



# LEGISLATIVE BUDGET BOARD

## **Adult and Juvenile Correctional Population Projections**

**Fiscal Years 2020 to 2025**

**SUBMITTED TO THE 86TH TEXAS LEGISLATURE**

**PREPARED BY LEGISLATIVE BUDGET BOARD STAFF**

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**JUNE 2020**

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# ADULT AND JUVENILE CORRECTIONAL POPULATION PROJECTIONS FISCAL YEARS 2020 TO 2025

June 2020

One responsibility of the Legislative Budget Board (LBB) Criminal Justice Data Analysis Team is to conduct periodic, long-term adult and juvenile correctional population projections to serve as a basis for biennial funding determinations. This report is provided to the Texas Juvenile Justice Department (TJJJD) and the Texas Department of Criminal Justice (TDCJ) so they may incorporate the relevant information into Legislative Appropriations Requests for the 2022–23 biennium.

On March 13, 2020, the Governor issued a disaster proclamation certifying that COVID-19 posed an imminent threat of disaster for all counties in Texas. On March 19, 2020, the Commissioner of the Department of State Health Services, pursuant to the Texas Health and Safety Code, Section 81.082(d), declared a state of public health disaster for the entire State of Texas, and the Governor, pursuant to the Texas Government Code, Section 418.001, issued an Executive Order to mitigate the spread of the virus.

During April 2020, both TDCJ and TJJJD temporarily suspended the transfer of individuals into state custody as part of their efforts to stem and contain the spread of COVID-19. Although actual data are used where available, the long-term effects of COVID-19 on the criminal and juvenile justice systems and their populations are still not known and have not been included in these correctional population projections.

In January 2021, the LBB will publish updated projections in preparation for the Eighty-seventh Legislature. Enhancements to the current projections will be made by conducting focus groups and interviews with practitioners and officials in various parts of the criminal and juvenile justice systems to obtain a more in-depth understanding of factors affecting criminal and juvenile justice populations. Additionally, the LBB will analyze and incorporate into the updated population projections comprehensive data through fiscal year 2020.

Jerry McGinty  
Director  
Legislative Budget Board

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# EXECUTIVE SUMMARY

On March 1, 2004, the Legislative Budget Board (LBB) established a Criminal Justice Data Analysis (CJDA) team to assume certain criminal justice policy analysis responsibilities, later codified in the Texas Government Code, Section 322.019, by the Seventy-ninth Legislature, Regular Session, 2005. One of the team’s responsibilities is to conduct periodic, long-term adult and juvenile correctional population projections to serve as a basis for biennial funding determinations. The June 2020 *Adult and Juvenile Correctional Population Projections* report provides correctional population projections for fiscal years 2020 to 2025 in preparation for the Eighty-seventh Legislature, 2021.

## WHY ARE CORRECTIONAL POPULATION PROJECTIONS PRODUCED?

Correctional population projections serve as a basis for biennial funding determinations. The June 2020 projections will inform upcoming state correctional agencies’ legislative appropriation requests and the introduced version of the General Appropriations Bills. The CJDA team will update these projections in the January 2021 *Adult and Juvenile Correctional Population Projections* report. The January 2021 projections will inform budgeting and policy decisions during the Eighty-seventh Legislature, 2021.

## CORRECTIONAL POPULATION PROJECTIONS OVERVIEW

The June 2020 correctional population projections indicate that the adult state incarceration and the juvenile state residential populations will remain within operating capacity through fiscal year 2025. Projections include the following indications:

- the adult state incarceration population is projected to remain stable from fiscal years 2020 to 2025 and to remain, on average, 3.6 percent below the Texas Department of Criminal Justice (TDCJ) internal operating capacity; and
- the juvenile state residential population is projected to decrease an average of 2.7 percent per year from fiscal years 2020 to 2025 and to remain, on average, 44.7 percent below operating capacity during the projection period.

The adult felony community supervision and the adult parole supervision populations are expected to remain stable during the projection period. Misdemeanor placements onto community supervision are projected to decrease. The juvenile probation population is expected to remain stable, and the juvenile parole population is expected to increase. **Figure 1** shows projected growth trends in the adult and juvenile correctional populations and whether incarcerated populations will remain above or below institutional capacity during the projection period.

**FIGURE 1**  
**TEXAS CORRECTIONAL POPULATION PROJECTION GROWTH TRENDS, FISCAL YEARS 2020 TO 2025**

SYSTEM	POPULATION TYPE	PROJECTION GROWTH TREND	ABOVE/BELOW INSTITUTIONAL CAPACITY
Adult	Incarceration	Stable	Below
Adult	Parole	Stable	N/A
Adult	Felony Direct Community Supervision	Stable	N/A
Adult	Misdemeanor Community Supervision Placements	Decrease	N/A
Juvenile	State Residential	Decrease	Below
Juvenile	Parole	Increase	N/A
Juvenile	Juvenile Probation	Stable	N/A

NOTE: Adult incarceration populations include adults in prisons, state jails, and substance abuse felony punishment facilities. Juvenile state residential populations include juveniles in state residential facilities, halfway houses, and those placed in contract residential facilities. SOURCE: Legislative Budget Board.

**FIGURE 2**  
**TEXAS CORRECTIONAL POPULATION PROJECTIONS OVERVIEW, FISCAL YEARS 2020 TO 2022**

SYSTEM	POPULATION	2020	2021	2022	PERCENTAGE CHANGE FOR PERIOD
Adult	Incarceration	141,153	143,932	143,467	1.6%
Adult	Parole	83,415	83,680	83,717	0.4%
Adult	Felony Direct Community Supervision	151,431	151,209	150,720	(0.5%)
Adult	Misdemeanor Community Supervision Placements	68,394	65,359	62,035	(9.3%)
Juvenile	State Residential	983	1,003	987	0.4%
Juvenile	Parole	360	370	375	4.2%
Juvenile	Juvenile Probation	19,428	19,612	19,749	1.7%

SOURCES: Legislative Budget Board; Texas Department of Criminal Justice; Texas Juvenile Justice Department.

Figure 2 shows adult and juvenile correctional population projections from fiscal years 2020 to 2022. Population projections are the yearly average of the end-of-month population counts for the adult incarceration population, the total yearly counts for placements onto misdemeanor community supervision, and the average daily population for all other adult and juvenile correctional populations.

**METHODOLOGY AT A GLANCE**

The LBB’s CJDA team produces correctional population projections by using a discrete event simulation model that incorporates updated demographic and correctional information. The model simulates movement through the adult criminal and juvenile justice systems to produce aggregate population estimates for the next five fiscal years. Each individual’s projected movement is governed by the state laws in place at the time of offense. Population projections assume all current policies, procedures, and laws remain constant throughout the projection period.

**CURRENT CORRECTIONAL POPULATIONS AT A GLANCE**

Figure 3 shows adult and juvenile correctional populations as of February 29, 2020.

**FIGURE 3**  
**TEXAS CORRECTIONAL POPULATIONS AS OF FEBRUARY 29, 2020**

SYSTEM	POPULATION	POPULATION COUNT
Adult	Incarceration	140,419
Adult	Parole	83,773
Adult	Felony Direct Community Supervision	152,167
Juvenile	State Residential	969
Juvenile	Parole	296
Juvenile	Juvenile Probation	18,932

NOTES:

- (1) Adult and juvenile probation and parole figures are preliminary and subject to revision.
- (2) Misdemeanor community supervision placements are measured cumulatively each fiscal year.

SOURCES: Legislative Budget Board; Texas Department of Criminal Justice; Texas Juvenile Justice Department.

**CRIME IN TEXAS**

In addition to correctional population projections, this report includes recent adult and juvenile crime statistics. Figure 4 shows adult and juvenile arrests for fiscal years 2015 to 2019. Figure 5 (adult) and Figure 15 (juvenile) show additional details of adult and juvenile arrests, including arrests by offense type.

**FIGURE 4**  
**TEXAS ADULT AND JUVENILE ARRESTS, FISCAL YEARS 2015 TO 2019**

POPULATION	2015	2016	2017	2018	2019	PERCENTAGE CHANGE 2015 TO 2019
Adult (1)	804,865	801,032	771,893	755,203	685,572	(14.8%)
Juvenile (2)	47,865	45,948	43,359	41,081	39,474	(17.5%)

NOTES:

- (1) Adults in Texas are defined as individuals age 17 and older.
- (2) Juvenile arrests refer to individuals ages 10 to 16, the age range specified by the Texas Family Code. The total number of juvenile arrests for fiscal years 2015 to 2018 is lower than represented in previous reports because the Texas Department of Public Safety, following the model prescribed by the Federal Bureau of Investigation, stopped collecting data for runaways.

SOURCES: Legislative Budget Board; Texas Department of Public Safety, txucr.nibrs.com, as of March 4, 2020.

# ADULT ARRESTS

Figure 5 shows that arrests decreased 14.8 percent from fiscal years 2015 to 2019. Arrests decreased for every type of offense during that period except drug offenses. Figure 6

shows that the number of adult arrests decreased 9.2 percent from fiscal years 2018 to 2019. Arrests decreased for each type of offense during that period.

**FIGURE 5**  
**TEXAS ADULT ARRESTS, FISCAL YEARS 2015 TO 2019 (1)**

OFFENSE (2)	2015	2016	2017	2018	2019	PERCENTAGE CHANGE 2015 TO 2019	PERCENTAGE CHANGE 2018 TO 2019
Violent	114,617	116,773	117,215	122,078	107,845	(5.9%)	(11.7%)
Property	128,942	113,454	97,828	91,688	87,195	(32.4%)	(4.9%)
Drug	126,219	135,242	140,072	143,948	132,835	5.2%	(7.7%)
Other	435,087	435,563	416,778	397,489	357,697	(17.8%)	(10.0%)
Total	804,865	801,032	771,893	755,203	685,572	(14.8%)	(9.2%)

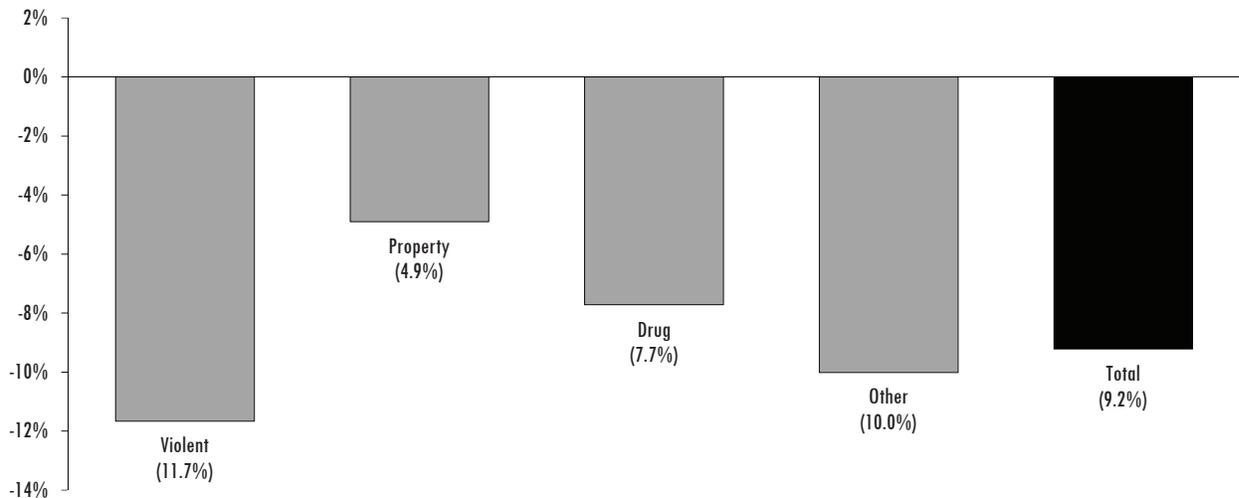
NOTES:

(1) Adults in Texas are defined as individuals age 17 and older.

(2) See the Glossary for offenses included within these offense categories.

SOURCES: Legislative Budget Board; Texas Department of Public Safety, txucr.nibrs.com, as of March 4, 2020.

**FIGURE 6**  
**PERCENTAGE CHANGE IN TEXAS ADULT ARRESTS BY OFFENSE TYPE, FISCAL YEARS 2018 TO 2019**



SOURCES: Legislative Budget Board; Texas Department of Public Safety, txucr.nibrs.com, as of March 4, 2020.

