

# DALLAS COUNTY JUVENILE JUSTICE CASE DISPOSITION PROCESS EVALUATION



# DALLAS COUNTY COMMISSIONERS COURT<sup>1</sup>

March 2023

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## ABOUT EVIDENT CHANGE

Evident Change promotes just and equitable social systems for individuals, families, and communities through research, public policy, and practice. For more information, call (800) 306-6223 or visit us online at [EvidentChange.org](https://EvidentChange.org) and [@Evident\\_Change](https://twitter.com/Evident_Change) on Twitter.

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# EXECUTIVE SUMMARY

## INTRODUCTION

In examining Dallas County’s rate of time to disposition for juvenile cases, the Office of the Dallas County District Attorney (DA) examined data from the Texas Office of Court Administration and discovered that the time-to-disposition rate for juvenile cases within the county was slower compared with other urban counties across the state. In addition, the rates were much slower than the national standard set by the Model Time Standards established by the Conference of State Court Administrators, Conference of Chief Justices, American Bar Association House of Delegates, and the National Association for Court Management.

Subsequently, the Dallas County DA’s office requested that the Dallas County Commissioner’s Court contract with Evident Change to conduct an evaluation of juvenile justice case processing to include an examination of the barriers and facilitators of disposition rates for the in county.<sup>2</sup> This report provides a summary of the evaluation and corresponding recommendations based on those results.

It is important to note that juvenile justice case processing is anchored within the ecology of local juvenile justice systems. These systems include, but are not limited to, interactions of justice-involved youth with law enforcement, juvenile justice agencies such as local juvenile probation departments, prosecution and defense attorneys, courts, and community-based organizations and service providers.

Subsequently, the first question posed in the process evaluation was aimed at discovering what similarities and differences exist between the Dallas County juvenile case processing system and other urban jurisdictions in Texas. Using a mixed-methods approach, the research team interviewed stakeholders representing the different decision points across the juvenile case processing system (e.g., judges of both the 304th and 305th district courts, prosecuting attorneys from the DA’s office, and administrators from the local juvenile justice department) in Dallas County<sup>3</sup> and similar stakeholders across the juvenile case processing systems in Bexar, El Paso, Hidalgo, and Tarrant counties. The team also reviewed policies, procedures, and guidelines for each jurisdiction.

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<sup>2</sup> Dallas County Briefing Court Order, Commissioners Court—February 15, 2022, retrieved from <https://dallascounty.civicweb.net/document/689471/DA%20-%20FY22%20-%20Evident%20Change%20Contract.pdf?handle=55153EB113E74FDF938B68181FCC0832>

<sup>3</sup> The Dallas County District Clerk’s Office was not included in the interviews conducted for this evaluation.

## FINDINGS FROM STAKEHOLDER INTERVIEWS AND POLICY REVIEWS

The key process decision or intercept points examined were intake (when a youth's case is formalized by the local juvenile probation department), petition decision (when a prosecuting attorney decides to petition a youth's case), formal pre-disposition court hearings (including detention, pretrial adjudication [Dallas and El Paso counties only], and grand jury), and the disposition decision process (pre- and post-adjudication options).

Intake: Dallas County is the only jurisdiction without a dedicated intake unit that handles the formalization of cases for all referred youth. In other words, other jurisdictions use a dedicated team of juvenile probation officers who formalize or begin processing a case when a youth is referred (either by paper referral or in-custody detention) to the juvenile probation department. In Dallas County, there is one person, the DA liaison, who handles all youth from paper referrals and a separate Intake Screening Unit that handles cases for youth who are referred through in-custody detention. In addition, the comparison jurisdictions begin the discovery work (e.g., psychosocial history and risk assessment) at intake and use that process to examine opportunities for diversion from the formal court process.

Petition: The stakeholders interviewed in Dallas County indicated that most youth who are referred to the juvenile justice system in their community receive a formal petition from the DA's office on their case. In the comparison jurisdictions (except in El Paso County), once a petition is filed, a juvenile probation officer—typically the officer assigned to carry the youth's case through to disposition—serves the youth and the family a summons that a petition has been filed. Dallas County currently relies on a county constable (for referred youth who are in the community) and a bailiff (for referred youth who are in detention) to serve the petition summons.

Pre-disposition court hearings: Dallas County stakeholders indicated they believe that all youth who are held in detention receive a formal petition in their case, and they suspected that youth were being held in detention to access assessments, such as psychological evaluations and chemical dependency tests. Whether a youth is in detention or in the community, once a petition is filed, El Paso and Dallas counties are the only jurisdictions that formally hold pretrial hearings (similar to how adult court processes are handled) in preparation for adjudication hearings and disposition decisions. These hearings are held primarily to coordinate the assignment of defense counsel (called an announcement hearing in Dallas County) to the youth and to discuss case processing considerations (e.g., disposition considerations such as psychological assessments or placement decisions) prior to the formal adjudication and disposition hearings. In other jurisdictions, prosecution and defense attorneys meet or coordinate along with the supervising juvenile probation officer informally or outside of the court process.

Dallas County stakeholders identified inefficient processes that result in multiple resetting of these pretrial hearings. Some of these include attorneys' requesting additional assessments or more time to complete evaluations when they disagree with the probation recommendations for disposition, considering discovery

documents related to the case before the court, and waiting on the court order for the development of the pre-disposition report (PDR).<sup>4</sup>

Disposition decision processes: Stakeholders indicated that most of the decisions related to disposition are made within the formal petition and court process. It should be noted that Dallas County is the only jurisdiction to require a court order to initiate the PDR process and that no one interviewed could identify a reason why a court order is required before the PDR process can begin. The PDR (also known as a social history report or psychosocial history) is a report generated by the local juvenile probation department. It includes recommendations or considerations for disposition of a youth's case.

State statute requires that local juvenile probation departments administer a valid risk and needs assessment prior to disposition; for Dallas County, the assessment used is the Positive Achievement Change Tool (PACT). In all comparison jurisdictions, the risk version of the PACT (called the pre-PACT) is administered at intake and is used as a consideration for diversion dispositions for low- to medium-risk youth. In Dallas County, when asked about the use of risk assessment in decision making, stakeholders reported that while the PACT is administered as part of the PDR development, it is not viewed as a reliable assessment and is subsequently not used as a consideration in disposition decisions.

## FINDINGS FROM QUANTITATIVE DATA ANALYTICS

The second set of questions posed in the process evaluation was aimed at (1) testing whether observations shared by Dallas County stakeholders on the barriers to the time-to-disposition process were supported by data; (2) examining the influence of different pathways (e.g., youth in detention at petition compared with youth in the community at petition); (3) examining types of justice system indicators (e.g., youth arrested for felony offenses compared with youth arrested for misdemeanors; youth with high risk of reoffending compared with youth with low risk of reoffending); and (4) examining types of dispositions (e.g., diversion through deferred prosecution compared with adjudication to formal probation) with time-to-disposition rates. Administrative data were collected from the Dallas County Juvenile Department (DCJD) on youth who were referred to the DCJD from January 1, 2018, through July 11, 2022. The data included all demographics, cases or offenses, and disposition decisions for 5, 892 justice-involved youth.

The following is a high-level list of the key findings from the quantitative analytics using DCJD administrative data. (All findings are statistically significant at  $p < .001$  –  $p < .05$ )

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<sup>4</sup> Staff from the Juvenile Department indicated the practice of waiting for a court order from either the 304th or 305th court to begin the PDR was no longer a standard practice at the time of the stakeholder interviews. Rather, they indicated the intent to begin the PDR earlier in the process to address this potential barrier to disposition.

- Most (66%) youth had less than two referrals during the sample period.
- 54% of youth were in detention at the point of prosecutor decision.
- Most youth in detention were referred for a felony offense (52%).
- Most youth in detention were low risk (47%) or medium risk (32%).
- Only 9% of cases reviewed by the DA's office were moved away (dismissed, dropped, non-suited, dismissed, sent to deferred prosecution, or supervisory cautioned) from formal court processes.
- Most youth who were in detention at petition returned to the community for disposition (64%).
- Youth who were in detention at the point of petition were in detention, on average, for over 130 days before disposition.
- Youth who were in the community at the point of petition experienced an average of about 300 days before disposition.
- White youth experienced deferred prosecution and probation dispositions that were about 30 days faster than other youth.<sup>5</sup>

## RECOMMENDATIONS

The results suggest that Dallas County would benefit from developing and integrating an evidence-based decision-making model, approach, or platform to guide decisions across key intercepts or decision points into the local juvenile case processing system. An evidence-based decision-making approach in juvenile justice includes the process of assessing factors related to a youth's risk and needs; incorporating disposition decisions that match youth to appropriate levels of supervision and programming based on needs and ensuring they have access to effective program options; and ongoing assessment of the effectiveness of the overall system within youth- and system-level outcomes (Lipse, et. al., 2017; Vincent et.al, 2021).

The recommendations included in this report are anchored within the context of evidence-based decision making using the risk-needs-responsivity (RNR) model as a design framework. This section includes a high-level summary of the recommendations from this evaluation. For a full description of evidence-based decision making, RNR model, and recommendations, see page 34.

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<sup>5</sup> Due to lack of significant differences between disposition rates between White non-Hispanic and White Hispanic youth as well as their small proportion of the overall population, the White race category encompasses both White non-Hispanic and White Hispanic youth. Eighty-one percent of White youth in the sample identified their ethnicity as Hispanic. Therefore, the comparison group of White youth is a comparison of youth with experiences that should be considered more similar to Hispanic youth than youth who are White non-Hispanic.

- Conduct a systematic examination of the utility, reliability, and validity of the risk and needs assessment used by the DCJD (PACT) in relation to both risk (e.g., predicting youth offending) and needs. Results of the analysis should be considered as a part of the consensus-building process for the disposition matrix development and implementation (see below).
- Convene a community stakeholder meeting to review the results and facilitate consensus planning to address some of the findings.
- Develop a disposition decision matrix to consider and/or address (at a minimum and not limited to) the following questions: How can the number of youths coming into the formal court process in Dallas County be reduced? What assessments (including risk) are critical for inclusion in the disposition matrix? How can conditions of release and deferred prosecution be incorporated into the disposition matrix to divert youth from formal court processing? How could youth and families be engaged earlier in the process?
- Provide training and consultation to local decision makers and stakeholders across key intercepts or decision points on evidence-informed decision making, including RNR models/approaches.
- Assess need and utility for assessments conducted on youth in detention related to case processing and disposition decisions and location.
- Conduct a workload study of staff time across intercepts or decision points on case processing efforts related to disposition.
- Examine programming offered to youth pending disposition and how those services may be considered in disposition decisions. (For example, is time to disposition extended to access services? Can services be offered in lieu of adjudication?)

## CONCLUSION

The results suggest that Dallas County is operating within a juvenile justice processing model like those found in adult criminal justice processing systems. The county's approach is more formal and relies heavily on prosecution and formal pretrial court proceedings, and less on inclusion of informal processes that are more typical in the juvenile justice systems in the comparison counties.

