

[2021 Session] Help Kids Be Successful in the Community

Policy Background

On average, over 10,000 young Texans were on probation in 2019. Unfortunately, six of every 10 youth placed on probation following an adjudication in 2015 were rearrested within three years of their supervision starting, and about a quarter of the same youth were reconvicted in the juvenile system or convicted as an adult within the same time period.¹

In part, this may be due to inadequate supports for youth probationers in their communities, or probation being the wrong response to some youths' behavior. Research suggests that youth who pose little risk of reoffending may be harmed, rather than helped, by being placed on probation.

Proposed Solution

This solution is 4-pronged:

1. **Invest in Community Reinvestment Funds with credible messengers.**

Community Reinvestment Funds enable service providers to access resources to meet the individualized needs of kids and families in their area. Individual providers can access funding for treatment and mental health services, after-school programming, employment assistance, etc. – the solutions to address their particular community's unique needs. The establishment of Community Reinvestment Funds will help ensure that young probationers are best able to access supportive programming and find success in the community, while credible messengers (individuals with lived experience) can engage these young probationers in structured, intentional mentoring that can disrupt the spiral of system involvement.²

2. **Cap probation length and conditions, and tailor conditions.** Long and indeterminate probation sentences often lead to further supervision or incarceration because of violations for minor slip-ups, flawed procedures, and disproportionately harsh sentences. Capping probation lengths and conditions would decrease the time spent in the system and make it easier on families, who have to carry the burden when young probationers are under their care. Furthermore, individualizing probation conditions will best address each young

person's unique needs – like trauma, substance use, etc. – and better ensure their success in the community.

3. **Eliminate or limit incarceration for technical violations, especially during the ongoing COVID-19 pandemic.** Efforts should be made to suspend and eliminate requirements that are at odds with public health recommendations, such as unnecessary interactions with probation officers.
4. **End certain mandatory referrals from schools and prioritize restorative strategies.** This will reduce the likelihood of entering the justice system and being placed on probation in the first place.

Relevant Bills

- **Bill Number:** [HB 4371](#) [Allen]
Bill Caption: Relating to juvenile justice reform, including the age of a child at which a juvenile court may exercise jurisdiction over the child and the age of criminal responsibility.
TCJE Materials: [Testimony on omnibus bill](#)

Other Materials

- TCJE's "Spend Your Values, Cut Your Losses" [portfolio](#) and [webpage](#) [Smart and Safe Solution #6].
- TCJE and R Street Op-Ed: [Opinion: Youth probation reform can help Texas teens, save the state money](#) [November 2020]

1 Texas Juvenile Justice Department, [The State of Juvenile Probation Activity in Texas: 2019](#).

2 Ruben Austria and Julie Peterson, "Credible Messenger Mentoring for Justice-Involved Youth," [The Pinkerton Papers](#), January 2017.