZATIONS – These entities are diverse and located in communities across the state. After-school programs, faith-based programs, sports leagues, and mentoring groups are examples of resources at-risk kids may receive. It is common for schools or juvenile probation departments to refer youth to these types of programs when available. Some of these entities are supported with state, private, and/or federal grant funds.

APPENDIX C: QUALITATIVE RESULTS

APPENDIX C: QUALITATIVE RESULTS

PRACTITIONER INTERVIEWS

The qualitative interviews conducted for the ARYSP were extensive and participants included a wide array of practitioners, administrators, and supervisors from various entities which service at-risk youth. Interviewees included staff from juvenile probation departments, CPS, MHMR, private providers, school district personnel, judicial staff, and community organizations. In most instances, their responses to various questions were very similar.

HOW DO KIDS PRIMARILY RECEIVE THE SERVICES THEY NEED?:

Practitioners mostly agreed that youth mainly receive the services they need through the school system and the juvenile probation department. Often mentioned was the necessity for a child to get in trouble in order to receive necessary services (through the juvenile probation department).

MAJOR BARRIERS TO PROVIDING SERVICES TO AT-RISK YOUTH:

The most consistent and frequent response to this issue addressed three aspects: the lack of resources and funding across the board for at-risk youth, the growing presence of lax parenting skills/participation and unstable families, and the lack of school resources provided to this group of youth.

HOW SHOULD THE BARRIERS BE REMOVED?:

Practitioners emphasized the need for additional funding and resources to all the entities involved: juvenile probation, CPS, MHMR, prevention and intervention programs. In addition, collaboration was repeatedly indicated as necessary for these children to receive the services they need. Schools and the educational system were seen as the best way to provide services. Such services would not necessarily be provided by school district personnel, but by allowing outside entities to work inside schools and from school district campuses during non-school hours.

COLLABORATION AND COOPERATION:

Complications relating to collaboration were varied depending on the county and location in the state. Schools, MHMR, CPS, and the juvenile probation departments were the main entities who encountered collaboration problems, but the individual issues in each county were different. Some counties would have great cooperation between the juvenile probation department and MHMR, but little cooperation between CPS and the juvenile probation department. In another county, it may be the complete opposite, or they could have great cooperation with all entities, or no cooperation with any entities. This was consistently cited as a major problem to addressing the needs of at-risk youth.

LEGISLATIVE RECOMMENDATIONS:

Practitioners consistently indicated the need for public schools to provide prevention and intervention services. Schools are located in the communities they serve and generally have some sort of contact with all the children in the area. Though schools are there to educate children, practitioners repeatedly emphasized the role of schools in identifying at-risk kids and the potential for serving them in an educational community setting instead of a correctional or punitive setting. Additional funding and resources for all entities involved with at-risk youth

APPENDIX C: QUALITATIVE RESULTS

were also cited as necessary. Practitioners in the field also consistently reported the need for the Legislature to enhance collaboration and cooperation among service entities, and provide more resources for parents and families.

CAREGIVER INTERVIEWS

Interviews with caregivers of a sub-sample of the reviewed case files revealed a great deal of information regarding services to at-risk youth. It was common for a child's caregiver to be someone other than their biological parent (e.g., aunt, foster parent, grandparent, etc.). In several instances, caregivers scheduled to be interviewed did not attend; the reasons are unknown but may indicate the difficulties faced by caregivers to maintain involvement in their child's rehabilitation.

However, most caregivers did attend the interviews and were willing to provide frank and honest opinions. The two biggest response topics mentioned when discussing a child's involvement with the juvenile justice system were family issues and school experiences. Most of the time, family trauma, change, or structure, and beginning troubles with school were cited as the first indicators of trouble for the children.

When asked for legislative recommendations, caregivers insisted the need for more school resources. Caregivers consistently mentioned the need for tutoring, transportation, and social services at local public schools. In addition, caregivers indicated a need for more prevention and intervention resources in the community. Community recreation centers, summer activity programs, and after-school programs were all mentioned as necessary elements in order to keep kids out of trouble. Many of the caregivers worked long hours and were not able to supervise their children as often as they'd like; community resources such as these would provide a constructive place for their children to spend their time, and ultimately, stay out of trouble.