In Dallas County, various factors make the time to disposition for youth longer compared with the comparison jurisdictions. Targeting the development of strategies to divert and dispose cases for youth earlier in the process may not only improve the county's time-to-disposition rate, but also improve outcomes for justice-involved youth overall. By incorporating evidence-based decision making into that process, Dallas County can ensure that local juvenile justice decision makers are applying the extensive body of what works to reduce recidivism and use structured decision-making efforts to improve the equity and efficiency in both access to services and supports and outcomes for justice-involved youth and their families.

# PROJECT OVERVIEW

With the intent of unifying national time standards for court dispositions, in 2011 the Conference of State Court Administrators, Conference of Chief Justices, American Bar Association House of Delegates, and the National Association for Court Management established and approved the Model Time Standards for State Trial Courts. These standards set the national benchmark for the time from the date of petition to the date of disposition for state court systems. Table 1 provides an overview of those standards as they pertain to dispositions in juvenile justice.

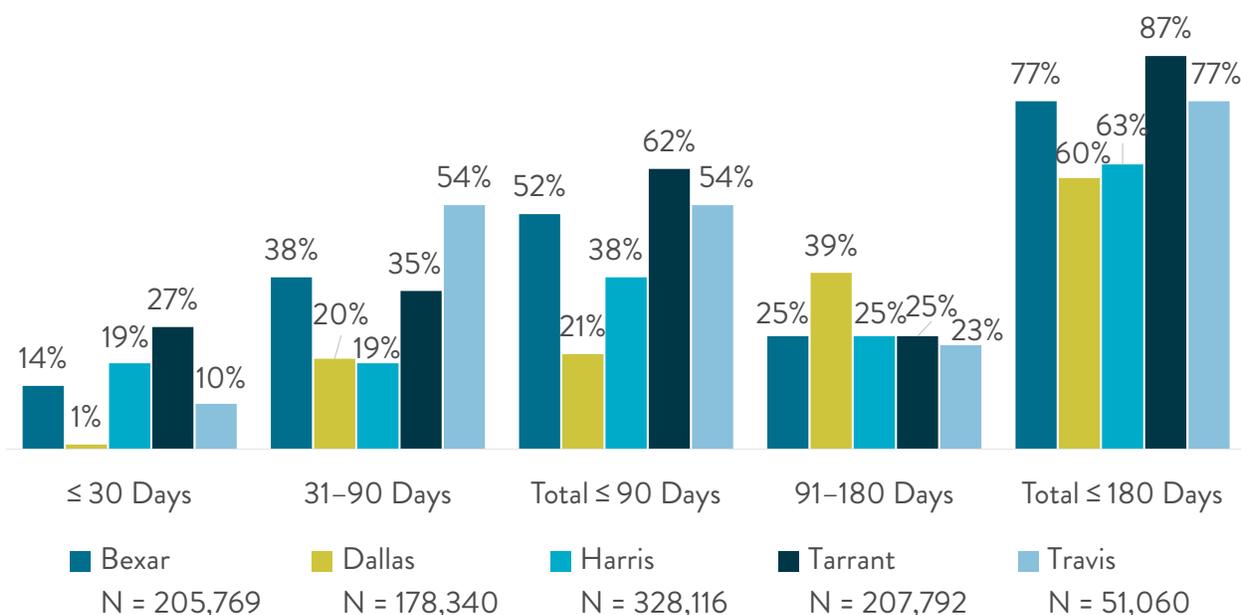
<b>TABLE 1 MODEL TIME STANDARDS FOR JUVENILE CASE DISPOSITIONS.<sup>6</sup></b>		
<b>Standard</b>	<b>Youth in Detention</b>	<b>Youth in Community</b>
75% within	30 days	60 days
90% within	45 days	90 days
98% within	90 days	150 days

Using data from the Texas Office of Court Administration, the Office of the Dallas County District Attorney (DA) sought to compare the time-to-disposition rates of Dallas County with those established by the Model Time Standards. In doing so, the DA's office discovered that the time-to-disposition rate for juvenile cases within the county was slower compared with other urban counties across the state, (e.g., Bexar, Harris, Tarrant, and Travis) and were much slower than those recommended by the Model Time Standards. Figure 1 (Table A2 in Appendix A) provides an overview of those time-to-disposition rates for calendar year 2022.

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<sup>6</sup> National Center for State Courts, Model Time Standards for State Trial Courts, retrieved from [https://www.ncsc.org/\\_data/assets/pdf\\_file/0032/18977/model-time-standards-for-state-trial-courts.pdf](https://www.ncsc.org/_data/assets/pdf_file/0032/18977/model-time-standards-for-state-trial-courts.pdf)

**Figure 1**  
**Time from petition to disposition as reported to the**  
**Texas Office of Court Administration, Calendar Year 2022.<sup>7</sup>**



Note: This figure depicts the original analysis conducted by the Dallas County DA’s office that resulted in the request for the process evaluation by Evident Change. This figure does not include original data collected or analyzed by the Evident Change research team.

To examine the facilitators and barriers of juvenile case disposition rates, and to explore ways to improve juvenile justice processes and procedures, the Dallas County Commissioner’s Court contracted with Evident Change to conduct a mixed-methods process and disposition outcome evaluation of the juvenile justice system in Dallas County.<sup>8</sup> An initial project framing and planning meeting for the evaluation was held March 4, 2022, with leadership and decision makers from the 304th and 305th District Courts, the Dallas County Juvenile Department (DCJD), the DA’s office, and the local juvenile board.

After considering the overall aim of the project and using the results of the initial project framing and planning meeting as a guide, the research team developed an evaluation plan anchored in an ecological cross-

<sup>7</sup> Texas Office of Court Administration, Court Activity Reporting and Directory System, retrieved from <https://card.txcourts.gov/ReportCriteria.aspx?ddlReportName=143&ddlReportType=5022&ddlReportPeriod>

<sup>8</sup> Dallas County Briefing Court Order, Commissioners Court—February 15, 2022, retrieved from <https://dallascounty.civicweb.net/document/689471/DA%20-%20FY22%20-%20Evident%20Change%20Contract.pdf?handle=55153EB113E74FDF938B68181FCC0832>

sectional time series design.<sup>9</sup> The design includes both qualitative and quantitative research strategies and methodologies.

The qualitative data collection was conducted through structured interviews with stakeholders from agencies involved in juvenile case disposition in Dallas County, interviews with key stakeholders in agencies with similar roles in other select juvenile jurisdictions across Texas, and reviews of juvenile justice processing guidelines such as policies, procedures, and administrative reports. The quantitative data collection and analytics was conducted using administrative data gathered from the DCJD and annual reporting by the Texas Juvenile Justice Department (TJJD).

This report begins with an overview of the juvenile justice system in Texas, how it differs from the adult system, and how key components of the juvenile justice system operate. This section helps the reader to develop a baseline understanding of the structure of the juvenile justice system and to frame considerations and findings for the rest of the report.

The next sections summarize the observations and findings from stakeholder interviews and policy reviews from Dallas County and comparison counties, findings from the administrative data collection and analytics from the DCJD, a brief discussion of the themes across both the qualitative and quantitative findings, and recommendations or considerations for the Dallas County juvenile justice community.

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<sup>9</sup> More on ecological research models can be found at [https://sph.unc.edu/wp-content/uploads/sites/112/2015/07/nciph\\_ERIC9.pdf](https://sph.unc.edu/wp-content/uploads/sites/112/2015/07/nciph_ERIC9.pdf)

# OVERVIEW OF THE JUVENILE JUSTICE SYSTEM AND PROCESSES IN TEXAS

## WHO IS A YOUTH INVOLVED WITH THE JUVENILE JUSTICE SYSTEM?

In Texas, a juvenile—the term used to indicate a youth involved with the juvenile justice system—is an individual who was at least 10 years old or up to 17 at the time they are accused of being involved in delinquent conduct or conduct indicating a need for supervision (CINS), resulting in a referral to a local juvenile probation department. Delinquent conduct involves an activity that would be considered a criminal act if engaged in by an individual who is 17 or older. CINS is an act or activity that would result in a fine if committed by an individual who is 17 or older. CINS offenses may include status offenses (offenses that apply only to individuals younger than 17), such as running away or skipping school.<sup>10</sup>

## HOW ARE YOUTH REFERRED TO THE JUVENILE JUSTICE SYSTEM?

The Texas Family Code, which provides guidelines to the state’s juvenile justice system, defines a juvenile justice referral as “the referral of a child or child’s case to the office or official, including intake probation officer, designated by the juvenile board to process children [youth] within the juvenile justice system.”<sup>11</sup> However, while public safety is a focus of the juvenile justice system, the system primarily aims to promote rehabilitation by targeting interventions that provide treatment, training, and support rather than punishment or retribution.

Law enforcement agencies (LEA) are the primary source of referrals to the juvenile justice system. Youth are referred through two primary pathways: (1) a formal in-custody referral in which a youth is arrested, brought into custody, and brought to a juvenile detention center; or (2) a paper referral in which an LEA sends a youth’s offense report (or reports, for referrals with multiple offenses) directly to the local juvenile probation department or the DA’s office for consideration. Paper referrals are “formalized” once the justice-involved youth engages in a face-to-face meeting with a certified probation officer (typically known as an intake officer) to conduct and confirm the formal processing of the referral, assessing probable cause for the

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<sup>10</sup> The Juvenile Justice System in Texas, retrieved from <https://www.tjjd.texas.gov/index.php/juvenile-system#important-definitions>

<sup>11</sup> Texas Family Code, Title 3, Chapter 51.02, retrieved from [https://www.lawserver.com/law/state/texas/tx-codes/texas\\_family\\_code\\_51-02](https://www.lawserver.com/law/state/texas/tx-codes/texas_family_code_51-02)

offense or offenses related to the referral and making procedural decisions and recommendations on how to proceed with the youth’s case.<sup>12</sup>

## DIFFERENCES BETWEEN JUVENILE AND ADULT JUSTICE SYSTEMS

A key difference between the juvenile and adult justice systems is the intended purpose of the systems and their design. The adult system is anchored in the primary focus of providing public safety by deterring and punishing crime or criminal conduct; it is guided by penal codes and criminal statutes that define crimes and offenses and specify appropriate punishments to provide retribution to society for those crimes.<sup>13</sup> On the other hand, statutes guiding the juvenile justice system process are primarily anchored in rehabilitation and treatment and are guided by statutes in the Texas Family Code. Table 2 compares the two systems.

