

CHALLENGE #2:

OFFER A BROAD ARRAY OF COMMUNITY-BASED SANCTIONS AND INTERVENTIONS FOR DELINQUENT BUT NON-DANGEROUS YOUTH

“A judge in one county has many options to craft appropriate orders for young offenders. In the next county over, especially if it is an urban county, a judge may have very few options between probation and incarceration. That’s like choosing between aspirin or a lobotomy for a migraine.”¹¹

Christine Todd Whitman, Governor of New Jersey

The vast majority of young people arrested and referred to juvenile courts nationwide are not incarcerated. Instead, 43 percent are never formally charged with an offense, and two-fifths of those who are charged in juvenile courts either have their cases dropped or subsequently sign an informal probation agreement. Thus, only one-third of delinquency cases ultimately result in a court finding of delinquency (i.e., a conviction). Among youth found to be delinquent, more than two-thirds receive a sentence of probation, release, or alternative sanction. Thus, only 11 percent of delinquency cases result in out-of-home placement to corrections or to a group home or residential treatment center.

Within our nation’s juvenile justice systems, however, most of the energy and the funding are devoted to confining these 11 percent. Far less effort and creativity, and many fewer resources, are devoted to appropriately punishing youth who remain at home or to addressing the underlying problems that may be causing their delinquent behavior.

Theoretically, juvenile courts have a wide range of options to deal with youthful offenders who are allowed to remain in the community. These options can include restitution, community service, home curfew, academic tutoring, anger management training, individual or family counseling, substance abuse treatment, plus many others, or supervision by a probation officer without any of these activities. If a youth violates probation, the court might have a range of possible punishments – tightened curfew,

added community service, short-term “quick dip” incarceration, more frequent drug testing, or reduced privileges.

Or the judge might have few of these options – as is too often the case. As Eric Joy, director of the Allegheny County (PA) juvenile courts, told a congressional committee in 1997, “Utilizing a system of progressive sanctions can be difficult if the means to carry them out are not available.”¹²

One disposition that historically has not been available in most communities, or has been used only for a select few, is intensive non-residential treatment and/or youth development services – aggressive intervention programs to resolve behavior problems in young people’s natural environment.

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money in treatment programs; rather, most jurisdictions regularly place troubled youth into group homes and residential treatment programs, often paying \$200 or more per day for these services. Yet, in most communities, juvenile justice authorities have declined to invest in intensive programming for youth who remain in their own homes.

This failure is especially striking given the tremendous success achieved by a handful of intensive non-residential program models such as Multisystemic Therapy, Multidimensional Treatment Foster Care, and Functional Family Therapy (see Challenge #3). These and other intensive non-residential juvenile corrections programs, even when they provide extensive

services, cost far less per day than training schools or residential treatment programs. Often, their results are as good or better. Yet these intensive community-based programs, even more than other components of a progressive sanctions continuum, remain all too rare nationwide.

As the following pages explain, Tarrant County, Texas is one jurisdiction demonstrating that where intensive non-residential programming is provided – and particularly when it is integrated into a seamless continuum of graduated sanctions and services – the results are often both superior to and less costly than those realized using the old “aspirin or lobotomy” approach.

BUILDING A COMMUNITY-BASED CONTINUUM TARRANT COUNTY (TX) JUVENILE SERVICES DEPARTMENT

Soon after George W. Bush was first elected Governor of Texas in 1994 with juvenile justice reform as a major plank in his campaign platform, the Texas legislature authorized \$37.5 million dollars in general revenue bonds for construction or expansion of local juvenile corrections facilities.

Half of these funds were designated for Texas’ seven most populous urban counties, and six of the counties snatched up the funds and quickly added more than 500 new correctional beds. One jurisdiction, however, opted not to accept the funds. Despite the fact that it had many fewer correctional beds than most urban counties even before the new construction began, Tarrant County declined its \$3.7 million share of the state’s offer.