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# ADULT CORRECTIONAL POPULATION PROJECTIONS

## METHODOLOGY

The LBB's CJDA team produces adult incarceration, parole supervision, and felony community supervision population projections by using a discrete event simulation model that incorporates updated demographic and correctional information. The model simulates an individual's movement through the adult criminal justice system to produce aggregate population estimates for the next five fiscal years. Each individual's projected movement is governed by state laws in place at the time of offense. Misdemeanor placements are projected using an autoregressive integrated moving average (ARIMA) model. Population projections assume that all current policies, procedures, and laws remain constant during the projection period. **Appendix A** shows additional information regarding adult correctional population projection methodology.

The population projections in this report use individual-level data from fiscal year 2019. Therefore, the effects of the COVID-19 pandemic are not represented completely through the data used to generate these projections. The adult incarceration projection for fiscal year 2020, consistent with previously issued reports, includes actual end-of-month population counts where available and assumes a gradual transfer of individuals to state custody through fiscal year 2021. LBB staff will continue to monitor the pandemic and its effects on the adult criminal justice system and its populations.

## ADULT INCARCERATION ACTUAL AND PROJECTED POPULATIONS, FISCAL YEARS 2015 TO 2025

The adult incarceration population is projected to remain stable from fiscal years 2020 to 2025. Any significant change in projection drivers (e.g., admissions or admission rates, parole approval practices, changes in statute) may affect future populations.

The adult incarceration population consists of individuals within prisons, state jails, and substance abuse felony punishment facilities (SAFPF). The incarceration population includes individuals whose offenses are categorized by severity as state jail felonies or greater. The current status of

the actual and projected correctional populations has been affected by a decade long effort by multiple Legislatures to support rehabilitation, treatment, and sanction initiatives throughout the criminal justice system. Higher parole and discretionary mandatory supervision (DMS) case consideration and approval rates since fiscal year 2012 have complemented legislative efforts to decrease growth in the prison population.

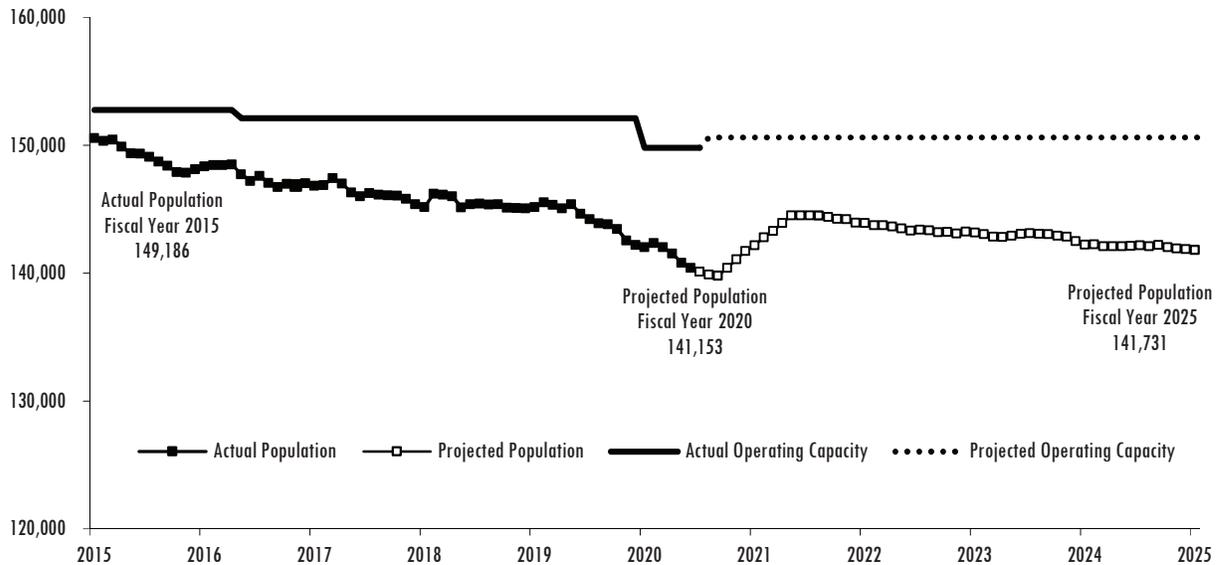
The primary factors affecting correctional population projections are the number of individuals entering the system and their lengths of stay. Other factors, such as recent decreases in parole and DMS case considerations, steady parole approval rates, and a decrease in state jail admissions, also mitigate against large increases in these populations.

Due to the COVID-19 pandemic, TDCJ temporarily suspended the transfer of individuals from county jails in April 2020. LBB staff incorporated this information into the fiscal year 2020 incarceration projection. However, projections assume that TDCJ will rescind the suspension, start receiving individuals in phases beginning in summer 2020, and return to pre-pandemic processes by January 2021.

LBB staff project that the adult incarceration population will remain stable and below internal operating capacity during the projection period. **Figure 7** shows TDCJ's actual and projected incarceration population and internal operating capacity from fiscal years 2015 to 2025. **Appendix A** provides additional information regarding projection drivers and model assumptions.

The primary drivers of the incarceration projection include admissions to state jails, SAFPFs, and prisons and the lengths of stay of individuals released from these three unit types. Admissions to prisons decreased 3.2 percent from fiscal years 2018 to 2019. Admissions to SAFPFs increased from fiscal years 2015 to 2017, decreased 4.8 percent from fiscal years 2017 to 2018, and decreased again by 1.4 percent from fiscal years 2018 to 2019. State jail admissions have decreased 18.9 percent from fiscal years 2015 to 2019, including a 9.6 percent decrease from fiscal years 2018 to 2019. The lengths of stay for those released from prisons, SAFPFs, and state jails have remained stable.

**FIGURE 7  
ACTUAL AND PROJECTED TEXAS DEPARTMENT OF CRIMINAL JUSTICE INCARCERATION POPULATIONS AND INTERNAL OPERATING CAPACITY, FISCAL YEARS 2015 TO 2025**



NOTES:

- (1) As of May 2020, the Texas Department of Criminal Justice (TDCJ) has modified its plans to close the Jester I and Garza East facilities by the end of fiscal year 2020 in response to COVID-19. TDCJ still plans to close these two units, but the exact date of closure is pending.
- (2) As part of the budget reductions directed by the Eighty-fifth Legislature, 2017, TDCJ permanently removed 2,165 beds from capacity during fiscal year 2017. In June 2017, the agency removed 1,249 beds, including 200 beds at the Bridgeport Pre-parole Transfer Facility and 1,049 beds at the Bartlett State Jail. In August 2017, TDCJ removed 508 beds when the Ware Unit closed. The closure of the 916-bed Ware Unit reduced TDCJ capacity by 508 beds because 408 beds were removed temporarily from capacity due to staffing shortages.

SOURCES: Legislative Budget Board; Texas Department of Criminal Justice.

Figure 8 shows the end-of-month yearly average of projected populations from fiscal years 2020 to 2025 and the population relative to TDCJ’s current internal operating capacity. The internal operating capacity

is 96.0 percent of unit capacity to enable correctional institution division administrators to accommodate logistical and safety issues. See Appendix A for more information.

**FIGURE 8  
PROJECTED INCARCERATION POPULATIONS AND OPERATING CAPACITY, FISCAL YEARS 2020 TO 2025**

YEAR	INCARCERATION POPULATION (END-OF-MONTH YEARLY AVERAGE)	INTERNAL OPERATING CAPACITY	DIFFERENCE	PERCENTAGE
2020	141,153	147,837	6,684	4.5%
2021	143,932	147,837	3,905	2.6%
2022	143,467	147,837	4,371	3.0%
2023	142,969	147,837	4,868	3.3%
2024	142,121	147,837	5,716	3.9%
2025	141,731	147,837	6,106	4.1%

NOTES:

- (1) As of May 2020, TDCJ has modified its plans to close the Jester I and Garza East facilities by the end of fiscal year 2020 in response to COVID-19. TDCJ still plans to close these two units, but the exact date of closure is pending.
- (2) As of May 2020, 3,828 beds had been temporarily removed from on-line bed capacity (3,379 due to staffing shortages, 353 due to construction for sheltered housing, 56 due to a wheelchair conversion project, and 40 due to a renovation project). Also at this time, on-line bed capacity did not include 2,242 temporary placement beds, which include medical (hospital beds and unit-based infirmary beds), transfer holding, and pre-hearing detention beds. Incarcerated individuals housed in temporary placement beds also have permanent beds assigned to them.

SOURCES: Legislative Budget Board; Texas Department of Criminal Justice.

**ACTIVE ADULT PAROLE SUPERVISION  
ACTUAL AND PROJECTED POPULATIONS,  
FISCAL YEARS 2015 TO 2025**

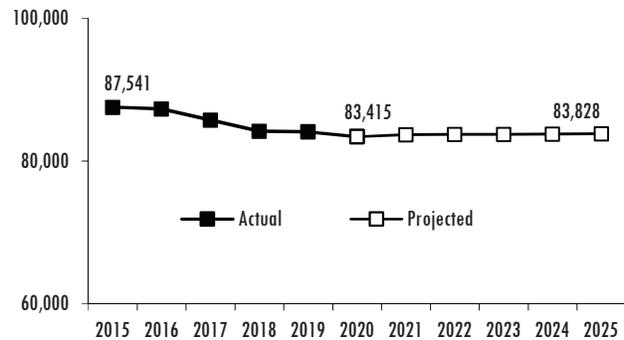
The active adult parole supervision population is projected to remain stable from fiscal years 2020 to 2025. Any significant change in projection drivers (e.g., parole approval and consideration practices) may affect future populations. **Appendix A** provides additional information regarding projection drivers and model assumptions.

Individuals that are sentenced to a term of incarceration for a third-degree felony or greater are received into prisons. Almost all individuals sentenced to a term of incarceration within prisons are eligible for consideration and subsequent release to parole supervision. Eligibility for case consideration is based on the state laws in effect when the offense was committed. The primary factors affecting parole supervision population projections are the number of individuals placed onto parole supervision and the length of time they spend onto supervision. Individuals placed on parole include those approved for release from prisons by the Board of Pardons and Paroles (BPP), those released from prisons through the mandatory supervision release process, those who committed an offense in another state and whose term of parole supervision was transferred to Texas, and those whose supervision was transferred from the juvenile justice system.

Parole and DMS case consideration and approval rates began to increase substantially toward the end of fiscal year 2011, resulting in an 8.2 percent increase in the population released onto parole supervision by fiscal year 2013. Parole and DMS approval rates have since remained at higher levels. Parole case considerations decreased slightly by 2.8 percent from fiscal years 2018 to 2019; however, the average monthly parole approval rate increased from 33.1 percent to 35.7 percent from fiscal years 2018 to 2019. DMS case considerations remained fairly steady, with a slight increase of 0.7 percent from fiscal years 2018 to 2019. During the same period, the average monthly DMS approval rate increased slightly, by 1.7 percent. Placements onto parole supervision increased 2.2 percent from fiscal years 2018 to 2019 but have remained steady overall from fiscal years 2015 to 2019.

Although transfers from counties to TDCJ were halted temporarily due to the COVID-19 pandemic, individuals continued to be reviewed, approved, and subsequently released to parole supervision. These projections do not include the effects of the COVID-19 pandemic on the active

**FIGURE 9  
ACTUAL AND PROJECTED ACTIVE ADULT PAROLE  
SUPERVISION POPULATIONS  
FISCAL YEARS 2015 TO 2025**



SOURCES: Legislative Budget Board; Texas Department of Criminal Justice.

**FIGURE 10  
PROJECTED ACTIVE ADULT PAROLE SUPERVISION  
POPULATIONS, FISCAL YEARS 2020 TO 2025**

YEAR	POPULATION (END-OF-MONTH YEARLY AVERAGE)
2020	83,415
2021	83,680
2022	83,717
2023	83,754
2024	83,791
2025	83,828

SOURCE: Legislative Budget Board.

parole supervision population. Subsequent projections will incorporate any additional data regarding these effects.

**Figure 9** shows the actual and projected parole population from fiscal years 2015 to 2025. **Figure 10** shows the projected average daily active adult parole supervision population from fiscal years 2020 to 2025.

**ADULT FELONY DIRECT COMMUNITY SUPERVISION ACTUAL AND PROJECTED POPULATIONS, FISCAL YEARS 2015 TO 2025**

The adult felony direct community supervision population is expected to remain stable overall with minor fluctuations from fiscal years 2020 to 2025. Any significant change in projection drivers (e.g., placements, revocations, or length of supervision) may affect future populations. **Appendix A** shows additional information regarding projection drivers and model assumptions.