TABLE 2 ADULT & JUVENILE PROCESSES IN TEXAS			
Juvenile	Criteria	Adult	Considerations
Pre-Adjudication Detention	Based primarily on safety criteria and family situation in which the youth: <ul style="list-style-type: none"> <li>• Is likely to abscond;</li> <li>• Lacks adequate supervision or lacks a parent or other person to return the youth to court when required;</li> <li>• Is a danger to themselves;</li> <li>• Is a threat to public safety; and/or</li> <li>• Is likely to commit an offense if released.</li> </ul> Pre-adjudication detention is mandatory for offenses that involve a firearm.	Pretrial jail (Texas Judicial Council, 2016)	<ul style="list-style-type: none"> <li>• Also known as remand</li> <li>• Intended for individuals with certain offenses</li> <li>• Individual is likely not to appear in court or is a flight risk.</li> <li>• Primarily depends on the defendant’s ability to post bail</li> </ul>
Diversion	<ul style="list-style-type: none"> <li>• First Offenders Program (currently at Dallas Police Department)</li> <li>• Supervisory caution (probation intake)</li> <li>• Deferred prosecution (probation or prosecutor—deferral of adjudication)</li> <li>• Deferred prosecution (judicial—deferral of adjudication)</li> <li>• Specialty courts (pre- and post-adjudication)</li> </ul>	Diversion	<ul style="list-style-type: none"> <li>• Pretrial intervention</li> <li>• Specialty courts</li> </ul>

<sup>12</sup> Juvenile Case Management System Basic User’s Guide, retrieved from <https://www.tjtd.texas.gov/index.php/doc-library/send/382-training-materials/1291-jcms-basic-users-guide>

<sup>13</sup> Understanding the Lone Star State’s Criminal Justice System, retrieved from <https://texas.staterecords.org/understandingthelonestarstatescriminal.php>

**TABLE 2  
ADULT & JUVENILE PROCESSES IN TEXAS**

Juvenile	Criteria	Adult	Considerations
Adjudication	<ul style="list-style-type: none"> <li>Typically closed hearings with a focus on rehabilitation</li> <li>Finding of “guilt” in the context of the Texas Family Code (held in a family court)</li> <li>Adjudicated “delinquent”</li> </ul>	Conviction	<ul style="list-style-type: none"> <li>Deferred prosecution</li> <li>Typically, open hearings with a focus on punishment</li> <li>Finding of “guilt” in the context of the Criminal Code</li> </ul>
Disposition	<ul style="list-style-type: none"> <li>Youth’s case is disposed with conditions for rehabilitation.</li> <li>May include residential treatment or other special criteria targeting treatment and services for the youth and/or their families</li> </ul>	Sentence	Individual is found guilty and sentenced to determine punishment.
Expungement or Sealing of Records	In most cases, youth involved with the juvenile court system can have their records sealed or expunged as a course of standard case processing. Juvenile delinquency cases do not and are not intended to translate to adult criminal offense history.	Sealing	May occur only in special cases or with specific agreements with the criminal court

## PRE-ADJUDICATION DECISIONS IN THE JUVENILE JUSTICE SYSTEM

### INTAKE

Intake marks the beginning of disposition decision making in the juvenile justice system. At intake in Texas, a juvenile probation officer (or someone authorized by the juvenile board) will conduct a preliminary investigation to determine whether the individual referred to juvenile court is a child within the meaning of the Texas Family Code and whether there is probable cause to believe the child engaged in delinquent conduct or CINS (typically, status offenses).<sup>14</sup> A juvenile court judge or referee must also make a probable cause finding within 48 hours, including weekends and holidays, of the time the child was taken into custody and held in a juvenile detention facility.<sup>15</sup>

<sup>14</sup> §53.01(a), Texas Family Code

<sup>15</sup> §54.01(o), Texas Family Code

## CONDITIONS OF RELEASE

If a youth is referred to a local juvenile probation department through the formal in-custody pathway (e.g., juvenile detention center) at the time of intake, a probation officer (through approval of the court) may release the youth on court-approved or court-ordered conditions of release. If a youth violates the conditions of release, a probation officer may take that youth into custody for probable cause of the court violation(s).<sup>16</sup> A probation officer is prohibited from releasing a child alleged to have used, possessed, or exhibited a firearm while engaging in delinquent conduct.<sup>17</sup> However, a juvenile court judge, referee, or magistrate may direct an intake officer to release such a child, and the direction can be given by phone.

## DETENTION HEARING

If a probation officer does not release an in-custody referred youth from detention, or if release is not an option because a firearm was used or exhibited when the offense was committed, the Texas Family Code requires that a detention hearing be held in juvenile court. Detention hearings are informal; however, a youth must be represented by counsel. Reasonable notice of the detention hearing, either oral or written, must be given to the youth and the parents, guardian, or custodian if they can be located.<sup>18</sup> A detention hearing may be held without the youth's parents if the court has not been able to locate them. If no parent or guardian is present, the court must appoint a lawyer or guardian ad litem for the justice-involved youth.<sup>19</sup>

## JUVENILE DISPOSITION DECISIONS

Since the juvenile justice system is designed to focus on rehabilitation more so than punishment and retribution, case dispositions within that system look different from the adult system. More specifically, disposition options in the juvenile justice system are designed to move youth and their families toward community-based services and supports or residential treatment instead of punitive, secure, or jail-like settings.

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<sup>16</sup> §52.01(a-6), Texas Family Code

<sup>17</sup> §53.02(f), Texas Family Code

<sup>18</sup> §54.01(b), Texas Family Code

<sup>19</sup> §54.01(d), Texas Family Code

## **SUPERVISORY CAUTION**

Supervisory caution is a pre-adjudication disposition in which the juvenile probation department simply holds a counseling and release conversation with the youth and their family regarding the situation for which they were referred. Supervisory caution may include a referral of the youth and family to social services and/or supports.

## **DEFERRED PROSECUTION: AN ALTERNATIVE TO FORMAL ADJUDICATION**

The juvenile probation officer handling intake of the youth's referral may recommend deferred prosecution either at the point of intake or during the initial processing of the youth's referral.<sup>20</sup> This option is generally reserved for first-time justice-involved youth who have engaged in a non-serious offense (e.g., CINS, Class B misdemeanors).

Deferred prosecution is a voluntary alternative to adjudication. Typically with a deferred prosecution, the youth, parent, prosecuting attorney, and the juvenile probation department all agree to certain conditions as a part of an informal probation agreement. If the youth does not violate the conditions of the agreement, which traditionally lasts up to six months, no adjudication is held, and no juvenile justice record will be created. In 2003, the Legislature added a provision to the Texas Administrative Code (TAC) allowing a juvenile court judge to place a youth on deferred prosecution at any time before the youth pleads to the petition or agrees to a stipulation of evidence.<sup>21</sup> The amendment to TAC also allows the juvenile court to grant a second period of deferred prosecution to a previous order of deferred prosecution if the combined period does not exceed one year.

## **PROBATION**

Probation is a disposition that occurs after adjudication and typically includes court-ordered supervision by the local juvenile probation department. The probation court order typically imposes or sets specific conditions of probation supervision in the youth's home or community and can extend to the youth's 18th birthday.

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<sup>20</sup> §53.03(a), Texas Family Code

<sup>21</sup> §53.03(i), Texas Family Code

## **OUT-OF-HOME PLACEMENT**

A justice-involved youth may also be court-ordered (typically through a modified probation court order) to an out-of-home placement as a condition of their supervision by the local juvenile probation department.

## **COMMITMENT TO TJJD**

After adjudication, a youth may be disposed to or committed to the care, custody, and control of the Texas Juvenile Department (TJJD, also referred to as commitment). With this disposition, a justice-involved youth would receive an indeterminate or determinate commitment. An indeterminate commitment indicates that the youth is committed to the state and can remain so up to their 19th birthday. A determinate commitment indicates that the youth is ordered or committed to a specific length of time to TJJD and, in most cases, will be considered for transfer of the remainder of the sentence to the adult system upon their 19th birthday.<sup>22</sup> If the prosecuting attorney wants to file a determinate sentencing petition, the juvenile court must be informed when the charges are filed. The prosecutor also must seek grand jury approval of the petition.<sup>23</sup>

## **ADULT CERTIFICATION**

With adult certification, a prosecuting attorney is seeking certification of a youth as an adult to transfer the case to Criminal District Court. The juvenile court then holds a transfer hearing, without a jury, to decide whether to approve the transfer.<sup>24</sup> Before the hearing, the juvenile court must order and obtain a complete diagnostic study, social evaluation and full investigation of the youth, the youth's circumstances, and the circumstances of the offense.

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<sup>22</sup> §53.04(d)(3), Texas Family Code

<sup>23</sup> §53.045(b), Texas Family Code

<sup>24</sup> §54.02(c), Texas Family Code

# RISK, NEEDS, AND RESPONSIVITY

Over the past 20 years, the juvenile justice system in the United States has been involved in a wave of reforms that are anchored in the belief that youth are different from adults and pursue the integration of research on adolescent development and immaturity into juvenile justice practice (National Research Council, 2013). Although the concepts are not new (see the Juvenile Justice and Delinquency Prevention Act, which was reauthorized in 2018), one emphasis of the reform effort has been the implementation of risk and needs assessment instruments to improve case processing decisions and outcomes. These recommendations are based largely on the tenets of the risk–needs–responsivity (RNR) model for disposition and supervision or case management, which has considerable evidence as a method for reducing recidivism among adult offenders (Andrews & Bonta, 2010, 2017; Andrews, Bonta, & Hoge, 1990).

The RNR framework recommends that the highest-risk justice involved youth should receive the most intensive programming to reduce the risk of reoffending (the risk principle), and the programming should specifically target the youth’s criminogenic needs (the variable risk factors that appear to drive their offending; the needs principle) while considering specific characteristics that may affect treatment response (the responsivity principle).

Subsequently, in 2013 the TAC was amended to require juvenile justice and local juvenile probation departments to administer and complete a validated risk and needs assessment for each youth under its jurisdiction before the disposition of a youth’s case.<sup>25</sup>

## POSITIVE ACHIEVEMENT CHANGE TOOL

In 2015, the TJJD approved the use of the Positive Achievement Change Tool (PACT) as an RNR tool of choice for juvenile probation departments across Texas. The PACT is a fourth-generation actuarial risk and needs assessment tool adapted from the Washington State Juvenile Court Assessment (Barnoski, 2004). It includes both a pre-screen (pre-PACT) and full assessment (or full PACT).

The pre-PACT is a 46-item partial version of the PACT that produces risk level scores for reoffending.<sup>26</sup> The full PACT has 126 items and provides more in-depth risk level scores. The full PACT includes both risk and protective factors across the following 12 domains: criminal history, school, use of free time, employment, relationships, family, living arrangements, alcohol and drugs, mental health,

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<sup>25</sup>Human Resources Code, Title 12(B) Chapter 221. Retrieved <https://statutes.capitol.texas.gov/Docs/HR/htm/HR.221.htm>

<sup>26</sup> As reported by the DCJD, the Noble Software version of the pre-PACT consists of 40 items and is the pre-PACT version used by the DCJD.

attitudes/behaviors, aggression, and skills.<sup>27</sup> The pre-PACT and full PACT are the risk assessments used in Dallas County and across the comparison jurisdictions included in this evaluation.

