

BRIEF HISTORY OF THE TEXAS JUVENILE JUSTICE DEPARTMENT



AN ISSUE BRIEF FROM LEGISLATIVE BUDGET BOARD STAFF

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OBJECTIVE

The objective of the Texas Juvenile Justice Department (TJJJD) is to promote a safer Texas by providing positive outcomes for juveniles through community-based and state programs, services, and facilities.

KEY FACTS

- ◆ TJJJD began operating as an agency on December 1, 2011. It replaced the functions of the Texas Youth Commission (TYC) and the Texas Juvenile Probation Commission (TJPC).
- ◆ TYC, which was established in 1983 and had its origin in legislation passed in 1949, was responsible for administering residential facilities and parole for juvenile offenders committed to the state's care and custody.
- ◆ TJPC, established in 1981, provided funding, training, and technical assistance to local juvenile probation departments. TJPC also monitored standards and collected and analyzed data from local juvenile probation departments.

BUDGETARY IMPACT

For the 2014–15 biennium, TJJJD was appropriated \$645.7 million in All Funds, including \$588.2 million in General Revenue Funds.

STATUTORY REFERENCES

TJJJD is authorized by the Texas Human Resources Code, Chapter 201.

The Texas Juvenile Justice Department (TJJJD) provides residential and parole services to juveniles committed to the state's care and custody. TJJJD also provides funding and training, offers technical assistance, monitors standards, and collects and analyzes data from local juvenile probation departments. The funding includes appropriations for prevention and intervention services.

THE TEXAS JUVENILE JUSTICE RESIDENTIAL SYSTEM

State schools for delinquent juveniles began operating in Texas as early as 1889. The passage of the Gilmer Aiken Act in 1949 established the Texas Youth Development Council, which was established to coordinate the state's efforts to strengthen youth services in communities and to administer state juvenile training schools. In 1957, this agency became the Texas Youth Council, and in 1983, it became the Texas Youth Commission (TYC).

STATE ASSISTANCE TO LOCAL JUVENILE PROBATION DEPARTMENTS

In 1975, the Legislature appropriated funds within the Texas Youth Council for Community Services Administration, which later became the Community Assistance Program. In 1981, the Texas Juvenile Probation Commission (TJPC) was established and replaced that program. TJPC distributed state funds and set standards for local juvenile probation departments. TJPC also provided training, offered technical assistance, and collected and analyzed data from local juvenile probation departments.

REFORMS IN THE 21ST CENTURY

In February 2007, allegations of the abuse in TYC's West Texas State School led to the passage of Senate Bill 103 by the Eightieth Legislature. Highlights of the reforms in Senate Bill 103 included:

- establishment of the Office of the Inspector General;
- establishment of the Office of the Independent Ombudsman;
- formation of the Release Review Panel to ensure juveniles were not being held in TYC unnecessarily or longer than beneficial;
- reduction of the maximum age of confinement from 21 to 19;
- elimination of misdemeanor commitments to TYC;
- adoption of a Parents' Bill of Rights; and
- establishment of a new general treatment program.

In 2011, the Eighty-second Legislature passed Senate Bill 653, which established TJJJD and abolished TYC and TJPC. TJJJD absorbed the functions of TYC and TJPC and began operating December 1, 2011.

Figure 1 shows the history of Texas' juvenile justice system from 1889 to 2015.

FIGURE 1
HISTORY OF THE TEXAS JUVENILE JUSTICE SYSTEM, 1889 TO 2011

YEAR	EVENT
1889	Gatesville State School for Boys opens.
1916	Gainesville State School for Girls opens.
1949	The Texas Youth Development Council is established to coordinate the state's efforts to strengthen youth services in communities and to administer state juvenile training schools.
1957	The Texas Youth Council replaces the Texas Youth Development Council and brings administration of the state's juvenile training schools and homes for dependent and neglected children within a single state agency.
1961	The Texas Youth Council begins community care with the initiation of a juvenile parole system.
1975	The Community Services Administration, which later became the Community Assistance Program, is established in the Texas Youth Council to provide funds to county juvenile probation departments.
1981	The Texas Juvenile Probation Commission (TJPC) is established and replaces the Community Assistance Program. TJPC distributes state funds and sets standards for local juvenile probation departments.
1983	The Sixty-eighth Legislature changes the name of the Texas Youth Council to the Texas Youth Commission (TYC).
1983	The TJPC Board adopts Texas Juvenile Probation Department General Standards, Chapter 341, which establishes a code of ethics for the field of juvenile probation, establishes minimum qualifications for juvenile probation officers, and establishes an administrative framework for probation services.
1984	Juvenile probation services are available in all Texas counties.
1987	The Seventieth Legislature passes a Determinate Sentencing statute, which authorizes juveniles disposed for certain serious crimes to serve the first portion of their sentences in juvenile facilities with the possibility of being transferred to the adult correctional system to complete their sentences.
1995	The Seventy-fourth Legislature passes Progressive Sanction Guidelines, a set of discretionary disposition guidelines for juvenile probation departments, juvenile prosecutors, and juvenile court judges.
1999	The Seventy-sixth Legislature changes the eligibility for juvenile commitment to TYC to only felony conduct or, repeated jailable misdemeanor conduct.
2001	Legislation requires TJPC to select a tool to screen every juvenile formally referred to juvenile probation departments for mental health issues. The Massachusetts Youth Screening Instrument, Second Version (MAYSI-2), is selected.
2007	Allegations of abuse and neglect in TYC lead to the passage of Senate Bill 103, which restricts eligibility for commitment to TYC to felony conduct, lowers the maximum age of confinement from 21 to 19, and establishes other reforms.
2009	The Eighty-first Legislature appropriates funding for Community Corrections Diversion Programs. This funding provides approximately \$46.0 million to local juvenile probation departments for programs, treatment, and services to divert more juveniles from TYC.
2011	The Eighty-second Legislature passes Senate Bill 653, which establishes the Texas Juvenile Justice Department (TJJD) to absorb TYC and TJPC functions and abolishes these agencies.
2015	The Eighty-fourth Legislature passes Senate Bill 1630, which requires TJJD to develop a regional plan for keeping juveniles closer to home in local, post-adjudication, secure, correctional facilities in lieu of commitment to TJJD secure facilities, and expands the investigative authority of the Office of the Independent Ombudsman.

SOURCES: Texas Juvenile Justice Department; Texas Juvenile Probation Commission; Texas Youth Commission.

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