Why? Because when the county juvenile probation department conducted an internal study, it found that added correctional beds were unnecessary. Moreover, while the new Texas program would pay the bill for construction, it would not pay most of the ongoing costs for operating and maintaining the new facilities. Thus, going ahead with construction would cost county taxpayers millions per year in added costs once the beds were built. Tarrant County decided that it could protect the public better, serve delinquent youth more

effectively, and save county taxpayers more money by investing a continuum of non-residential, community-based responses to delinquency. In doing so, the county ratified its reputation as a lone ranger in a state where “law and order” have reigned for decades and “zero tolerance” increasingly rules juvenile justice.

THE TARRANT COUNTY CONTINUUM

The above anecdote offers just one illustration of how Tarrant County’s approach differs from conventional practice both in Texas and nationwide. During the 1990s, the Texas Youth Commission nearly tripled the number of youth it incarcerated each night in state training schools. Most county probation agencies in Texas also took increasingly hard line approaches toward juvenile offenders. Many erected new boot camps or other correctional centers, and many expanded their pre-trial detention centers – further adding to the number of youth incarcerated statewide.

Tarrant County, home to the city of Fort Worth, took a different approach. Instead of building detention and correctional facilities, Tarrant County developed an array of programs and

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punishments to sanction juvenile offenders while at home. Instead of sending large numbers of youth to state correctional institutions, Tarrant County placed most delinquents into non-residential programs. Instead of placing youth accused of less serious offenses on routine probation – providing few services and little support – Tarrant enrolled most into rigorous counseling, community service, and/or youth development programs designed to reverse behavior problems before they escalated into serious criminality.

Tarrant County Advocate Program. Back in 1992, Tarrant County juvenile services director Carey Cockerell began scouring the nation for local correctional programs that could serve as alternatives to committing young offenders to the Texas Youth Commission (which operates the state’s correctional training schools), or to residential treatment facilities for adolescents that cost the county up to \$200 per day (and produced only mixed success). Cockerell seized upon Youth Advocate Programs, Inc. (YAP), an operation based in Harrisburg, Pennsylvania that has provided intensive support and supervision to more than fifty thousand delinquent and troubled youth over the past 25 years in seven states and the District of Columbia.

Designed as an alternative both to pre-trial detention and to incarceration and other out-of-home placements following adjudication, YAP trains and assigns local community residents to serve as advocates for troubled teens. These advocates mentor and monitor the youth, and they facilitate a child/family team including neighbors, volunteers, professional staff (such as child welfare workers, or clinical social workers) relatives, parents, and youth themselves. By keeping close tabs on delinquent youth, the advocate programs offer a cost-effective alternative to confinement for youth who pose no immediate danger to themselves or others. In addition, advocates facilitate a “wraparound” services approach that helps youth and their families build on their strengths, solicit needed counseling and support services, and stabilize behavior problems.

With funding from Cockerell’s agency, YAP established the Tarrant County Advocate Program (TCAP) late in 1992 in one high-crime Fort Worth neighborhood. Within a year, the commitments to secure juvenile corrections facilities dropped by 44 percent for youth in the targeted neighborhood. In 1999, TCAP served 385 young people. Despite a record of multiple prior arrests among many participants, 91 percent of the young people discharged from the program did not incur a more serious delinquent charge (although some youth were re-arrested on minor charges) during their 4-6 month stay in the program. In 2000, TCAP’s success rate dipped to 78 percent.¹³

A Comprehensive Continuum. Today, TCAP is only one element in a comprehensive continuum of services and sanctions for youthful offenders in Tarrant County. Other program offerings include:

- ♦ **Community service restitution and monetary restitution**, in which youth are court-ordered to perform 30-100 hours of service or make a financial payment to victims. During 2000, 996 juveniles completed 19,775 hours of work for local community agencies. In addition, Tarrant County juvenile offenders made monetary restitution payments of more than \$65,000.

By spurning calls to build more detention cells and place more youth into expensive confinement programs, Tarrant County has saved local taxpayers millions. And contrary to the fears of an alarmed public, Tarrant's home-based, treatment-oriented approach has led to a substantial reduction in juvenile crime.

- ◆ **Family preservation**, providing intensive home-based counseling for troubled youth and their families. The program offers a combination of counseling, 24-hour crisis intervention, and training in social skills (such as parenting, anger management, conflict resolution and problem solving) for families of

emotionally disturbed youth at risk for commitment to the Texas Youth Commission (TYC). In 1999 and 2000, 389 of the 455 youth (85.5 percent) completing the program successfully averted a TYC placement. For the life of the program (January 1992 through July 2000), just 103 of 1,141 participants (9 percent) were subsequently committed to TYC, and three-fourths of the remaining participants had no subsequent contact with the juvenile court.