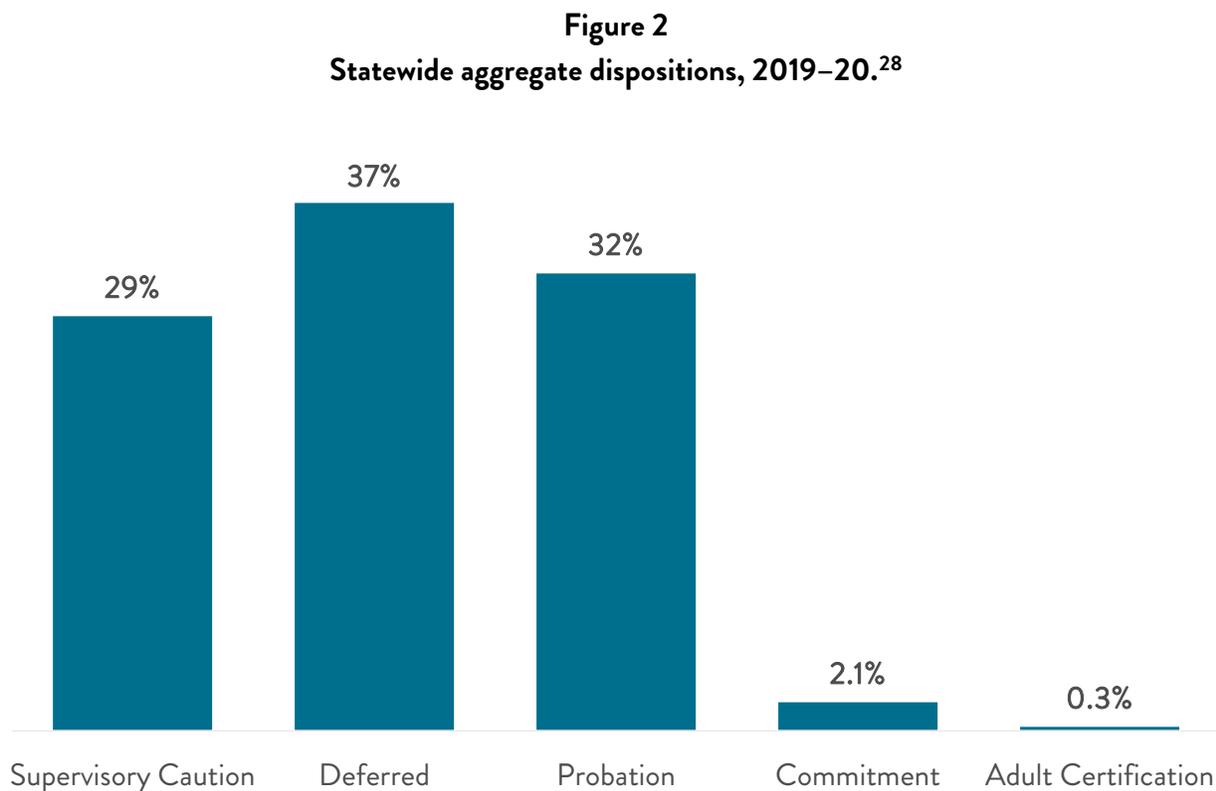
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<sup>27</sup> PACT, retrieved from <https://www.assessments.com/purchase/detail.asp?SKU=5197>

# QUALITATIVE METHODS AND FINDINGS

## COMPARISON COUNTIES

As a first step in examining how Dallas County’s process compares with other counties, the research team reviewed juvenile case processing data reported by the TJJJ from 2019 through 2020. Figure 2 (Table A3 in Appendix A) provides an overview of the statewide proportions by disposition for that time period. When reviewed as an aggregate, juvenile dispositions fell in somewhat equal proportions in each of the primary disposition categories of supervisory caution (28.9%), deferred (36.8%), and probation (31.9%). (Note: Throughout this report, percentages may not add up to 100% due to rounding.)

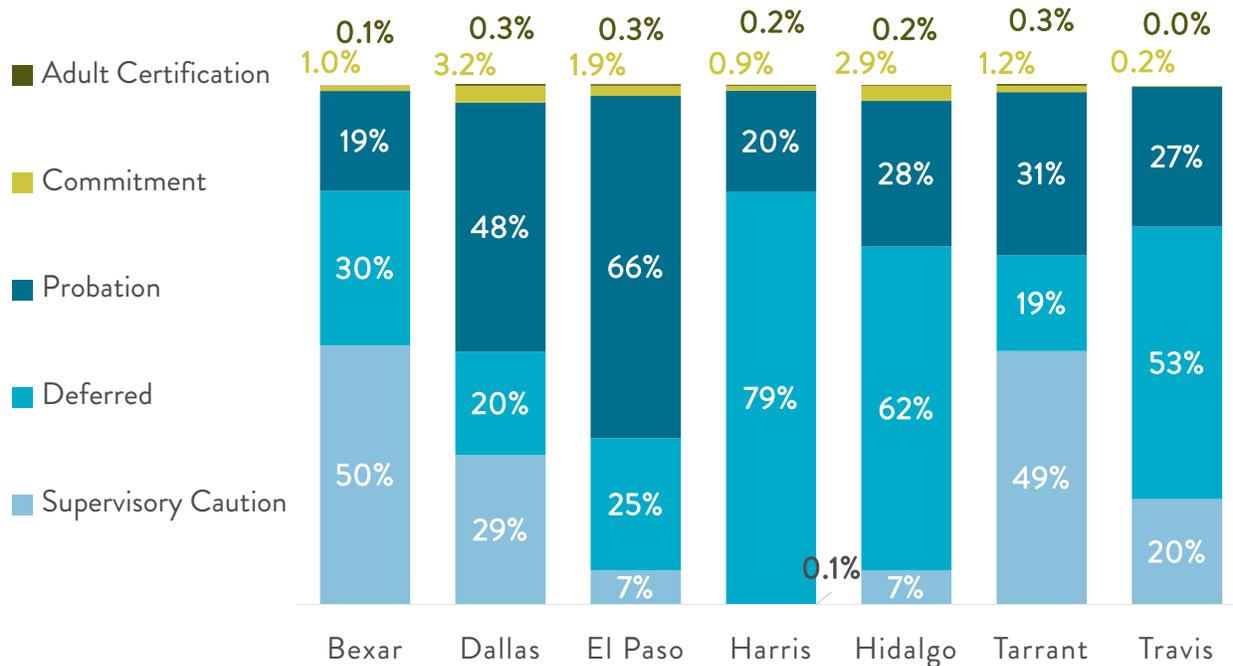


Next, the research team examined the individual proportional differences by urban counties across the state for the same time as the aggregate review. Figure 3 (Table A4 in Appendix A) provides an overview of those differences.

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<sup>28</sup> Data retrieved from [State of Juvenile Probation Activity in Texas](#)

**Figure 3**  
**County side-by-side dispositions, 2019–20.<sup>29</sup>**



NOTE: These data reflect the data as reported to TJJJ based on statewide guidelines and may not fully reflect local processes and policies. Staff from the Juvenile Department indicated that the supervisory caution dispositions reported to TJJJ are largely attributed to youth who are brought to the Letot Center for runaway.

The research team reached out to each of the six potential comparison counties to explore their ability to participate in stakeholder interviews and policy and procedure reviews, which would allow the team to map out the counties’ processes and compare them with Dallas County’s system. Four of those communities volunteered to participate; the other two indicated a willingness to assist with limited capacity, but due to the tight turnaround of this report, they were excluded from this portion of the evaluation. It should be noted that all counties volunteered to serve as a resource to Dallas County in future efforts and/or in response to the findings and recommendations of this evaluation.

The four comparison counties engaged were Bexar, El Paso, Hidalgo, and Tarrant. From April to July 2022, key representatives were interviewed (e.g., chief juvenile probation officer, key juvenile probation/department staff, and local prosecutors) from each jurisdiction with a goal of understanding similarities and differences between those jurisdictional processes and those of Dallas County.

<sup>29</sup> Data pulled from [State of Juvenile Probation Activity in Texas](#)

In addition, from April 2022 to January 2023 the research team conducted structured interviews with key stakeholders involved in different intercepts or decision points of juvenile case processing within Dallas County. This process included interviews with judges from both the 304th and 305th District Courts, administrators, and staff across key decision areas of the DCJD (e.g., intake, DA liaison, pre- and post-adjudication managers, deputy director of probation services, court supervisor, facility expediter) and the juvenile prosecutors within the DA's office.<sup>30</sup> The aim of those interviews was to operationalize the different perspectives of process facilitators and barriers for achieving dispositions in juvenile cases in Dallas County (see Appendix B for interview timeline).

Appendix C shows a side-by-side comparison of county processes across the decision points of intake, petition, assignment of counsel, pre-adjudication hearing proceedings, risk and needs assessment (PACT), and disposition recommendations. The comparisons are also summarized in the qualitative results that follow.

## **FINDINGS FROM DALLAS COUNTY STAKEHOLDER INTERVIEWS AND POLICY REVIEWS AND COMPARISONS WITH OTHER COUNTIES**

### **REFERRALS TO THE DALLAS COUNTY JUVENILE SYSTEM**

Individuals who were interviewed indicated that some LEAs are more likely to (or more often) formally arrest youth and bring them into custody at the juvenile detention center than to use the paper referral process compared with other LEAs. Interviewees also indicated that once a youth was ordered detained by the court, each detained youth would receive a formal petition from the DA on their case.

### **INTAKE**

*Dallas County:* Policy reviews and interviews indicated that for youth who are formally referred through in-custody juvenile detention, the DCJD uses an Intake Screening Unit to prepare and process assessments and paperwork related to further processing and consideration for those cases.

For youth who are detained on an initial offense (i.e., this represents the first time the youth has been referred to the DCJD), their case is assigned to a probation officer in the Court Assessment Unit to process after the initial detention decision has been made. For these youth, the Court Assessment Unit coordinates and/or conducts the PACT (pre-PACT and full PACT if warranted) and other assessments requested or

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<sup>30</sup> The Dallas County District Clerk's Office was not included in the interviews conducted for this evaluation.

needed for court consideration. If a detained youth is already under DCJD supervision from previous involvement in the system, the youth will be referred to their existing field probation officer for processing.

Stakeholders across the Dallas County justice system indicated that most (with some indicating all) youth who are detained receive a full psychological evaluation, and that evaluation is often used for consideration by the court in lieu of the PACT.

For youth who come through the paper referral process or who are not kept in detention from an in-custody referral, one individual, the DA liaison, processes their cases. In an interview, the DA liaison indicated that the Texas Family Code and years of their extensive experience with the DCJD are used to determine which cases move forward to consideration of probable cause and petition decisions to the DA's office versus those who move toward diversion from petition and adjudication (e.g., deferred prosecution). Currently, the pre-PACT (risk assessment) is not conducted at this point for paper referrals.