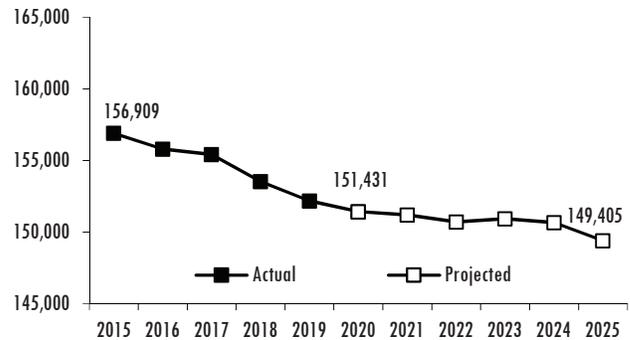
Certain individuals who commit felony offenses and receive sentences of 10 years or fewer are eligible to serve their sentences in the community rather than in state jails or prisons. Eligible individuals must adhere to basic conditions of supervision issued by a judge (e.g., commit no new offense, avoid injurious habits, report regularly, and pay fines) and may be required to complete residential or nonresidential programs. Failure to comply with these conditions can result in a revocation of community supervision and a sentence of incarceration within state jails or prisons.

Placements onto direct felony community supervision increased 0.9 percent from fiscal years 2018 to 2019. The average length of supervision for those terminated from direct felony community supervision during fiscal year 2019 was 3.5 years. The average monthly active direct felony community supervision population has decreased slightly each fiscal year since 2015.

Due to the COVID-19 pandemic, courts have not been able to hear cases at pre-pandemic rates. Some individuals that may otherwise have been placed on felony direct community supervision were not due to the changes in court practices. As of May 2020, jury trials have not resumed. Concurrently, terminations of supervision continue, although it is possible that revocations, a type of termination, have decreased due to the pandemic’s effects on hearings for a motion to revoke supervision. These projections do not include the effects of the COVID-19 pandemic on the felony direct community supervision population. Subsequent projections will incorporate any additional data regarding these effects.

**Figure 11** shows the actual and projected felony direct community supervision population from fiscal years 2015 to 2025. **Figure 12** shows the projected average daily felony direct community supervision population from fiscal years 2020 to 2025.

**FIGURE 11  
ACTUAL AND PROJECTED ADULT FELONY DIRECT COMMUNITY SUPERVISION POPULATIONS  
FISCAL YEARS 2015 TO 2025**



SOURCES: Legislative Budget Board; Texas Department of Criminal Justice.

**FIGURE 12  
PROJECTED ADULT FELONY DIRECT COMMUNITY SUPERVISION POPULATIONS  
FISCAL YEARS 2020 TO 2025**

YEAR	FELONY DIRECT COMMUNITY SUPERVISION POPULATION (END-OF-MONTH YEARLY AVERAGE)
2020	151,431
2021	151,209
2022	150,720
2023	150,934
2024	150,672
2025	149,405

SOURCE: Legislative Budget Board.

**ADULT MISDEMEANOR COMMUNITY SUPERVISION ACTUAL AND PROJECTED PLACEMENTS, FISCAL YEARS 2015 TO 2025**

Misdemeanor community supervision placements are projected to decrease 23.9 percent from fiscal years 2020 to 2025. Any significant change in projection drivers (e.g., pretrial diversion program options) may affect future populations.

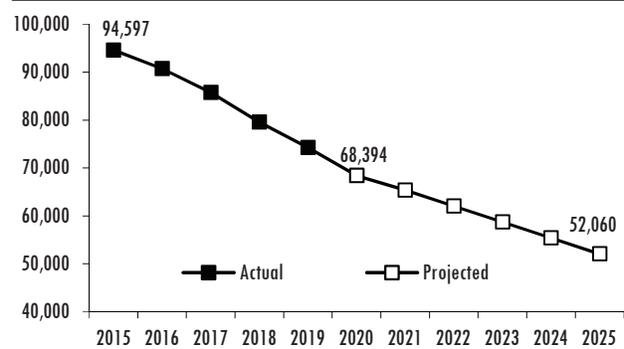
Certain individuals who commit class A or B misdemeanor offenses are eligible to serve their sentences in the community rather than in county jail. Eligible individuals must adhere to basic conditions of supervision issued by a judge (e.g., commit no new offense, avoid injurious habits, report regularly, and pay fines) and may be required to complete residential or nonresidential programs. Failure to comply with these conditions can result in a revocation of community supervision and a sentence of incarceration within county jail. The projected decrease in misdemeanor community supervision placements is based on the overall trend from fiscal years 2004 to 2019 and the decrease in placements observed during the past five fiscal years. **Appendix A** provides additional information regarding projection drivers and model assumptions.

Total placements onto misdemeanor community supervision decreased by 6.2 percent from fiscal years 2018 to 2019. Except for a slight increase of 0.8 percent during fiscal year 2013, placements onto misdemeanor community supervision have decreased every fiscal year since 2008. From fiscal years 2015 to 2019, misdemeanor placements decreased by 21.5 percent, and placements onto misdemeanor pretrial diversion programs operated by local community supervision and corrections departments (CSCD) increased by 23.7 percent. Placements onto pretrial diversion programs operated by CSCDs increased 18.8 percent during fiscal year 2019.

Due to the COVID-19 pandemic, courts have not been able to hear cases at pre-pandemic rates. Some individuals that may otherwise have been placed on misdemeanor community supervision were not due to the changes in court practices. These projections do not include the effects of the COVID-19 pandemic on misdemeanor community supervision placements. Subsequent projections will incorporate any additional data regarding these effects.

**Figure 13** shows actual and projected numbers of misdemeanor community supervision placements from fiscal years 2015 to 2025. **Figure 14** shows the projected number

**FIGURE 13  
ACTUAL AND PROJECTED ADULT MISDEMEANOR COMMUNITY SUPERVISION PLACEMENTS  
FISCAL YEARS 2015 TO 2025**



SOURCES: Legislative Budget Board; Texas Department of Criminal Justice.

**FIGURE 14  
PROJECTED ADULT MISDEMEANOR COMMUNITY SUPERVISION PLACEMENTS, FISCAL YEARS 2020 TO 2025**

YEAR	MISDEMEANOR COMMUNITY SUPERVISION PLACEMENTS
2020	68,394
2021	65,359
2022	62,035
2023	58,710
2024	55,385
2025	52,060

SOURCE: Legislative Budget Board.

of misdemeanor community supervision placements for fiscal years 2020 to 2025.

# JUVENILE ARRESTS

**Figure 15** shows juvenile arrests by offense type. The number of juvenile arrests decreased 17.5 percent from fiscal years 2015 to 2019. During that period, arrests for violent and drug offenses increased, while arrests for property, curfew, and other offenses decreased.

**Figure 16** shows that juvenile arrests decreased 3.9 percent from fiscal years 2018 to 2019. During that period, arrests for violent and drug offenses increased, while arrests for property, curfew, and other offenses decreased.

**FIGURE 15  
JUVENILE ARRESTS, FISCAL YEARS 2015 TO 2019 (1)**

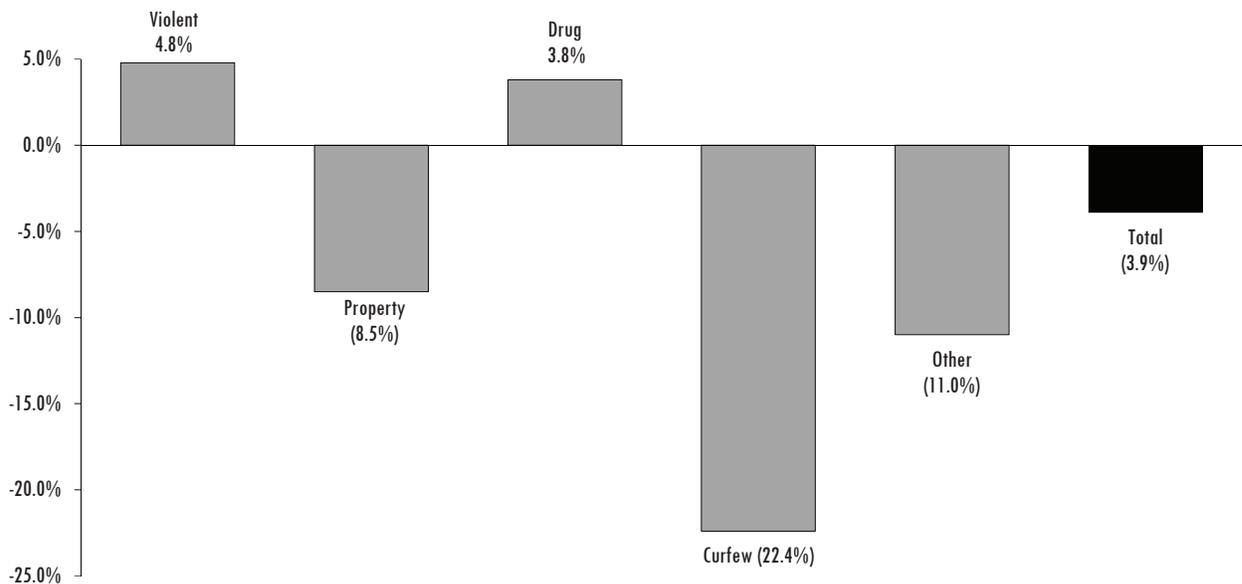
OFFENSE (2)	2015	2016	2017	2018	2019	PERCENTAGE CHANGE	PERCENTAGE CHANGE
						2015 TO 2019	2018 TO 2019
Violent	11,807	12,692	11,881	12,410	13,003	10.1%	4.8%
Property	15,427	13,419	11,768	9,690	8,862	(42.6%)	(8.5%)
Drug	6,068	6,006	5,991	6,152	6,383	5.2%	3.8%
Curfew	2,780	2,450	2,466	1,665	1,292	(53.5%)	(22.4%)
Other	11,783	11,381	11,253	11,164	9,934	(15.7%)	(11.0%)
Total	47,865	45,948	43,359	41,081	39,474	(17.5%)	(3.9%)

**NOTES:**

- (1) Juveniles are defined as individuals ages 10 to 16, which is the age range the Texas Family Code specifies for entry into the Texas juvenile justice system.
- (2) See the Glossary for offenses included within these offense categories. The total number of juvenile arrests for fiscal years 2015 to 2018 is lower than represented in previous reports because the Texas Department of Public Safety, following the model prescribed by the Federal Bureau of Investigation, stopped collecting data for runaways.

SOURCES: Legislative Budget Board; Texas Department of Public Safety, txucr.nibrs.com, as of March 4, 2020.

**FIGURE 16  
PERCENTAGE CHANGE IN JUVENILE ARRESTS BY OFFENSE TYPE, FISCAL YEARS 2018 TO 2019**



SOURCES: Legislative Budget Board; Texas Department of Public Safety, txucr.nibrs.com, as of March 4, 2020

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# JUVENILE CORRECTIONAL POPULATION PROJECTIONS

## METHODOLOGY

The LBB's CJDA team produces juvenile correctional population projections by using a discrete event simulation model that incorporates updated demographic and correctional information. The model simulates an individual's movement through the juvenile justice system to produce aggregate population estimates for the next five fiscal years. Each juvenile's projected movement is governed by the state laws in place at the time of the offense. Population projections assume that all current policies, procedures, and laws remain constant throughout the projection period. **Appendix B** includes additional information regarding the juvenile correctional population projection methodology.

## JUVENILE STATE RESIDENTIAL ACTUAL AND PROJECTED POPULATIONS, FISCAL YEARS 2015 TO 2025

Juvenile state residential populations are projected to decrease an average of 2.7 percent per year from fiscal years 2020 to 2025. The state residential population is expected to remain below operating capacity during the entire projection period. Any significant change in projection drivers (e.g., commitment and parole revocation practices) may affect populations.

From fiscal years 2014 to 2019, admissions to state residential facilities decreased by an average of 2.9 percent. Some of these decreases likely were due to the regional diversion alternatives (RDA) program. This program, established by the Eighty-fourth Legislature, 2015, was intended to divert 30 juveniles from commitment to the Texas Juvenile Justice Department (TJJD) during fiscal year 2016 and 150 juveniles per year from commitment during each subsequent year. The program diverted 21 juveniles during fiscal year 2016 and 188 juveniles during fiscal 2017. The program subsequently exceeded the intended diversion level and diverted 261 juveniles during fiscal year 2018 and 266 juveniles during fiscal year 2019.