- ◆ **Juvenile Drug Court**, which offers substance-abusing youth the opportunity to enroll in supervised drug treatment as an alternative to formal probation. Youth are monitored closely in their treatment and drug tested regularly, and charges are dismissed when and if youth complete their course of treatment successfully. Of 172 youth who exited the program in 2000,

San Diego County The Comprehensive Strategy

Like Tarrant County, San Diego County (CA) is also working hard to build a continuum of local sanctions and intervention programs for juvenile offenders. San Diego was one of the first communities in the nation to receive federal funding to implement the Office of Juvenile Justice and Delinquency Prevention's "Comprehensive Strategy" against juvenile violence.

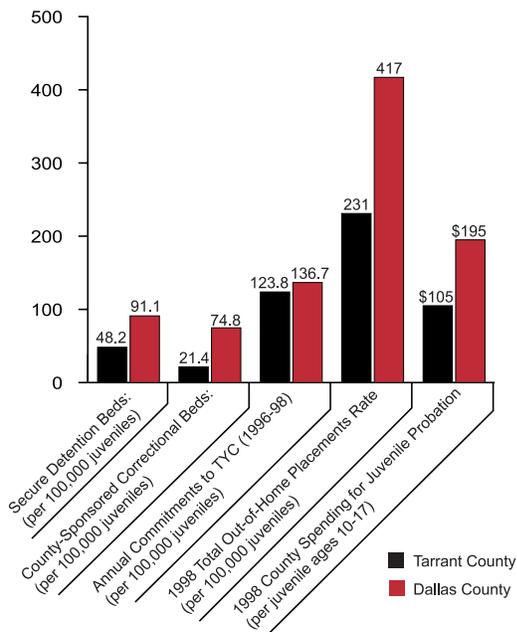
In 1996, San Diego embarked on an intensive study and planning effort involving more than 200 area leaders. Since then, it has mounted an impressive flurry of new activity aimed at reducing youth crime and promoting the healthy development of young people. New efforts include: intensive full-day programs for high-risk first offenders and for other youth at risk of out-of-home placements, significantly expanded adolescent substance abuse treatment, new after-school programming, and new comprehensive community centers to serve youth and their families.

San Diego has raised well over \$10 million to support these efforts since 1996. However, while far more extensive than the services offered in most jurisdictions, the county's new model programs still serve only a fraction of the juvenile population that could benefit. San Diego's once serious detention overcrowding problem has begun to ease as the detention population declined from 630 in 1998 to 470 in 1999. However, the detention rate remains high in relation to other jurisdictions of similar size.

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TARRANT COUNTY VS. DALLAS COUNTY
JUVENILE PROBATION PROGRAMS, SERVICES AND COSTS



Total Juvenile Populations:
Tarrant County (149,407), Dallas County (245,838)

Sources: Data supplied by Tarrant and Dallas County Probation Departments.

135 (78 percent) graduated successfully, while 35 were returned to court to face formal charges. Juvenile Drug Court participants submitted 1,958 urinalysis drug tests during 2000, of which 257 (13 percent) showed a positive result for illicit drugs.

- ◆ **Non-residential sex offender treatment**, provided by three local community agencies to youth accused of indecent exposure, indecency with a younger child, or sexual assault. As of January 2001, only one of the 183 youth enrolled into the program from 1998-2000 committed a new sexual offense. In 2000, 66 of 72 youth (92 percent) completing the program were successful, meaning that they completed the requirements of the treatment and were committed to the Texas Youth Authority or placed into residential treatment
- ◆ **Intensive supervision probation (ISP)** for juvenile probationers at highest risk for placement into TYC. Unlike the ISP programs in many other counties, the Tarrant County ISP staff not only supervise youthful offenders

and monitor their compliance with curfews and probation orders. They also support families and provide referrals to academic, vocational, and counseling programs that help keep high-risk youth away from trouble. Of 304 offenders completing ISP in 2000, 82 percent completed the program without being committed to TYC or other residential placements, or transferred to stand trial as an adult. This success rate was well above a state-imposed standard of 75 percent.