Regardless of the pathway a youth takes to referral, a probation officer from the Court Liaison Unit represents the DCJD during court processes (e.g., initial hearings and pretrials). Occasionally, or on an as-needed basis, other probation staff (e.g., the supervising field officer, Court Assessment Unit, facility expeditor) will also participate in court hearings.

Comparison counties: Each comparison county has a dedicated Intake Unit, and it supports intake for youth referred through both the paper and in-custody detention pathways. Each unit operates 24 hours a day, seven days a week. As a standard practice, these units conduct the pre-PACT (risk assessment only) at intake and use the pre-PACT scores in conjunction with the youth's offense severity and history with the juvenile justice system to begin disposition decisions and discussions with the local prosecution agency immediately after the intake. It should be noted that Dallas County currently uses a formal intake unit only for youth who are referred through the in-custody detention pathway.

## **PETITION PROCESS**

In this portion of the report, Texas Family Code section 53.01 (d) will be used as a baseline definition of the general petition considerations: All felony offenses, violent misdemeanors, or use or possession of certain weapons must be forwarded to the juvenile prosecutor for consideration. However, offenses that fall outside this code (e.g., non-violent misdemeanors and CINS offenses) may be disposed by the entity designated by the local juvenile board (e.g., local juvenile probation department).

Dallas County: Stakeholders who were interviewed indicated that most cases processed through the DA's office resulted in a formal filing of a petition or motion rather than diversion from the court processes (e.g., deferred prosecution). In addition, interviewees mentioned that once a petition is filed, a constable serves the notice of petition to families (except for youth in detention; those are served by the bailiff). Everyone

interviewed expressed concerns that this practice causes delays to case processing, mainly because serving the petition delays the engagement of juvenile probation officers with youth and families and subsequently increases the time it takes the DCJD to develop pre-disposition reports and recommendations.

Comparison counties: For each of the comparison counties, the juvenile probation intake officer (unit) and/or supervising officer of the youth's case (e.g., field probation officer) is involved in making decisions related to diversion from petition dispositions (e.g., supervisory caution, deferred prosecution) or making recommendations to the prosecuting attorney (or the prosecuting attorney's office) on case disposition considerations before a petition is filed. Based on the interviews conducted, it appears that the DCJD is not currently involved in a similar structured process. In addition, with exception of El Paso County, petition notifications are delivered to families by the assigned or supervising juvenile probation officer.

## **POST-PETITION PROCESSES**

Dallas County: Based upon interviews with Dallas County stakeholders, the pre-disposition report (PDR) process begins when (1) the youth's defense attorney files a request for a PDR; and (2) the court orders the PDR to be conducted by the DCJD.<sup>31</sup> Stakeholders indicated that once the court order is made for the PDR, the process could take between 20 and 45 days depending on the time it takes for the constable to serve the family, the number and type of pretrial hearings, and the number and type of assessments informing the final disposition decisions (with placement decisions requiring more assessments and more pretrial hearings).

This process appears to look different for youth in detention compared with youth who are in the community at the point of petition. Most stakeholders reported that almost every youth in detention at the time of petition received full psychological testing from clinical staff at the juvenile detention center and other assessments prior to the completion of disposition recommendations. Stakeholders indicated that they believe the psychological assessments slow down the process, especially when youth refuse to meet for the psychological testing without their assigned attorney.

Judges who were interviewed said that delays to disposition also occur if the PDR is not filed with the court at least three days prior to the pretrial hearing when the PDR is to be discussed with the prosecution and defense attorneys. Stakeholders reported that adding to some of the delay is confusion over how to deliver the PDR to the lawyers and the court, with variances between the 304th and 305th District Courts and among individual staff.

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<sup>31</sup> Staff from the DCJD indicated the practice of waiting for a court order from either the 304th or 305th court to begin the PDR was no longer a standard practice at the time of the stakeholder interviews.

Subsequent pretrial hearings are held to support the negotiation of adjudication/disposition processes between the DA's office, defense counsel, juvenile probation department, and the youth and their families. Stakeholders reported that court hearings typically are held within two weeks of each other. All legal challenges and discussions between attorneys appear to happen only in those formal hearings.

Judges mentioned that a primary driver of delays in case dispositions is the frequent need to reset hearings due to complicating factors (e.g., lack of coordination among counsel on recommendations, missing information for probable cause discovery, no recommendations ready for the court, waiting for placement or psychological information, missing PDRs). It should be noted that the probation department and DA staff consistently agreed with the judges' perspectives.

Comparison counties: The comparison jurisdictions indicated that they begin their version of the PDR from the point of intake. More specifically, El Paso County was the only comparison jurisdiction interviewed that followed a pretrial hearing court process similar to Dallas County's. However, across all jurisdictions, it is expected that the defense attorneys and county prosecutors meet prior to hearings or court considerations with the probation department and families to work through key case decisions and/or options. Of the county processes explored, Dallas is the only county that processes cases other than determinant sentencing or commitment cases through a grand jury.

## **RISK AND NEEDS ASSESSMENT**

Dallas County: When asked about the role of risk assessment in the decision-making process, stakeholders from the juvenile justice department indicated that the Pre-PACT (risk assessment) is conducted at detention; however, stakeholders across all agencies indicated that it is not a consideration used by the court for detention hearing decisions or recommendations. In addition, stakeholders reported that the pre-PACT is not considered or viewed as a reliable data point in making diversion, petition, or disposition decisions. The full PACT (risk and needs assessment) is part of the PDR; however, the information or results from the full PACT are limited within the PDR and are not considered in disposition discussions and decisions, according to stakeholders.

Comparison counties: All counties interviewed outside of Dallas use the pre-PACT and/or the full PACT for some form of case diversion and decision making.

# QUANTITATIVE METHODOLOGY AND FINDINGS

While reviewing the results of the qualitative examination and the overall goal of identifying the potential barriers and facilitators of case disposition for justice-involved youth in Dallas County, the research team engaged a cross-sectional ecological design, using administrative data from the DCJD as the data collection strategy for the final tests in the evaluation.

Ecological studies are evaluations in which the observations are made as a group, not on individuals, for one or more key variables that predict or correlate to aggregated outcomes for the community under study. Cross-sectional studies compare outcomes across groups or communities over the same period.

For this evaluation, the research team focused on groups of youth involved with the juvenile justice system in Dallas County (e.g., youth with specific offense histories, offense types, race, age, gender) by specific intercept or decision points (e.g., detention, petition, disposition).<sup>32</sup> More specifically, a cross-sectional ecological design was chosen to measure the aggregate outcomes of different groups by those intercept or decision points within the Dallas County juvenile system over time.

Administrative data collected included all offense and disposition histories of youth referred to DCJD from January 1, 2018, through July 11, 2022. The length of the sample period was chosen to allow the research team to account for variances in case processing both pre- and post-COVID-19 pandemic and to ensure the population sample was large enough that the findings were not only reliable in answering the questions under study but also would be valid to the systematic response to youth in the Dallas County system outside the timeframe specified in the study.

While several evaluation goals or objectives were included in this portion of the evaluation, the primary research questions were as follows.

1. What are the patterns of cases that result in petition (e.g., detention versus community, offense type, risk level, race, gender, age)?
2. What is the mean and median length of time between petition and disposition for all types of patterns of cases (e.g., in-custody versus community)?
3. What are differences in time between petition and disposition for different types of dispositions (e.g., divert away from court, probation, out-of-home placement, commitment)?

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<sup>32</sup> ERIC Notebook Retrieved [https://sph.unc.edu/wp-content/uploads/sites/112/2015/07/nciph\\_ERIC9.pdf](https://sph.unc.edu/wp-content/uploads/sites/112/2015/07/nciph_ERIC9.pdf)

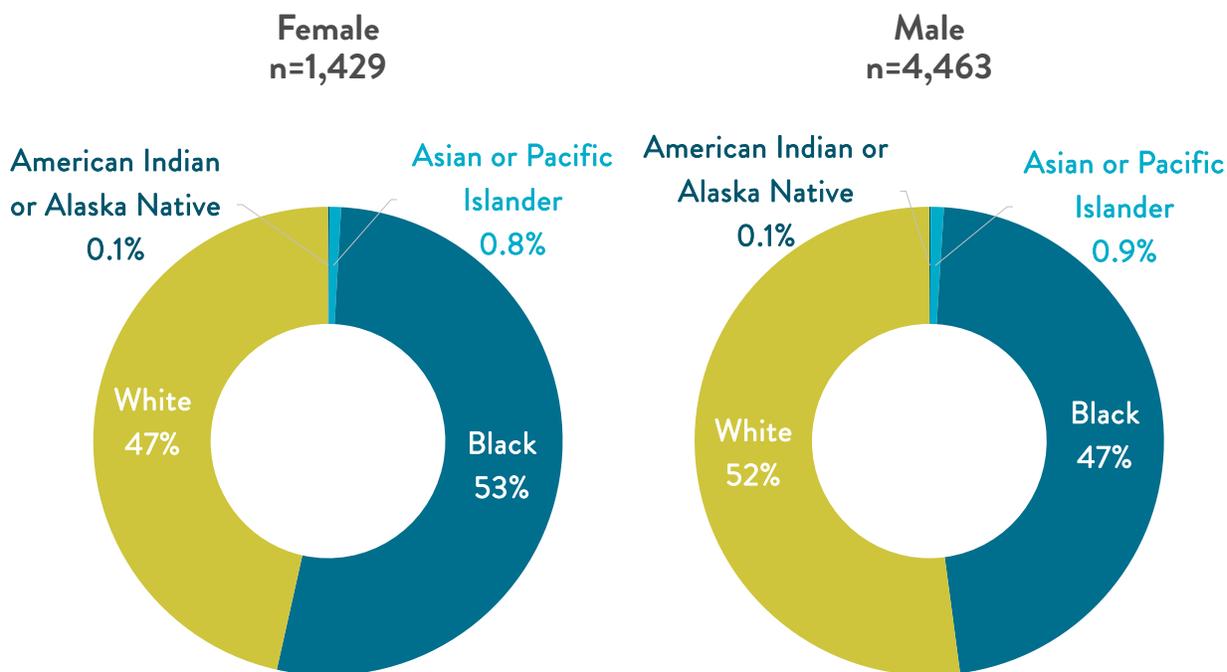
4. What are the differences in time between petition and disposition by offense level, risk, race, gender, offense history, etc.?
5. What are the general patterns of time from petition to disposition?

## YOUTH DEMOGRAPHICS

Almost 6,000 unique justice-involved youth were included in the population sample collected from the DCJD. Of the 5,892 youth, the average age at referral was 15.5 years, and 24.25% of youth were identified by the DCJD as female. Due to county processing issues related to the intercorrelation between race and ethnicity (e.g., coding for Black versus White Hispanic youth), ethnicity has been excluded from the analytics for this evaluation.