The continued increase in violent felony referrals to juvenile probation departments also is expected to affect state residential populations. Violent felonies include offenses such as homicide, sexual assault, robbery, and aggravated

assault, among others. From fiscal years 2014 to 2019, referrals for violent felony offenses increased an average of 4.4 percent.

The average length of stay for juveniles exiting state residential facilities fluctuated from fiscal years 2014 to 2019, reaching a high of 17.3 months during fiscal year 2017, a low of 15.3 months during fiscal year 2019, and averaging 16.4 months during that period. During the projection period, the average length of stay is expected to average 15.7 months, which would be a slight increase from the fiscal year 2019 level but remain below the high reached in fiscal year 2017.

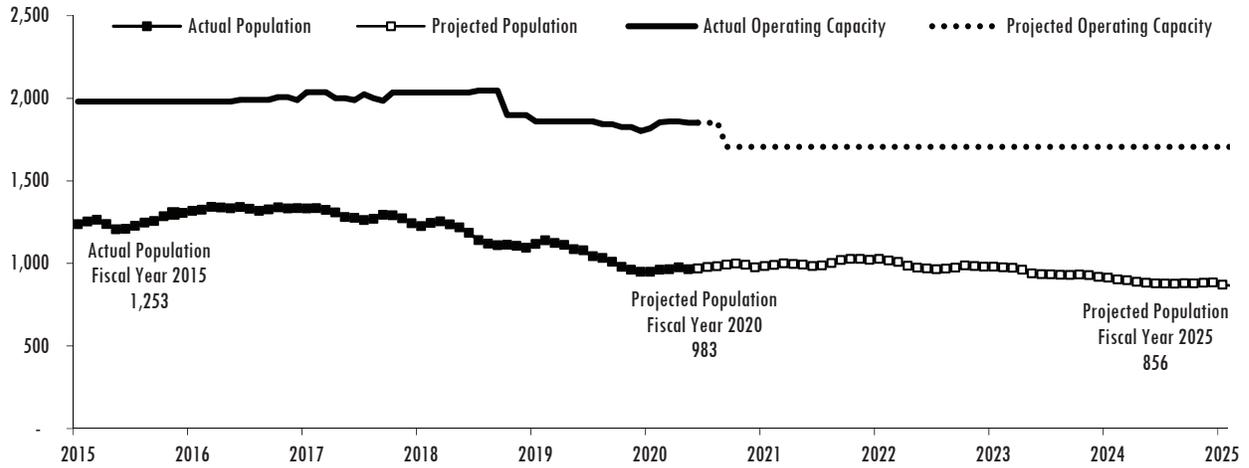
As a result of the diversion of juveniles through the RDA program that continues to remain substantially higher than the 150 it was intended to divert when the legislation was passed, a continued increase in violent felony referrals, and a length of stay that has decreased recently, juvenile state residential populations are expected to decrease an average of 2.7 percent annually from fiscal years 2020 to 2025. The state residential population is expected to remain, on average, 44.7 percent below operating capacity during the projection period.

These projections do not include the effects of the COVID-19 pandemic on juvenile population projections. Subsequent projections will incorporate any additional data regarding these effects. Although TJJD's temporary suspension of admissions in April 2020 could reduce the state residential population, it is possible that other issues associated with the pandemic may result in an increase in the state residential population.

**Figure 17** shows the actual and projected monthly state residential population and operating capacity for TJJD from fiscal years 2015 to 2025. **Appendix B** includes additional information regarding projection drivers and model assumptions.

**Figure 18** shows the average daily projected population from fiscal years 2020 to 2025 and the population relative to TJJD's operating capacity. The average daily population is expected to remain below operating capacity during the entire projection period. See **Appendix B** for more information.

**FIGURE 17**  
**ACTUAL AND PROJECTED TEXAS JUVENILE JUSTICE DEPARTMENT STATE RESIDENTIAL AVERAGE DAILY POPULATION AND OPERATING CAPACITY, FISCAL YEARS 2015 TO 2025**



NOTES:

- (1) Texas Juvenile Justice Department's (TJJD) operating capacity decreased substantially during fiscal year 2018 because the agency transferred ownership of the Corsicana Residential Treatment Center to the City of Corsicana on May 31, 2018.
- (2) TJJD's operating capacity decreased substantially during fiscal year 2020 because several beds originally designated for permanent assignment were set aside for medical quarantine to accommodate juveniles exhibiting potential symptoms of COVID-19.

SOURCES: Legislative Budget Board; Texas Juvenile Justice Department.

**FIGURE 18**  
**PROJECTED TEXAS JUVENILE JUSTICE DEPARTMENT STATE RESIDENTIAL AVERAGE DAILY POPULATION AND OPERATING CAPACITY, FISCAL YEARS 2020 TO 2025**

YEAR	POPULATION	OPERATING CAPACITY	DIFFERENCE	PERCENTAGE
2020	983	1,706	723	42.4%
2021	1,003	1,706	703	41.2%
2022	987	1,706	719	42.1%
2023	945	1,706	761	44.6%
2024	887	1,706	819	48.0%
2025	856	1,706	850	49.8%

SOURCE: Legislative Budget Board; Texas Juvenile Justice Department.

**JUVENILE PAROLE SUPERVISION  
ACTUAL AND PROJECTED POPULATIONS,  
FISCAL YEARS 2015 TO 2025**

The parole supervision population is projected to increase an average of 1.9 percent per year during the projection period, with an average daily population of 396 by the end of fiscal year 2025. Any significant change in projection drivers (e.g., commitment and parole revocation practices) may affect actual populations.

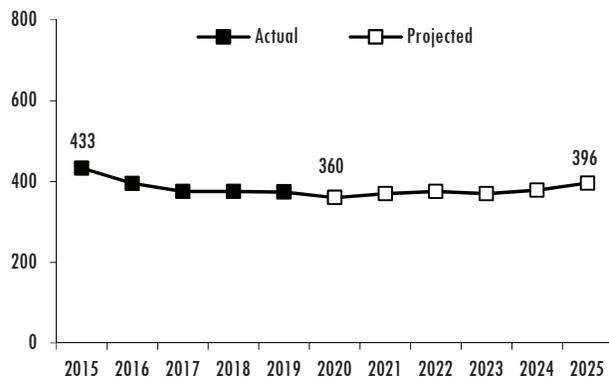
Admissions to parole increased each year from fiscal years 2016 to 2019, with an average annual increase of 4.9 percent. During that period, the average length of stay decreased from 8.6 months during fiscal year 2016 to 6.1 months during fiscal year 2019. These factors have resulted in a stable average daily population of 375 juveniles during fiscal years 2017 and 2018, and 374 juveniles during fiscal year 2019. From fiscal years 2016 to 2019, the percentage of all juveniles released from state residential facilities admitted to parole supervision increased from 65.8 percent to 76.7 percent. Assuming that a similar proportion are admitted to parole during subsequent fiscal years, it is likely that the number of juveniles admitted to parole supervision will increase. The recent decrease in the average length of stay of juveniles committed to TJJD also is likely to contribute to a slight increase in the average daily population in the juvenile parole supervision population.

These projections do not include the effects of the COVID-19 pandemic on the juvenile parole supervision population projections. Subsequent projections will incorporate any additional data regarding these effects.

**Figure 19** shows the actual and projected average daily juvenile parole supervision population for TJJD from fiscal years 2015 to 2025. **Appendix B** includes additional information regarding these projections and model assumptions.

**Figure 20** shows the projected average daily parole supervision population from fiscal years 2020 to 2025. See **Appendix B** for more information.

**FIGURE 19  
ACTUAL AND PROJECTED JUVENILE PAROLE AVERAGE  
DAILY POPULATIONS, FISCAL YEARS 2015 TO 2025**



SOURCES: Legislative Budget Board; Texas Juvenile Justice Department.

**FIGURE 20  
PROJECTED JUVENILE PAROLE AVERAGE DAILY  
POPULATIONS  
FISCAL YEARS 2020 TO 2025**

YEAR	POPULATION
2020	360
2021	370
2022	375
2023	370
2024	378
2025	396

SOURCE: Legislative Budget Board.

## JUVENILE PROBATION SUPERVISION ACTUAL AND PROJECTED POPULATIONS, FISCAL YEARS 2015 TO 2025

The total juvenile probation supervision population is projected to be fairly stable during the projection period, increasing an average of 0.6 percent per year. Any significant change in projection drivers (e.g., admissions or length of supervision) may affect actual populations.

Although total admissions to juvenile probation departments decreased an average of 5.8 percent per year from fiscal years 2015 to 2017, admissions to supervision increased 1.4 percent during fiscal year 2018 and 1.6 percent during fiscal year 2019, the first increases in total supervision admissions since fiscal year 2007. These increases were due to increases in admissions to deferred prosecution and conditional predisposition, which increased 7.0 percent and 12.5 percent, respectively, from fiscal years 2017 to 2019. These increases were offset by a decrease of 10.5 percent in adjudicated probation supervision during this period.

The length of stay of all three supervision types has remained stable from fiscal years 2015 to 2019, averaging 3.3 months for conditional predisposition, 5.0 months for deferred prosecution, and 11.9 months for adjudicated probation.

Total referrals to juvenile probation departments decreased an average of 7.2 percent from fiscal years 2015 to 2017, then decreased 1.1 percent during fiscal year 2018 and 0.2 percent during fiscal year 2019. Misdemeanor referrals decreased an average of 4.6 percent from fiscal years 2015 to 2019, which included an increase of 0.5 percent from fiscal years 2017 to 2018. Felony referrals were stable from fiscal years 2015 to 2018, increasing an average of 0.4 percent during that period, then increased 10.6 percent during fiscal year 2019. This increase was due in part to an increase in felony drug referrals, which more than doubled from 1,326 during fiscal year 2018 to 2,663 during fiscal year 2019. Among supervision admissions for felony drug offenses during fiscal year 2019, 38.9 percent started conditional predisposition, 42.0 percent started deferred prosecution, and 19.1 percent started adjudicated probation.

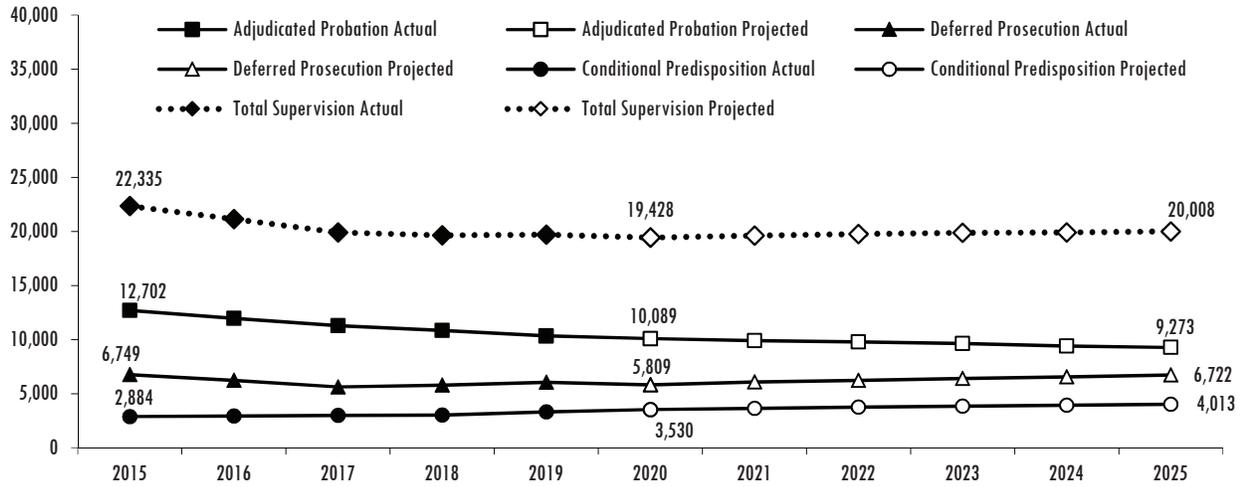
The average daily population of individuals on conditional predisposition, which has increased each year since fiscal year 2015, is projected to increase an average of 2.6 percent from fiscal years 2020 to 2025. The average daily population of individuals on deferred prosecution, which has increased during the past two fiscal years, is projected to increase an average of 3.0 percent during the projection period. The

average daily population of individuals on adjudicated probation, which has decreased each year since fiscal year 2015, is projected to decrease an average of 1.7 percent during the projection period.