CROSS-COUNTY CONTRAST

Unlike most large jurisdictions in Texas, Tarrant County operates no local boot camp or correctional ranch programs for adolescent offenders. Moreover, Tarrant’s juvenile detention center (housing adolescent offenders pending trial) has just 72 beds – many fewer than the detention facilities of other large counties in Texas or nationwide. Beyond detention, Tarrant County utilizes only two small residential programs for juvenile offenders. One uses a 16-bed wing of the county detention center for short-term (10-20 days) confinement of youth who violate probation (instead of immediate commitment to TYC); and the second – a new program in 2000 – uses another 16-bed unit to provide intensive treatment and supervision for juvenile sex offenders.

Nor has Tarrant County followed the path of many Texas counties by sending as many young people as possible to the state corrections agency, thereby avoiding the expense of punishing and supervising offenders locally. Tarrant County committed an average of 185 teens per year to TYC between 1996 and 1998. That’s 35 percent fewer than the average (285) committed by Bexar County (San Antonio) which has almost an identical population as Tarrant, and barely half the average number (336) committed by neighboring Dallas County (whose population is only 50 percent larger than Tarrant’s).

Right Next Door and a World Apart. In fact, comparing Tarrant County with Dallas County offers perhaps the most vivid evidence of how

sharply Tarrant County differs in its approach to juvenile crime from most Texas counties – and how much more cost-effective its non-punitive continuum is in reigning in juvenile crime and reducing recidivism. Dallas and Tarrant share an airport and a 30 mile border as well as a similar history, similar demographics, and a similar economy. Yet the juvenile justice systems of Dallas and Tarrant Counties are a world apart.

Dallas County, with a youth population of 212,000, operates a juvenile detention facility with 224 beds to confine youths awaiting trial or pending correctional placement. Dallas County also operates two local correctional facilities with capacity for 184 youth. Tarrant County, with a juvenile population two-thirds as large as Dallas County (144,000 vs. 212,000), maintains one-third as many detention beds (72 versus 224), and – unlike Dallas – Tarrant County maintains only the 32 local correctional beds detailed above. Nonetheless, Tarrant County sends many fewer juvenile offenders to TYC than Dallas County. (See Table p.19) Overall in 1998, Dallas County placed almost twice as many youth into out-of-home dispositions per capita as Tarrant County (417 versus 231 per 100,000). Dallas taxpayers also spent far more local tax dollars on juvenile justice than Tarrant

– \$42 million per year (equal to \$200 per young person in the county) versus \$15 million in Tarrant (\$105 per young person). Yet juvenile crime rates dropped substantially in both counties during the 1990s, and they look quite similar today. Dallas County had higher rates of juvenile murder, rape, and robbery from 1995-97, Tarrant County suffered higher rates of aggravated assault and a higher overall juvenile arrest rate.

LESS COST, MORE SAFETY

By spurning calls to build more detention cells and place more youth into expensive confinement programs, Tarrant County has saved local taxpayers millions. And contrary to the fears of an alarmed public, Tarrant’s home-based, treatment-oriented approach has led to a substantial reduction in juvenile crime. In fact, *the failure rates of youth enrolled in Tarrant County’s community corrections programs consistently rank among the lowest of any urban county in Texas*. Likewise, an August 2000 report from Texas’ non-partisan Criminal Justice Policy Council found that the long-term recidivism rates of Tarrant County youth placed into non-incarceration programs are second lowest of Texas’ major urban counties. Less cost, more safety.

Operating Agency	Tarrant County Juvenile Services
Program Type	County Probation Agency
Program Goals	Effective Treatment for Delinquent and Troubled Youth, Public Safety, Cost-Effectiveness
Target Group	Juvenile offenders in Tarrant County
Key Strategies	Continuum of non-residential sanctions and services, minimum reliance on detention, incarceration, or other expensive out-of-home confinement
Primary Funding Source(s)	Tarrant County, Texas Juvenile Probation Commission
Evidence of Effectiveness	Reduced juvenile crime rates since early '90s; very low failure rates for youth in local probation programs
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