Controlling for race, a larger proportion of females referred to the DCJD was identified as Black (52.60%) compared with a larger proportion of males referred to the DCJD being identified as White (52.10%). Figure 4 (Table A5 in Appendix A) provides an overview of the race breakdown by gender.

**Figure 4**  
**A larger proportion of females was identified as Black,**  
**compared with a larger proportion of males being identified as White.**

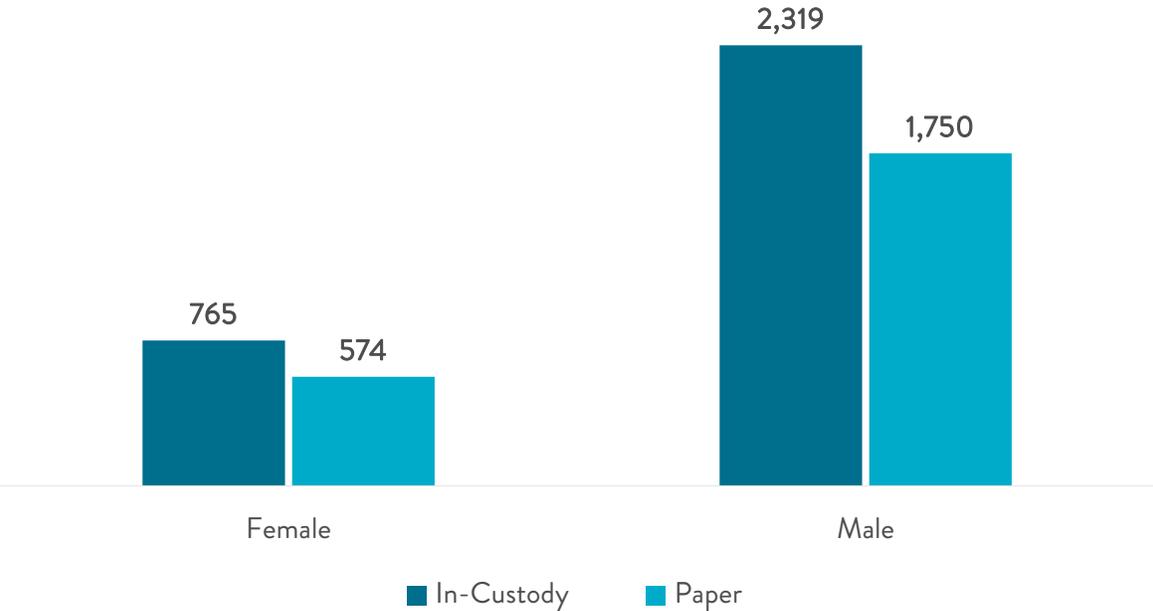


Due to lack of significant differences between disposition rates between White non-Hispanic and White Hispanic youth as well as their small proportion of the overall population, the White race category

encompasses both White non-Hispanic and White Hispanic youth. Eighty-one percent of White youth in the sample identified their ethnicity as Hispanic. Therefore, the comparison group of White youth is a comparison of youth with experiences that should be considered more like Hispanic youth than youth who are White non-Hispanic. Of note, due to the large population of individuals from Hispanic ethnicities in Dallas County, and to be sensitive and responsive to the needs of these youth, the DCJD considers race and ethnicity jointly when analyzing data. In doing this, Hispanic (White Hispanic and Black Hispanic) youth are consistently the second most referred demographic to the Department.<sup>33</sup>

The research team wanted to test Dallas County stakeholders’ perception that most youth were referred to the juvenile justice system through formal in-custody referrals to juvenile detention. Figure 5 (Table A6 in Appendix A) shows the pathways (detention or paper referral) youths took to the Dallas County juvenile system.

**Figure 5**  
**Most youth were referred through the formal in-custody pathway.**



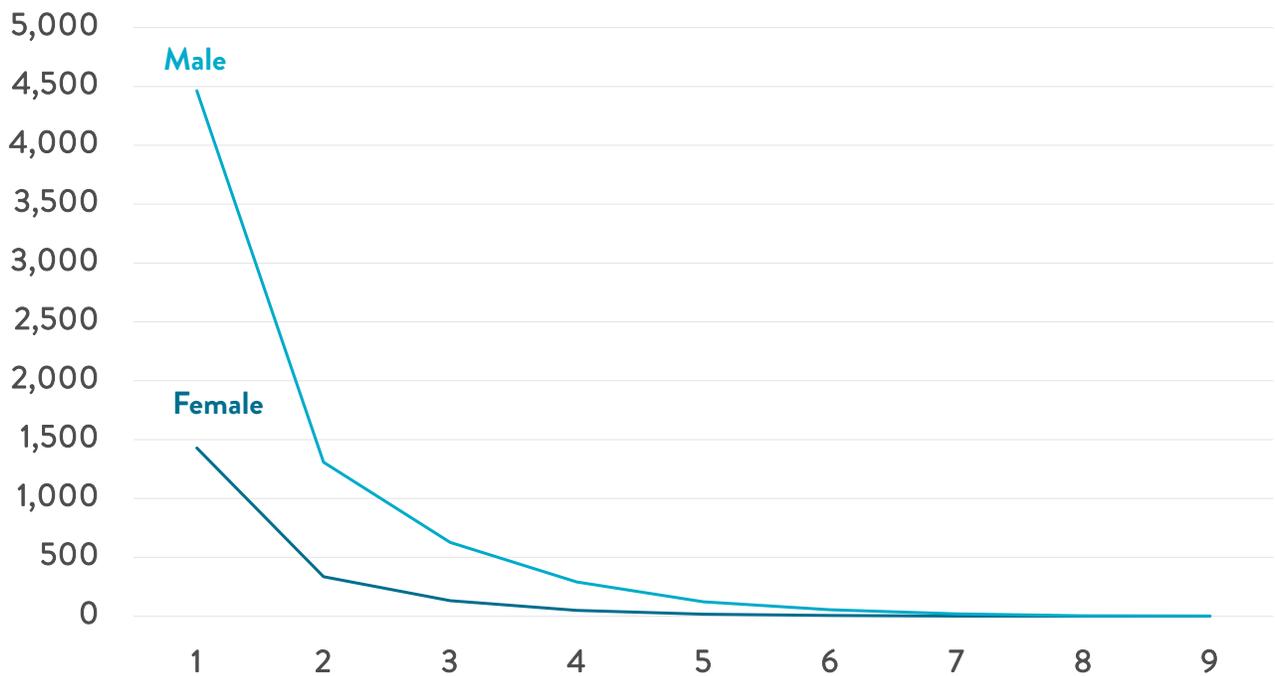
Note: Numbers reflect individual youth with specific delinquent referrals and not those related to status offenses or violations of probation (VOP).

<sup>33</sup> While placing individuals into exclusive categories (i.e., Hispanic of any race, Non-Hispanic Black, etc.) is a standard practice for reporting race and ethnicity, it masks the nuance of those who are multiracial and/or both Hispanic and one or more races of color. Research and equity principles suggest that it is important to start race and ethnicity data collection and discussion efforts with cultural groups in a local context to determine what categories best represent the community. While this is best practice, the breadth and scope of this evaluation did not provide opportunities for these data analytic and discovery-based practices to be applied during this evaluation. Therefore, all discussions related to race and ethnicity associated with this report should be considered within the context of the local community.

Results of the data analytics provide preliminary (i.e., descriptive and not statistically significant) support for stakeholders’ perceptions of how youth are referred to the Dallas County system.

To examine whether youth who were referred to the DCJD had extensive offense histories, the research team examined the number of referrals a youth had (understanding there could be multiple offenses per referral) prior to the referral included in the sample selection. Figure 6 (Table A7 in Appendix A) provides an overview of the referral history for youth included in the population sample.

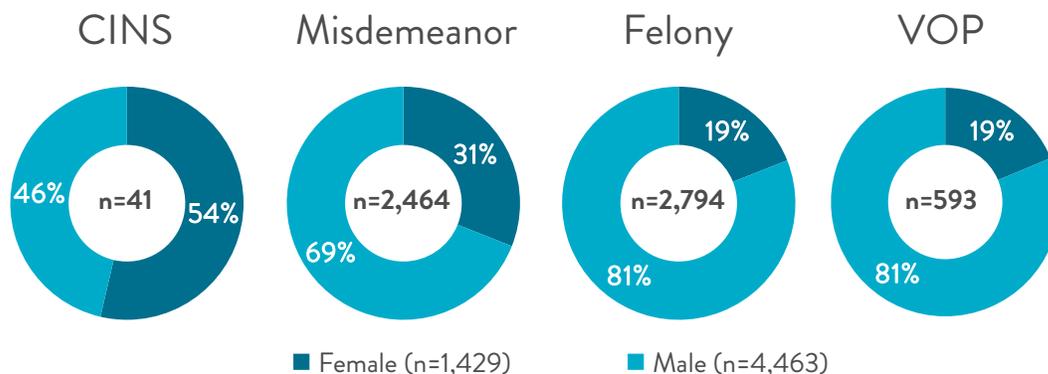
**Figure 6**  
**Most youth had less than two prior referrals.**



While most youth had less than two prior referrals, males, on average, had a higher proportion of multiple referrals compared with females.

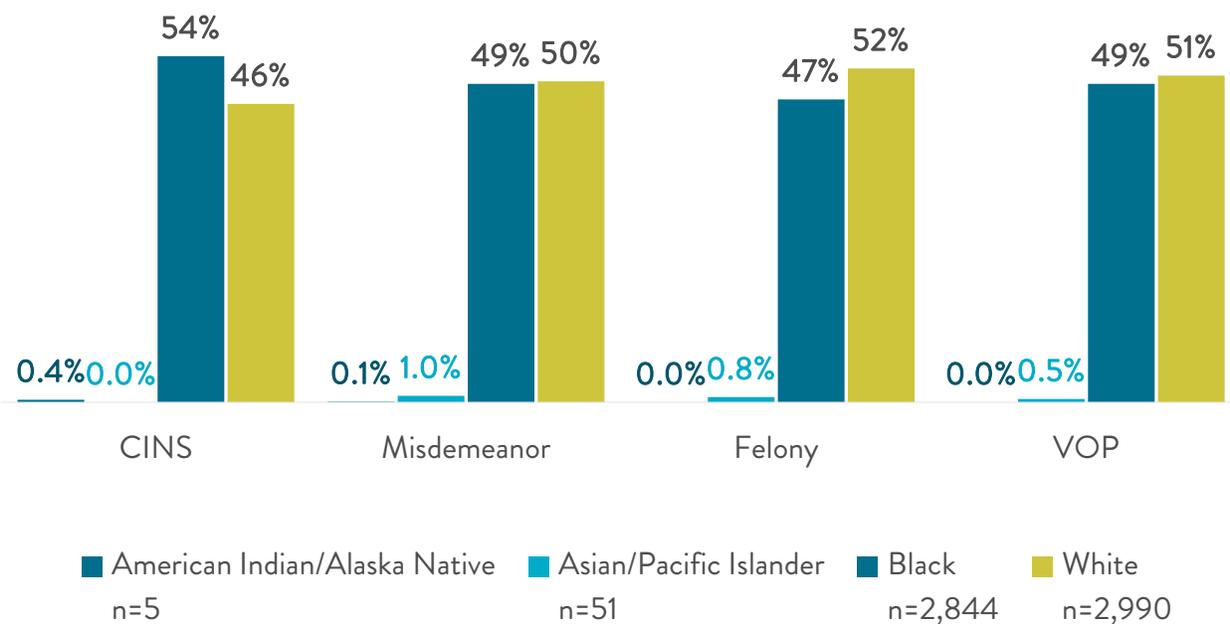
To understand the influence of gender and offense severity on disposition decisions, the next set of analyses focused on the proportional differences of offense severity by gender and race. Figures 7 and 8 (Tables A8 and A9 in Appendix A) provide an overview of those findings.