These projections do not include the effects of the COVID-19 pandemic on the juvenile probation supervision population projections. Subsequent projections will incorporate any additional data regarding these effects.

**Figure 21** shows the actual and projected juvenile probation supervision populations from fiscal years 2015 to 2025. **Figure 22** shows projected average juvenile probation supervision daily populations from fiscal years 2020 to 2025. See **Appendix B** for more details.

**FIGURE 21**  
**ACTUAL AND PROJECTED JUVENILE PROBATION SUPERVISION POPULATIONS BY SUPERVISION TYPE**  
**FISCAL YEARS 2015 TO 2025**



SOURCES: Legislative Budget Board; Texas Juvenile Justice Department.

**FIGURE 22**  
**PROJECTED JUVENILE PROBATION SUPERVISION POPULATIONS BY SUPERVISION TYPE**  
**FISCAL YEARS 2020 TO 2025**

YEAR	AVERAGE DAILY POPULATION			
	ADJUDICATED PROBATION	DEFERRED PROSECUTION	CONDITIONAL PREDISPOSITION	TOTAL SUPERVISION
2020	10,089	5,809	3,530	19,428
2021	9,900	6,068	3,644	19,612
2022	9,777	6,226	3,746	19,749
2023	9,633	6,392	3,844	19,869
2024	9,413	6,557	3,938	19,908
2025	9,273	6,722	4,013	20,008

SOURCE: Legislative Budget Board.

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# GLOSSARY

## GENERAL TERMS

### ARRESTING OFFENSES

The Department of Public Safety publishes arrest counts for certain offenses. Legislative Budget Board staff have categorized these offenses as violent, property, drug, or other as follows:

- violent offenses – include murder, nonnegligent manslaughter, rape, robbery, aggravated assault, and other assaults;
- property offenses – include burglary, larceny and theft, motor vehicle theft, forgery and counterfeiting, fraud, embezzlement, stolen property, and vandalism;
- drug offenses – include drug sale, manufacturing, and possession; and
- other offenses – include arson, weapons carrying and possession, prostitution and commercial vice, gambling, offenses against children, vagrancy, sex offenses other than prostitution and rape, driving while intoxicated, liquor law violations, drunkenness, and all other offenses not mentioned previously, except traffic.

### BEDS AVAILABLE FOR PERMANENT ASSIGNMENT

Beds available for permanent assignment represent juvenile state residential capacity, excluding beds set aside for temporary assignment such as those reserved for security, medical, and other purposes.

### INTERNAL OPERATING CAPACITY

Internal operating capacity is the total number of permanent assignment beds available to house individuals after considering the capacity adjustment.

### OPERATING ADJUSTMENTS

Operating adjustments represent the percentage of the unit capacity that correctional institution division administrators leave unfilled to accommodate logistical and safety issues and to separate individuals by custody, type, gender, and those in transit status.

### OPERATING CAPACITY

Operating capacity is the maximum number of beds available for permanent assignment.

### POPULATION ESTIMATE

The Texas State Data Center produces the state general population estimate by reconciling the actual births, deaths, and migrations for the year in question. At the time of this report, the latest estimates were produced in October 2019 and include estimated populations for the calendar years before 2019.

### POPULATION PROJECTION

The Texas State Data Center produces state general population projections. At the time of this report, the latest projections were generated in July 2019 and include projected populations for calendar years through 2050.

### UNIT CAPACITY

Unit capacity is determined based on standards related to density and support functions. It is the sum of all beds within a unit and includes beds available for permanent and temporary assignment.

## **CRIMINAL JUSTICE SYSTEM TERMS**

### **COMMUNITY SUPERVISION AND CORRECTIONS DEPARTMENTS**

Community supervision and corrections departments (CSCD) supervise individuals that are sentenced to community supervision by local courts and those that receive community supervision in another county or state. Some individuals are confined temporarily in residential facilities. Others are not confined but must report to their community supervision officers at intervals determined by the courts and based on the individual's risk and needs assessment and supervision plan.

### **DISCRETIONARY MANDATORY SUPERVISION**

Discretionary mandatory supervision (DMS) is the current form of mandatory release and requires approval by the Board of Pardons and Paroles (BPP) for release of eligible individuals. DMS requires a parole panel's vote to release the incarcerated individual and affects those individuals that have been denied parole and received a BPP decision to serve the remainder of their sentences. Individuals committing nonviolent offenses on or after September 1, 1996, are eligible for DMS consideration after actual time served plus time credited for good behavior equals their length of sentence.

### **MANDATORY SUPERVISION**

Mandatory supervision (MS) is an automatic release when time served plus time credited for good behavior equals the sentence length, with no requirement for release approval from the Board of Pardons and Paroles. MS was abolished in August 1996 and replaced with discretionary mandatory supervision; however, some individuals that entered prisons before that time are eligible for MS release.

### **PAROLE SUPERVISION**

Parole is the conditional release of an individual from a prison, after Board of Pardons and Paroles (BPP) approval, to serve the remainder of the sentence under supervision in the community. The percentage of a sentence that must be served before being eligible for parole consideration varies according to the offense and offense date. The date on which an individual is eligible for parole consideration is calculated by the Texas Department of Criminal Justice. In most cases, approval by two of the three members of a parole panel is sufficient; however, in some cases two-thirds of the members of the BPP must approve for parole to be granted.

### **SHOCK PROBATION**

Also known as Shock Incarceration. At a judge's discretion, an individual who meets specific requirements and who has been sentenced to incarceration in a county jail or in a Texas Department of Criminal Justice prison may receive this type of modified sentence. Shock probation authorizes a judge to maintain jurisdiction over a defendant's case for a period of up to 180 days after incarceration begins. At any time during this period, a defendant may be returned to court and sentenced to community supervision. See the Texas Code of Criminal Procedure, Articles 42A.201 (misdemeanor offenses) and 42A.202 (felony offenses, excluding state jail felonies).

### **TEXAS DEPARTMENT OF CRIMINAL JUSTICE**

The Texas Department of Criminal Justice is charged with the care and custody of individuals sentenced to a term of incarceration within a state correctional institution (i.e., prison, state jail, or substance abuse felony punishment facility); providing funding and certain oversight to local community supervision and corrections departments; and responsible for supervising individuals placed under parole supervision (i.e., released from prison as a result of a BPP decision, through interstate compact, and those whose supervision was transferred from the juvenile justice system).

## JUVENILE JUSTICE SYSTEM TERMS

### **ADJUDICATED PROBATION**

Adjudicated probation is a type of community-based supervision and is one of the three types of juvenile probation department supervision defined in the Texas Family Code. To place a juvenile on this type of supervision, a judge must first determine during an adjudication hearing that the juvenile committed the petitioned offense(s). During a disposition hearing, the judge then specifies the supervision length of probation and the conditions of supervision. The judge may place the juvenile on probation at home or in a secure or nonsecure residential facility. As part of this supervision, the juvenile is required to follow certain requirements (e.g., meet with the probation officer regularly or be at home by a certain time), participate in programs (e.g., mentoring, drug treatment, or counseling), and/or fulfill obligations (e.g., complete community service restitution, pay a fine, or have the family pay a fine). If the judge determines that a juvenile violated the conditions of probation, the judge may modify the probation terms (e.g., extend the length of probation or increase requirements) or, if the juvenile is eligible, revoke probation and commit the juvenile to the custody of the Texas Juvenile Justice Department. For more information, see the Texas Family Code, Section 54.04.

### **CONDITIONAL PREDISPOSITION**

Conditional predisposition is a type of community-based supervision and is one of the three types of juvenile probation department supervision defined in the Texas Family Code. As of October 1, 2013, the Texas Juvenile Justice Department changed the description of this supervision from conditional release from detention to conditional predisposition supervision.

### **DEFERRED PROSECUTION**

Deferred prosecution is one of the three types of juvenile probation department supervision defined in the Texas Family Code. Under this type of supervision, juveniles may avoid adjudication by successfully completing a community-based supervision program called deferred prosecution. This supervision type typically is reserved for juveniles that have less severe offense histories. Participation requires consent from the juvenile and the juvenile's family. At any time during supervision, the juvenile and the family may terminate the supervision and request an adjudication hearing. Supervision may last up to six months unless extended by the judge for up to another six months. Similar to adjudicated

probation, deferred prosecution includes supervision conditions. If the juvenile violates any of the conditions during the supervision period, the department may request formal adjudication of the case. If a juvenile successfully completes deferred prosecution, the juvenile must be released from supervision, and any filed petition for the case should be dismissed. For more information, see the Texas Family Code, Section 53.03.

### **DETERMINATE SENTENCE**

A determinate sentence is a commitment to the state for a specified period of time that is set by the juvenile court. The sentence length can last up to 40 years. Individuals who have not completed a sentence by age 19 are transferred to the adult criminal justice system to complete the sentence. Offenses eligible for determinate sentencing are specified in the Texas Family Code, Section 53.045.

### **INDETERMINATE SENTENCE**

An indeterminate sentence is a commitment to the state for an unspecified period of time until the individual turns age 19. The Texas Juvenile Justice Department has sole discretion to determine the commitment period.

### **TEXAS JUVENILE JUSTICE DEPARTMENT**

The Texas Juvenile Justice Department (TJJD) oversees state residential facilities, halfway houses, contract residential placements, and parole supervision. It also provides funding and oversight of local juvenile probation departments' supervision of juveniles. To be committed to TJJD residential facilities, a juvenile must have committed a felony offense. TJJD jurisdiction ends when the individual turns age 19.



# APPENDIX A – ADULT CORRECTIONAL POPULATION PROJECTIONS METHODOLOGY AND ASSUMPTIONS

## ADULT CORRECTIONAL POPULATION PROJECTIONS METHODOLOGY AT A GLANCE

Adult correctional population projections are based on a discrete event simulation modeling approach resulting from the movement of an individual into, through, and out of the adult criminal justice system. Discrete event simulation focuses on the modeling of a system as it evolves as a dynamic process. Both active adult parole and Texas Department of Criminal Justice (TDCJ) incarceration population projections are generated through the simulation of an individual’s movement through the system based on offense type, sentence length, and time credited to current sentence. The adult felony direct community supervision population projection also is based on the discrete event simulation modeling approach. An individual’s movement through the system is based on characteristics such as offense type, probation length, and time credited to current probation length. Misdemeanor placements are projected using a different method. More information about this method can be found in the Adult Misdemeanor Community Supervision Placements Projection section.

## FACTORS AFFECTING ADULT CORRECTIONAL POPULATION PROJECTIONS

The following criminal justice trends have been considered when generating the projections. Adjustments to the projection may become necessary if major shifts occur from the latest trends in the areas discussed.

### TEXAS ADULT POPULATION

From calendar years 2014 to 2018, the state’s adult population of individuals age 17 or older increased 7.7 percent, from 20,201,787 to 21,764,936, as estimated by the Texas Demographic Center. This agency projects that the adult population will increase 9.5 percent, from 22,579,122 to 24,721,833, from calendar years 2020 to 2025.

The Texas Demographic Center estimates that the adult population most at risk of involvement in the criminal justice system, adults ages 17 to 34, also increased from calendar years 2014 to 2018. However, at 6.4 percent, the increase in this population from 7,026,088 to 7,475,457 adults was slightly less than the increase in the adult population overall. The agency projects that the adult at-risk population will increase 7.8 percent, from 7,729,285 to 8,332,111, from calendar years 2020 to 2025.

**FIGURE 23**  
PROJECTED TEXAS DEPARTMENT OF CRIMINAL JUSTICE  
END-OF-MONTH INCARCERATION POPULATION COUNTS  
FISCAL YEARS 2021 TO 2022

2021	POPULATION	2022	POPULATION
September 2020	142,185	September 2021	143,929
October 2020	142,824	October 2021	143,768
November 2020	143,307	November 2021	143,772
December 2020	143,938	December 2021	143,654
January 2021	144,528	January 2022	143,511
February 2021	144,528	February 2022	143,333
March 2021	144,522	March 2022	143,417
April 2021	144,498	April 2022	143,356
May 2021	144,401	May 2022	143,218
June 2021	144,254	June 2022	143,251
July 2021	144,247	July 2022	143,126
August 2021	143,957	August 2022	143,263
<b>Average</b>	<b>143,932</b>	<b>Average</b>	<b>143,467</b>

SOURCES: Legislative Budget Board; Texas Department of Criminal Justice.

### TEXAS ADULT ARRESTS

The number of adult arrests gauges the pressure on the criminal justice system. Total adult arrests decreased from 804,865 to 685,572, or 14.8 percent, from fiscal years 2015 to 2019. During that period, adult arrests decreased 5.9 percent for violent offenses, 32.4 percent for property offenses, and 17.8 percent for other offenses. Arrests for drug offenses increased 5.2 percent during that period. From fiscal years 2017 to 2018, total arrests decreased 9.2 percent, violent arrests decreased 11.7 percent, property offenses decreased 4.9 percent, drug offenses decreased 7.7 percent, and other offenses decreased 10.0 percent. The adult arrest data are compiled from the Department of Public Safety website and were extracted March 4, 2020.

### ADULT INCARCERATION PROJECTIONS

The TDCJ incarceration population consists of the prison, state jail, and substance abuse felony punishment facility populations. **Figure 23** shows the projected end-of-month incarceration population counts from fiscal years 2021 to 2022.

**ADMISSIONS**

Figure 24 shows that TDCJ’s annual admissions have decreased 9.3 percent from fiscal years 2015 to 2019. The number of admissions from fiscal years 2020 to 2025 is expected to fluctuate but decrease slightly overall, similarly to historical trends.

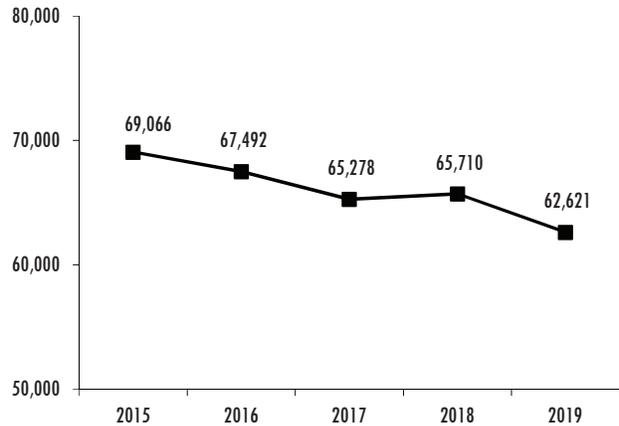
Admissions to prisons decreased 3.2 percent from fiscal years 2018 to 2019. Admissions to substance abuse felony punishment facilities (SAFPF) decreased 1.4 percent from fiscal years 2018 to 2019. From fiscal years 2015 to 2019, admissions decreased 2.2 percent. Individuals typically participate in a six-month program, but those with more complex needs may require a nine-month program. State jail admissions have decreased 18.9 percent from fiscal years 2015 to 2019. Admissions decreased 9.6 percent from fiscal years 2018 to 2019.

**LENGTH OF STAY**

Longer incarceration stays can increase the population by slowing releases, and shorter lengths of stay can decrease the population by expediting releases. The adult incarceration population’s length of stay in TDCJ is driven primarily by sentence length, time served before TDCJ incarceration, the minimum length of stay required by statute, time credits for good behavior, and release decisions by the Board of Pardons and Paroles (BPP). The projection model simulates an individual’s movement through TDCJ based on these and other factors. The model projects length of stay for newly admitted individuals and those incarcerated at the end of fiscal year 2019, the most recent sample available. The projections are for time served in TDCJ; therefore, the analysis does not include prior time served in county jails for sentences before being received by TDCJ.

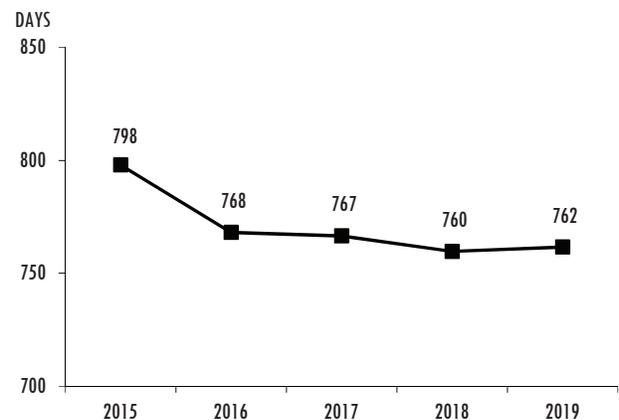
Among adults released from all correctional institutions, the average length of stay in TDCJ remained stable, as shown in Figure 25. The average length of stay for adults released from prisons decreased by 1.8 percent, from 1,091 days during fiscal year 2018 to 1,071 days during fiscal year 2019. The average length of stay for adults released from SAFPFs has remained stable at 204 days during fiscal year 2019 from 211 days during fiscal years 2017 and 2018. The average length of stay for adults released from state jails has remained stable at 171 days during fiscal year 2019 from 166 days during fiscal years 2017 and 2018.

**FIGURE 24**  
**TEXAS DEPARTMENT OF CRIMINAL JUSTICE**  
**INCARCERATION ADMISSIONS**  
**FISCAL YEARS 2015 TO 2019**



SOURCES: Legislative Budget Board; Texas Department of Criminal Justice.

**FIGURE 25**  
**AVERAGE LENGTH OF STAY IN TEXAS DEPARTMENT OF**  
**CRIMINAL JUSTICE OF ALL RELEASES**  
**FISCAL YEARS 2015 TO 2019**



SOURCES: Legislative Budget Board; Texas Department of Criminal Justice.

### ACTIVE ADULT PAROLE SUPERVISION POPULATION PROJECTION

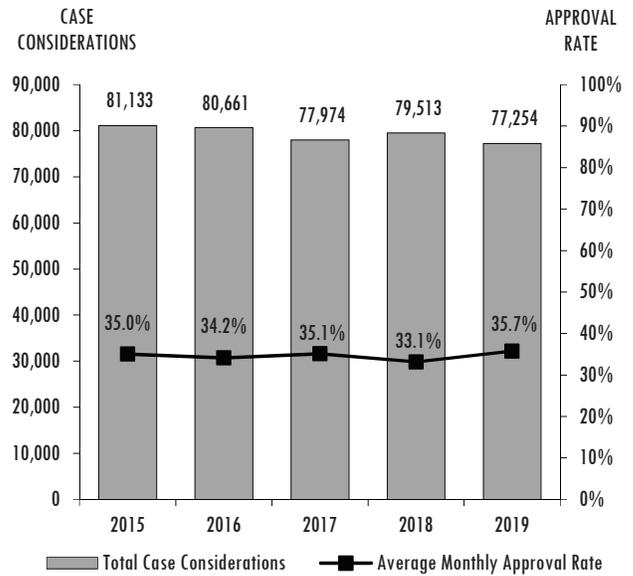
BPP considers and approves individuals for release onto parole supervision through a parole or discretionary mandatory supervision (DMS) process. Statutory requirements determine an individual’s eligibility for parole or DMS, and these requirements commonly are based on offense dates and offense committed. Individuals typically are eligible for parole release before DMS release. Parole is discretionary and always requires a decision from the parole panel. However, in accordance with state law in effect until August 31, 1996, release to mandatory supervision was automatic. If an incarcerated individual is serving time for an offense committed before that date and is eligible for mandatory supervision, the individual must be released on the date at which the sum of calendar time and time credited for good behavior equals the sentence length. Therefore, a relatively small number of individuals that committed offenses before September 1, 1996, automatically are placed onto parole supervision through a mandatory supervision release process. For offenses committed on or after September 1, 1996, the BPP may review scheduled mandatory supervision releases by case.

### PLACEMENTS

Individuals placed on parole include those released from prisons following an approval from the BPP, those released from prisons through the mandatory supervision release process, those serving a term of parole supervision in Texas for an offense committed in another state, and those whose supervision was transferred from the juvenile justice system.

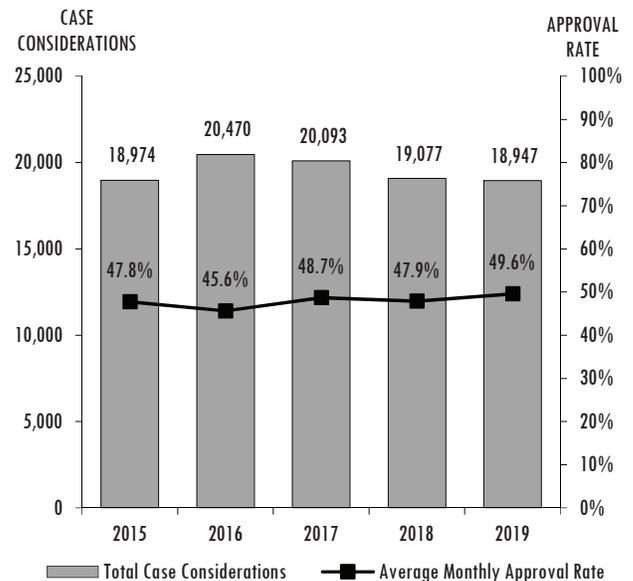
From fiscal years 2015 to 2019, changes in the number of parole placements, similarly to admissions to prisons, have varied. During this period, the number of cases eligible for parole consideration fluctuated, decreasing overall during fiscal year 2019. The average monthly parole approval rates fluctuated but increased slightly during fiscal year 2019. The change in average monthly DMS approval rates also varied from fiscal years 2015 to 2019 but remained stable overall. During this period, the case considerations increased until fiscal year 2016 and then decreased each subsequent year. Approvals decrease the number of cases left to be considered for DMS because individuals typically are eligible for parole consideration before DMS. As shown in **Figures 26** and **27**, total case considerations and approval rates have fluctuated but remain relatively stable. **Figure 28** shows placement trends from fiscal years 2015 to 2019.

**FIGURE 26**  
PAROLE CASE CONSIDERATIONS AND APPROVAL RATE  
FISCAL YEARS 2015 TO 2019



SOURCES: Legislative Budget Board; Texas Department of Criminal Justice.

**FIGURE 27**  
DISCRETIONARY MANDATORY SUPERVISION CASE CONSIDERATIONS AND APPROVAL RATE  
FISCAL YEARS 2015 TO 2019



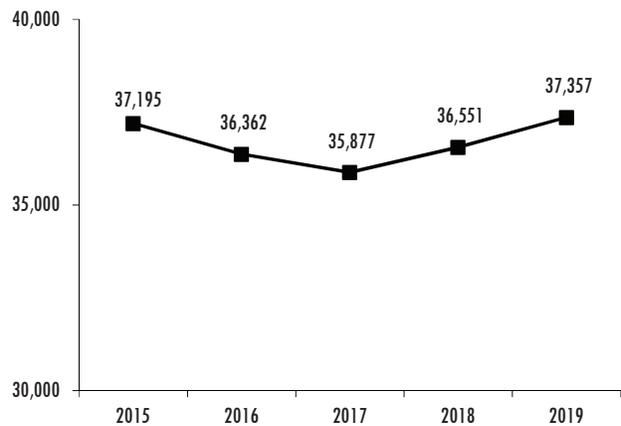
SOURCES: Legislative Budget Board; Texas Department of Criminal Justice.

**LENGTH OF SUPERVISION**

Parole length of supervision is driven primarily by the individual’s sentence length, compliance with supervision conditions, and the BPP’s parole revocation practices. The projection model simulates an individual’s movement through parole based on these and other factors. The model projects length of supervision for newly admitted individuals and those on parole at the end of fiscal year 2019, the most recent sample available.

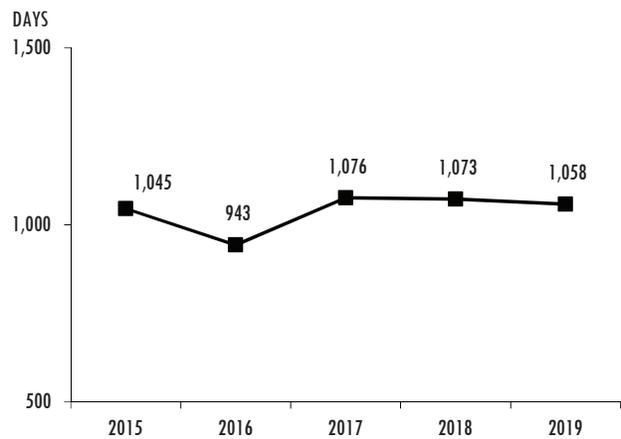
From fiscal years 2015 to 2019, the average length of supervision for individuals that were removed from parole supervision has remained stable overall. During this period, supervision length averaged 1,039 days and increased 1.2 percent. **Figure 29** shows the trend in supervision length from fiscal years 2015 to 2019.