**Figure 7**  
**Males had a larger proportion of felony and VOP offenses.**  
 (N = 5,892;  $p < .000$ )



Not surprising given the current literature showing that females are arrested in smaller proportions and for lower-level offenses compared with males, the analysis revealed that male youth accounted for the largest proportion of felony-level offenses and the most offenses overall compared with female youth.

**Figure 8**  
**White youth reflected a larger proportion of most offenses compared with other youth.**  
 ( $p < .005$ )



Note: Eighty-one percent of White youth in the sample identified their ethnicity as Hispanic. Therefore, the comparison group of White youth is a comparison of youth with experiences that should be considered more like Hispanic youth than youth who are White non-Hispanic.

Across all offense levels, except for CINS, White youth represented a higher proportion of those arrested by offense severity. More specifically, White youth accounted for over half of the arrests for felonies and total offenses at arrest.

## PETITION TRENDS

To test stakeholders’ perception that most youth are petitioned at the point of DA decision in the Dallas County juvenile process, an examination of petition trends for youth whose cases were sent to the DA’s office. Table 3 provides an overview of prosecutor actions by type and by offense severity.

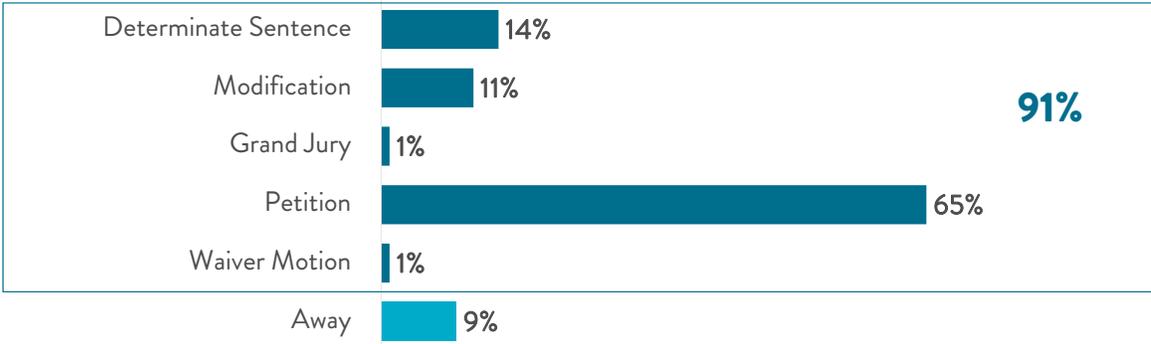
TABLE 3 DESPITE LEVEL OF OFFENSE, MOST OFFENSES WERE PETITIONED. ( $p < .000$ )														
Offense Category	Prosecutor action													
	Determinate Sentence		Modification		Grand Jury		Away*		Petition		Waiver Motion		Total	
	n	%	n	%	n	%	n	%	n	%	n	%	n	%
CINS	0	0%	0	0%	0	0%	0	0%	25	100%	0	0%	25	100%
Felony	784	28%	16	.57%	59	2%	310	11%	1,559	56%	57	2%	2,785	100%
Misdemeanor	20	.65%	604	22%	0	0%	200	7%	2,248	73%	8	.26%	3,080	100%
Total	804	14%	620	11%	59	1%	510	9%	3,832	65%	65	1%	5,890	100%

\*Cases that were dismissed, dropped, non-suited or dismissed, taken into consideration, or sent to deferred prosecution.

To operationalize prosecutor decisions that moved a youth away from court processes, the research team coded data related to dismissals, non-suited, dropped, taken into consideration, and sent to deferred prosecution/adjudication as a new “away” variable. Most cases handled by the DA’s office were petitioned with 73% of misdemeanor offenses being petitioned, followed by 56% of felonies ( $p < .005$ ). All CINS offenses handled by the DA’s office during the sample period received a formal petition.

It should be noted that the Texas Family Code requires juvenile justice jurisdictions to convene a grand jury when a determinate sentence decision is recommended. Unique to Dallas County, 59 cases sent to a grand jury were not targeted for determinate sentencing. In other words, other jurisdictions send cases to a grand jury only if the recommendation is determinate sentencing. Figure 9 (Table A11 in Appendix A) provides a visual overview of the prosecution decisions by type.

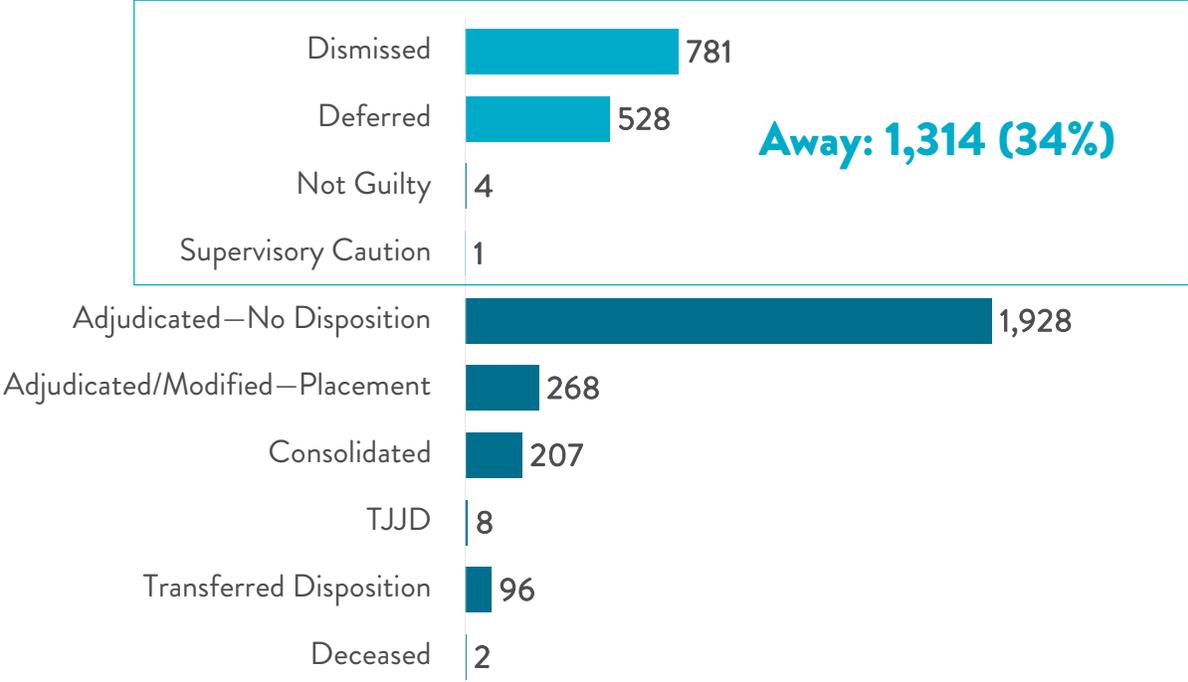
**Figure 9**  
**91% of prosecutor decisions were sent toward formal court processes.**  
*(p < .000)*



The data indicate only 9% of youth cases reviewed by the DA’s office were moved away from the formal court processes. The data support stakeholders’ perceptions that most of the youth cases sent to the DA’s office (91%;  $p < .000$ ) for consideration are petitioned.

Next, the research team examined the outcomes of those petition decisions. Figure 10 (Table A12 in Appendix A) provides an overview of those results.

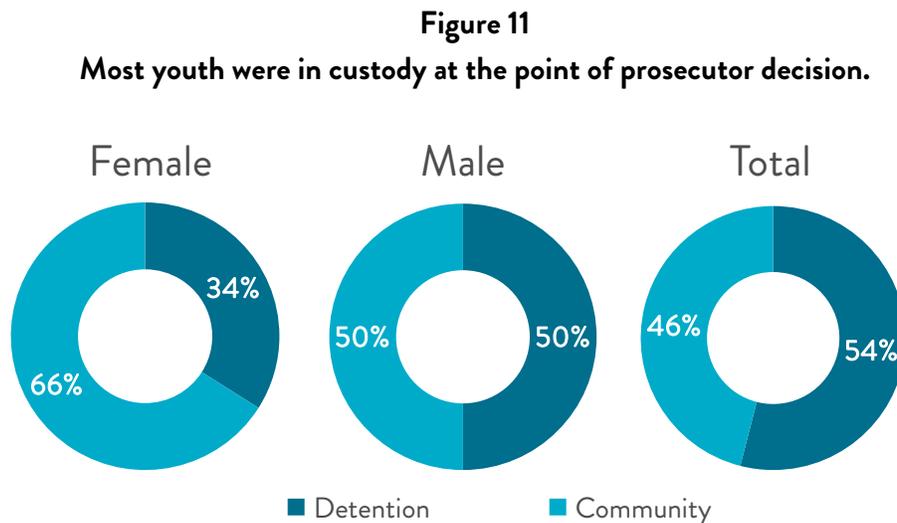
**Figure 10**  
**Of the youth petitioned, 34% were ultimately sent away from court processes.**  
*(p < .000)*



The findings indicate that even though the DA’s office petitioned most cases (i.e., indicating a need for formal adjudication or court involvement), over 34% ( $p < .000$ ) of those youth dispositions ultimately moved away from the court process. In other words, those youth’s cases were either dismissed, supervisory cautioned, or moved to a deferred prosecution/adjudication.

## WHAT IS IT ABOUT DETENTION?

The stakeholder interviews indicated a general perception that youth were in detention at the point of petition and were remaining there to access assessments and other efforts related to case discovery. To test this assumption, the research team examined patterns of youth detention by gender, offense type, and risk level at the point of a petition decision. Figure 11 (Table A13 in Appendix A) and Table 4 provide an overview of those results.



Overall, of youth referred to the DCJD through formal intake (i.e., detention), 54% remained in detention when the prosecutor decided on their case, and females were more likely to be in the community at the time of the petition decision than males.