**FIGURE 28  
PAROLE PLACEMENTS, FISCAL YEARS 2015 TO 2019**



SOURCES: Legislative Budget Board; Texas Department of Criminal Justice.

**FIGURE 29  
PAROLEES’ AVERAGE LENGTH OF SUPERVISION  
FISCAL YEARS 2015 TO 2019**



SOURCES: Legislative Budget Board; Texas Department of Criminal Justice.

### ADULT FELONY DIRECT COMMUNITY SUPERVISION POPULATION PROJECTION

Individuals that work or reside in the jurisdiction in which they are supervised and receive at least one in-person contact with a community supervision officer every three months are considered under direct supervision. Indirect supervision can include individuals that have absconded, receive supervision in other jurisdictions, or submit reports but are ineligible for supervision in another jurisdiction. Total felony community supervision includes indirect and direct supervisions. Currently, only direct supervision is funded, and only the direct felony supervision population is projected.

#### PLACEMENTS

Total placements include direct and indirect placements. For fiscal year 2019, total felony community supervision placements increased 1.8 percent and total felony community supervision terminations decreased 1.2 percent. Placements onto direct felony community supervision increased 0.9 percent from fiscal years 2018 to 2019. However, from fiscal years 2017 to 2019, direct felony community supervision placements decreased 6.5 percent.

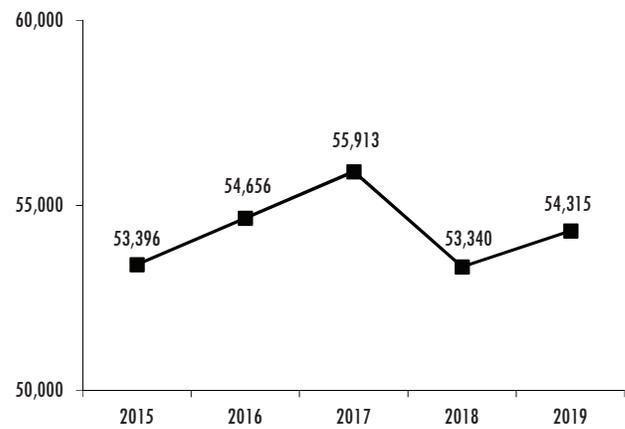
Pretrial programs can be operated by community supervision and corrections departments (CSCD) or by district or county attorneys' offices. The average monthly population and total placements onto felony pretrial diversion programs operated by CSCDs have increased in recent years. Although Legislative Budget Board staff are not able to quantify the number of individuals within programs operated by attorney's offices, the statewide monthly average felony pretrial diversion population monitored by CSCDs increased 21.0 percent from fiscal years 2018 to 2019 and has increased annually since fiscal year 2008.

**Figure 30** shows total felony community supervision placement trends from fiscal years 2015 to 2019.

#### LENGTH OF SUPERVISION

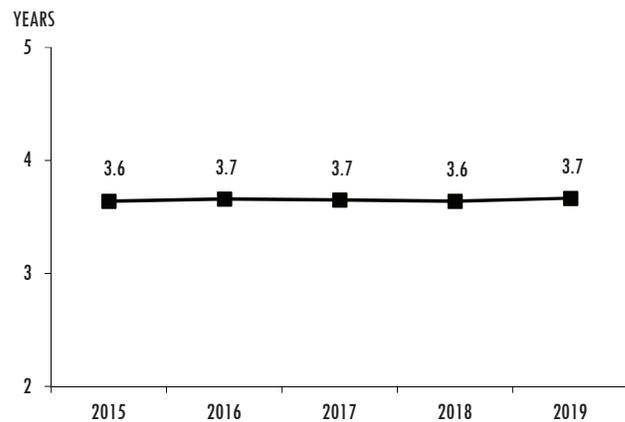
The length of community supervision is driven primarily by the individual's probation length, compliance with supervision conditions, and community supervision revocation practices in local judicial districts. The projection model simulates an individual's movement through community supervision based on these and other factors. The average length of supervision for individuals that were terminated from direct felony community supervision during fiscal year 2019 was 3.5 years. The average length of supervision for total felony community supervision

**FIGURE 30**  
FELONY COMMUNITY SUPERVISION PLACEMENTS  
FISCAL YEARS 2015 TO 2019



SOURCES: Legislative Budget Board; Texas Department of Criminal Justice.

**FIGURE 31**  
AVERAGE LENGTH OF SUPERVISION OF FELONY  
COMMUNITY SUPERVISION, FISCAL YEARS 2015 TO 2019



SOURCES: Legislative Budget Board; Texas Department of Criminal Justice.

terminations for fiscal year 2019 was 3.7 years, which is comparable to the lengths observed during recent fiscal years. **Figure 31** shows lengths of felony community supervision for all terminations from fiscal years 2015 to 2019.

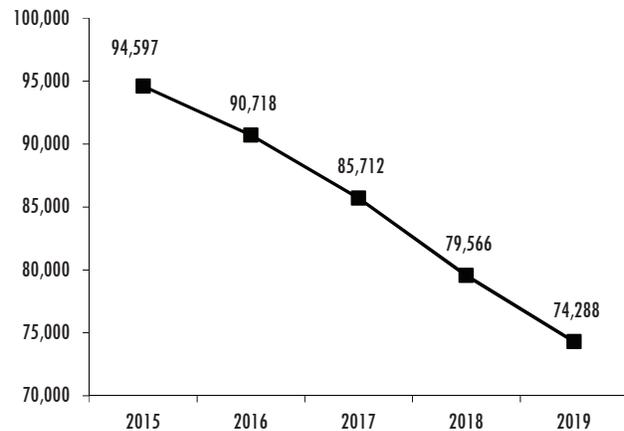
### ADULT MISDEMEANOR COMMUNITY SUPERVISION PLACEMENTS PROJECTION

The adult misdemeanor community supervision placements projection is based on an autoregressive integrated moving average (ARIMA) model that incorporates historical time series data. Autoregressive models use past values to forecast future values. Moving averages are averages calculated across successive time intervals. The LBB based its projection on annual placements observed from fiscal years 2004 to 2019, which utilize the most recent, complete fiscal year’s data available and data from previous fiscal years to include past trends that may influence subsequent data.

#### PLACEMENTS

From fiscal years 2004 to 2019, misdemeanor community supervision placements decreased at various rates. During that period, placements decreased from 118,867 to 74,288, or 37.5 percent. Although placements increased slightly by 0.8 percent from fiscal years 2012 to 2013, the downward trend has continued since then through fiscal year 2018. Placements decreased 6.6 percent from fiscal years 2018 to 2019. This projection assumes an average annual decrease of 5.7 percent during the projection period. This rate is similar to the average annual rate of decrease from fiscal years 2015 to 2019, shown in **Figure 32**.

**FIGURE 32**  
**MISDEMEANOR COMMUNITY SUPERVISION PLACEMENTS**  
**FISCAL YEARS 2015 TO 2019**



NOTE: Misdemeanor community supervision placement data include deferred adjudication and adjudicated probation placements, and placements resulting from completion of shock probation.  
 SOURCES: Legislative Budget Board; Texas Department of Criminal Justice.

# APPENDIX B – JUVENILE CORRECTIONAL POPULATION PROJECTIONS METHODOLOGY AND ASSUMPTIONS

## JUVENILE CORRECTIONAL POPULATION PROJECTIONS METHODOLOGY AT A GLANCE

Projections for the juvenile state residential, parole, and probation supervision populations are based on individual-level data provided by the Texas Juvenile Justice Department (TJJD). The projection model is based on movement of individual juveniles into, through, and out of the juvenile justice system. The projection model simulates juvenile movement through TJJD’s state residential programs based on length of stay. The model simulates movement through TJJD’s parole system and juvenile probation supervision based on length of supervision. Length of stay and length of supervision are based on factors that multivariate regression modeling shows to be statistically significant predictors.

## FACTORS AFFECTING JUVENILE CORRECTIONAL POPULATION PROJECTIONS

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

### TEXAS JUVENILE POPULATION

From calendar years 2014 to 2018, the juvenile population ages 10 to 16 in Texas increased 1.6 percent, from 2,826,393 to 2,872,845, as estimated by the Texas Demographic Center. This agency projects this population will increase 2.5 percent, from 2,924,899 to 2,997,914, from calendar years 2020 to 2025.

### JUVENILE STATE RESIDENTIAL POPULATION PROJECTION

The state residential population is projected to decrease an average of 2.7 percent annually from fiscal years 2020 to 2025 due to a diversion of juveniles through the regional diversion alternatives (RDA) program that continues to remain substantially higher than the number it was intended to divert when the legislation was passed, offset in part by a continued increase in violent felony referrals.

### MONTHLY POPULATION PROJECTIONS

Figure 33 shows the projected average daily state residential population for each month during fiscal years 2021 and 2022.

**FIGURE 33**  
PROJECTED TEXAS JUVENILE JUSTICE DEPARTMENT STATE AVERAGE DAILY RESIDENTIAL POPULATION FISCAL YEARS 2021 TO 2022

2021	POPULATION	2022	POPULATION
September 2020	983	September 2021	1,027
October 2020	990	October 2021	1,017
November 2020	1,000	November 2021	1,008
December 2020	996	December 2021	986
January 2021	993	January 2022	973
February 2021	984	February 2022	969
March 2021	988	March 2022	965
April 2021	1,002	April 2022	969
May 2021	1,020	May 2022	974
June 2021	1,027	June 2022	987
July 2021	1,027	July 2022	983
August 2021	1,022	August 2022	980
<b>Average</b>	<b>1,003</b>	<b>Average</b>	<b>987</b>

SOURCES: Legislative Budget Board; Texas Juvenile Justice Department.

### ADMISSIONS

Admissions to state residential facilities decreased each year from fiscal years 2008 to 2014 by an average of 12.4 percent, then increased during fiscal year 2015 by 4.8 percent. Admissions decreased modestly during fiscal years 2016 and 2017, by 2.8 percent and 1.9 percent, respectively, and then decreased substantially by 9.4 percent during fiscal year 2018 and by a smaller decrease of 4.9 percent during fiscal year 2019. The recent decreases were due in part to TJJD substantially exceeding the target of diverting 150 juveniles from commitment through the RDA program. In accordance with this program, TJJD diverted 261 juveniles during fiscal year 2018 and 266 juveniles during fiscal year 2019. Figure 34 shows juvenile admissions to state residential facilities from fiscal years 2015 to 2019.

The continued increase in referrals for violent felony offenses to juvenile probation departments is expected to offset some

of the effects of the RDA program. Violent felonies include offenses such as homicide, sexual assault, robbery, and aggravated assault, among others. Referrals for violent felony offenses decreased each year from fiscal years 2005 to 2014, but increased during fiscal year 2015 by 8.4 percent. From fiscal years 2015 to 2019, referrals for violent felonies increased by an average of 3.3 percent.

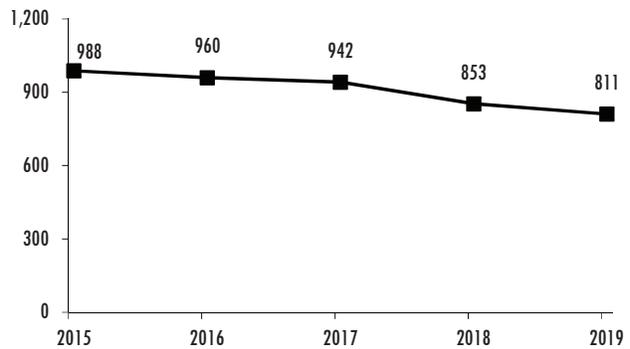
The number of state residential admissions is projected to decrease from fiscal years 2020 to 2025. For this projection, it is assumed TJJD will receive an average of 716 state residential admissions per year for fiscal years 2020 to 2025.

**LENGTH OF STAY**

Projected releases are guided primarily by minimum length of stay, maximum length of stay considering each juvenile’s age, and release approval decisions. Factors that multivariate regression modeling show to be statistically significant predictors of length of stay include age at intake, offense severity, mental health needs, and substance abuse, among others. The regression model is based on juveniles released from TJJD state residential facilities during fiscal year 2019.

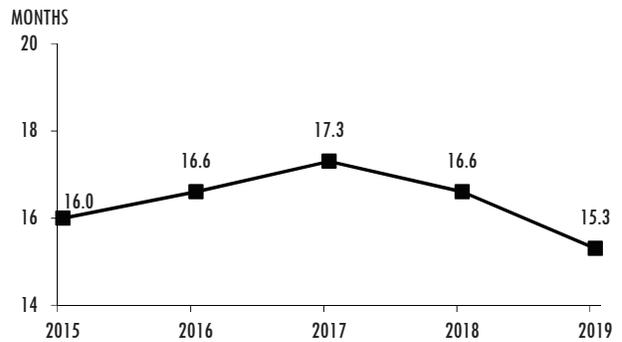
Figure 35 shows the average length of stay of juveniles exiting TJJD facilities fluctuated from fiscal years 2015 to 2019, reaching a high of 17.3 months during fiscal year 2017, a low of 15.3 months during fiscal year 2019, and averaging 16.4 months during that period. During the projection period, the average length of stay is expected to increase slightly from the fiscal year 2019 level and average 15.7 months but remain below the fiscal year 2017 high.

**FIGURE 34**  
**JUVENILE STATE RESIDENTIAL ADMISSIONS**  
**FISCAL YEARS 2015 TO 2019**



SOURCES: Legislative Budget Board; Texas Juvenile Justice Department.

**FIGURE 35**  
**AVERAGE LENGTH OF STAY OF TEXAS JUVENILE JUSTICE**  
**DEPARTMENT RESIDENTIAL RELEASES**  
**FISCAL YEARS 2015 TO 2019**



SOURCES: Legislative Budget Board; Texas Juvenile Justice Department.

**JUVENILE PAROLE POPULATION PROJECTION**

Most juveniles admitted to parole supervision initially are assigned to an intensive level of supervision. Juveniles who have earned parole credit in other programs can be assigned to moderate supervision or minimum supervision levels. Supervision is a verification of the juvenile’s location, daily schedule, and required activities. While juveniles are on parole, the level of supervision is reduced based on a youth’s risk to reoffend and demonstrated compliance with their individualized case plan.

Discharge from parole for juveniles typically depends on completing program objectives. The parole supervision population is projected to increase a total of 9.8 percent during the projection period and finish fiscal year 2025 with an average daily population of 396.

**ADMISSIONS**

As shown in **Figure 36**, parole admissions decreased from fiscal years 2015 to 2016 but have increased during each of the past three years.

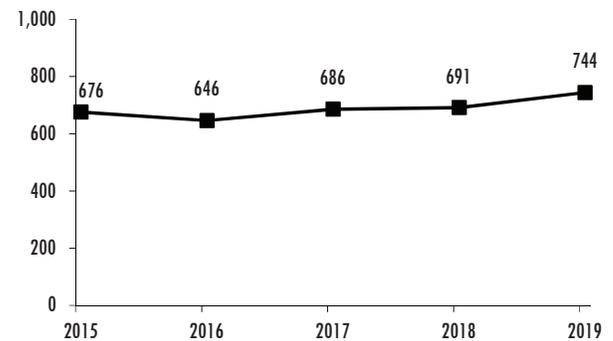
From fiscal years 2016 to 2019, on average, 69.1 percent of all juveniles released from state residential facilities were admitted to parole supervision. Assuming a similar proportion are admitted to parole during subsequent fiscal years, it is likely the number of juveniles released from these facilities and admitted to parole supervision will increase. For this projection, it is assumed there will be an average of 728 admissions per year to juvenile parole for fiscal years 2020 to 2025.

**LENGTH OF SUPERVISION**

The projection model simulates movement through juvenile parole supervision based on length of supervision. Factors that multivariate regression modeling show to be statistically significant predictors of length of supervision include the juvenile’s age when starting parole, treatment needs, and offense for which the juvenile was committed, among others. The regression model is based on juveniles released from parole during fiscal year 2019.

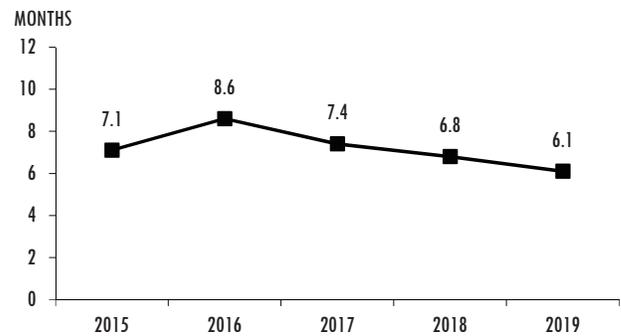
**Figure 37** shows the average length of supervision for juveniles released from parole supervision decreased from fiscal years 2016 to 2019. The model indicates the average length of supervision is expected to increase slightly to an average of 6.3 months for the projection period.

**FIGURE 36  
JUVENILE PAROLE ADMISSIONS  
FISCAL YEARS 2015 TO 2019**



SOURCES: Legislative Budget Board; Texas Juvenile Justice Department.

**FIGURE 37  
AVERAGE LENGTH OF SUPERVISION OF JUVENILE PAROLE  
RELEASES, FISCAL YEARS 2015 TO 2019**



SOURCES: Legislative Budget Board; Texas Juvenile Justice Department.

### JUVENILE PROBATION SUPERVISION POPULATION PROJECTION

The total supervision average daily population is projected to be stable during the projection period, increasing an average of 0.6 percent per year. During the projection period, deferred prosecution is expected to increase an average of 3.0 percent per year, adjudicated probation is projected to decrease 1.7 percent per year, and conditional predisposition supervision is expected to increase an average of 2.6 percent per year.

#### ADMISSIONS

Figure 38 shows total annual supervision admissions decreased an average of 5.8 percent per year from fiscal years 2015 to 2017 but increased 1.4 percent during fiscal year 2018 and 1.6 percent during fiscal year 2019. From fiscal years 2015 to 2017, annual admissions to deferred prosecution decreased an average of 8.8 percent but increased an average of 3.4 percent during fiscal years 2018 and 2019. From fiscal years 2015 to 2019, admissions to adjudicated probation decreased an average of 5.3 percent per year. Admissions to conditional predisposition supervision decreased 5.0 percent during fiscal year 2016, but increased 12.9 percent from fiscal years 2016 to 2019.

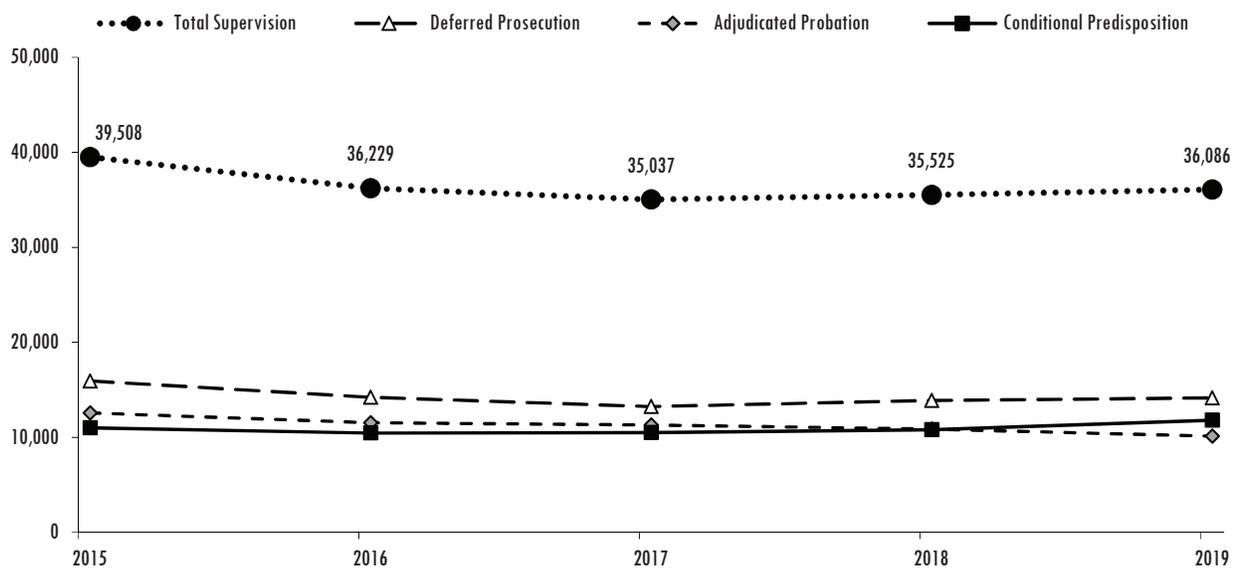
Admissions are projected to increase for deferred prosecution and conditional predisposition and to decrease for adjudicated probation during the projection period.

#### LENGTH OF SUPERVISION

The projection model simulates movement through juvenile probation supervision based on length of supervision. Factors that multivariate regression modeling show to be statistically significant predictors of length of supervision include expected supervision length, gang involvement, mental health needs, and offense history, among others. The regression model was used to analyze the supervision length for juveniles released from supervision during fiscal year 2019.

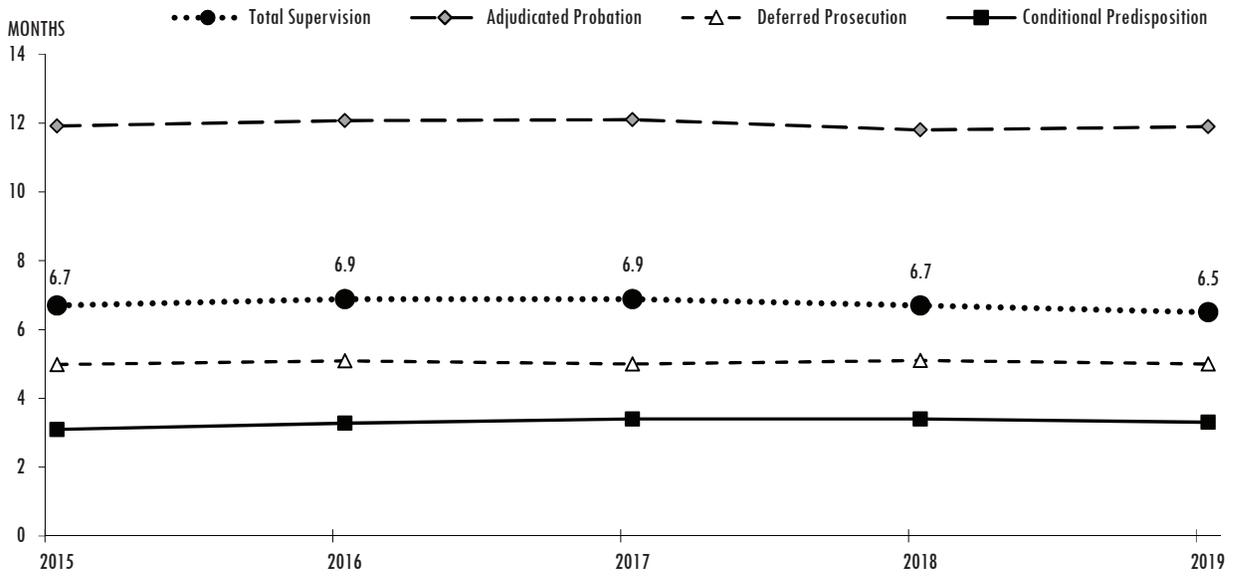
As shown in Figure 39, the length of supervision remained relatively stable from fiscal years 2015 to 2019. Supervision length is projected to remain stable from fiscal years 2020 to 2025. The length of conditional predisposition supervision averaged 3.3 months from fiscal years 2015 to 2019 and is projected to average 3.4 months from fiscal years 2020 to 2025. The length of deferred prosecution averaged 5.0 months during the past five fiscal years and is projected to average 5.1 months from fiscal years 2020 to 2025. The length of adjudicated probation averaged 11.9 months during the past five fiscal years and is projected to average 12.3 months from fiscal years 2020 to 2025.

FIGURE 38  
JUVENILE PROBATION SUPERVISION ADMISSIONS, FISCAL YEARS 2015 TO 2019



SOURCES: Legislative Budget Board; Texas Juvenile Justice Department.

**FIGURE 39**  
**AVERAGE LENGTH OF SUPERVISION FOR JUVENILE PROBATION SUPERVISION RELEASES**  
**FISCAL YEARS 2015 TO 2019**



SOURCES: Legislative Budget Board; Texas Juvenile Justice Department.