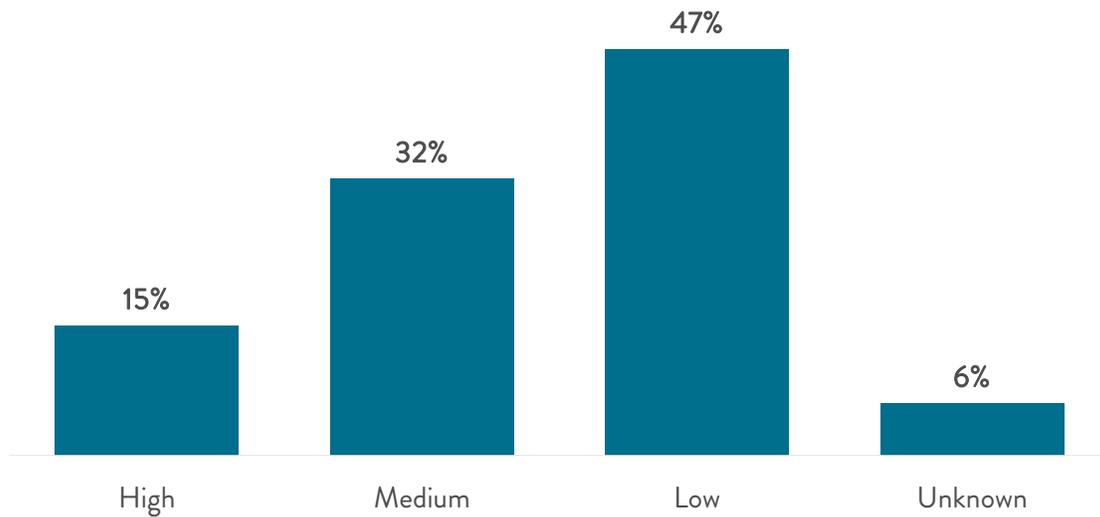
TABLE 4 OVERVIEW OF RACE BY DETENTION AT POINT OF DA DECISION. ( $p < .188$ )		
Race	Community	In Detention
American Indian or Alaska Native	0%	100%
Black	51%	48%
White	48%	51%

Note: Eighty-one percent of White youth in the sample identified their ethnicity as Hispanic. Therefore, the comparison group of White youth is a comparison of youth with experiences that should be considered more like Hispanic youth than youth who are White non-Hispanic.

There was no statistically significant difference between race on who remained in detention at the point when the prosecutor decided on a youth's case.

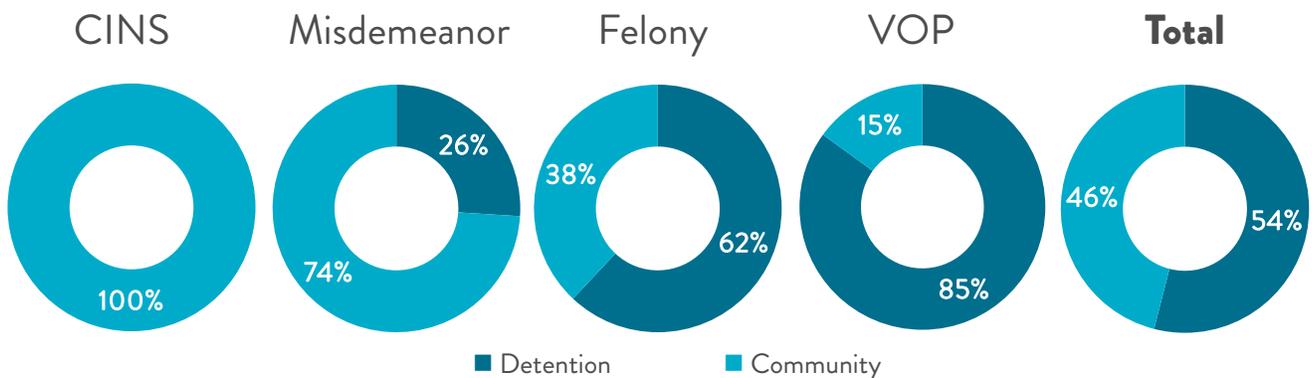
When the research team examined the risk level of youth in detention at the point of the petition decision, most of the youth were either low (47%) or medium (32%) risk for reoffending/rearrest. Figure 12 (Table A15 in Appendix A) provides an overview of those findings.

**Figure 12**  
**Most of the youth in detention at the point of DA decision were low risk.**

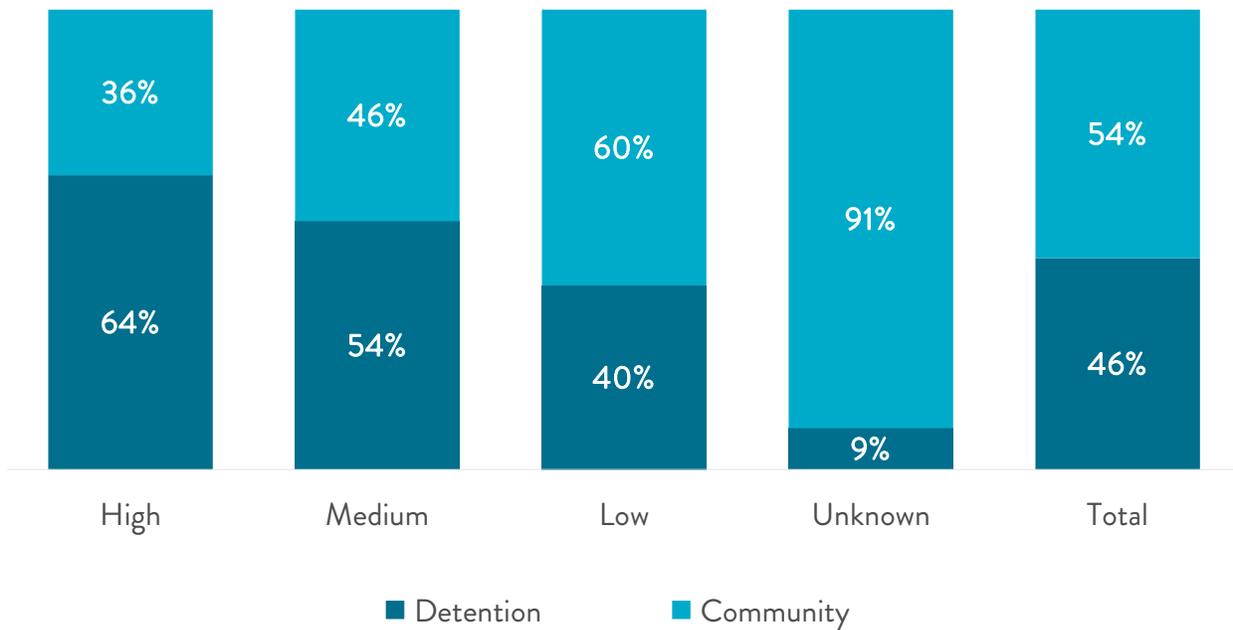


Next, a comparison of youth in the community with those in detention at the point of DA decision was examined. Figures 13 and 14 (Tables A16 and A17 in Appendix A) provide an overview of those results.

**Figure 13**  
**Youth referred for misdemeanor offenses were less likely to be in detention at point of DA decision.**  
**( $p < .001$ )**



**Figure 14**  
**Youth with a high risk level were more likely to be in detention at the point of DA decision.**  
*( $p < .01$ )*

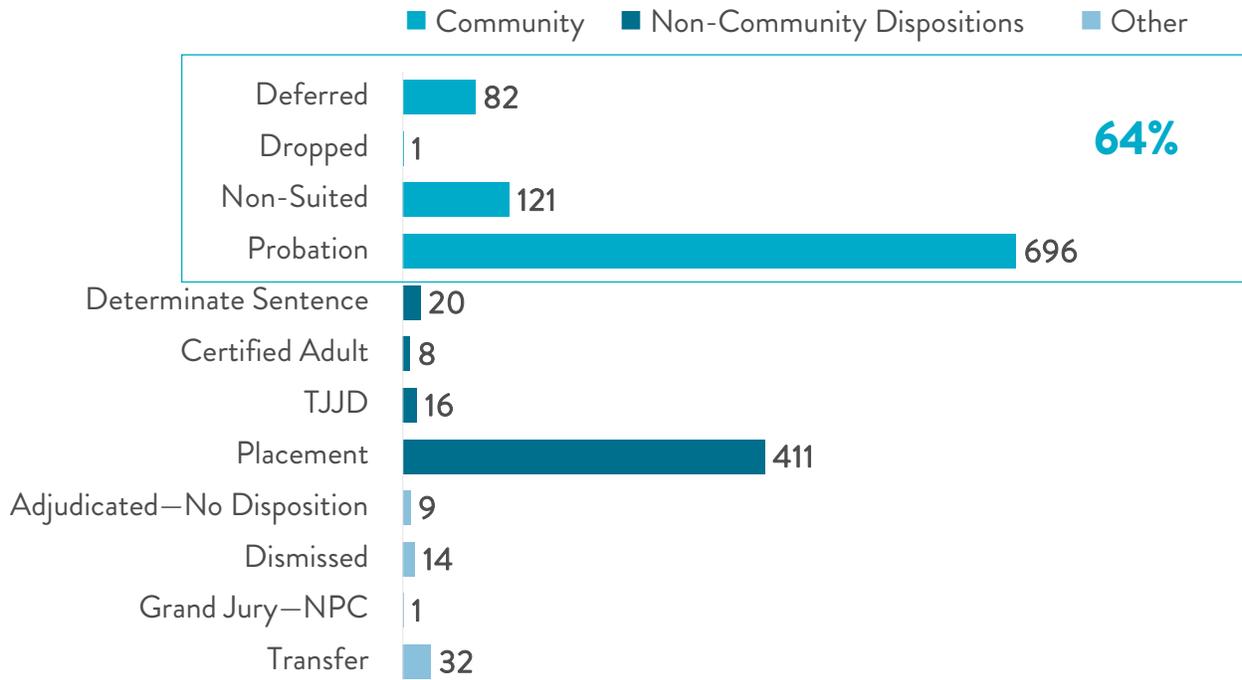


Note: Risk level is assigned at the youth level. For example, of youth who had a low risk level, 60% were in the community at the point of the DA decision.

While race did not seem to be a significant predictor of youth being in detention at the point of a petition decision, offense severity and risk level appear to have some influence. While 62% of youth who were referred for a felony offense were in detention at the point of the DA decision, 85% of youth charged with a violation of probation were in detention at the point of the DA decision. In addition, 40% of youth who were assessed as low risk and 54% of youth who were assessed as medium on the risk assessment were in detention at the point of the DA decision.

The research team examined the disposition outcomes for youth who were in detention at the point of the petition decision. Figure 15 (Table A18 in Appendix A) provides an overview of those outcomes.

**Figure 15**  
**Most youth (64%) who were in detention at point of DA decision**  
**returned to the community at disposition.**  
*(p < .01)*

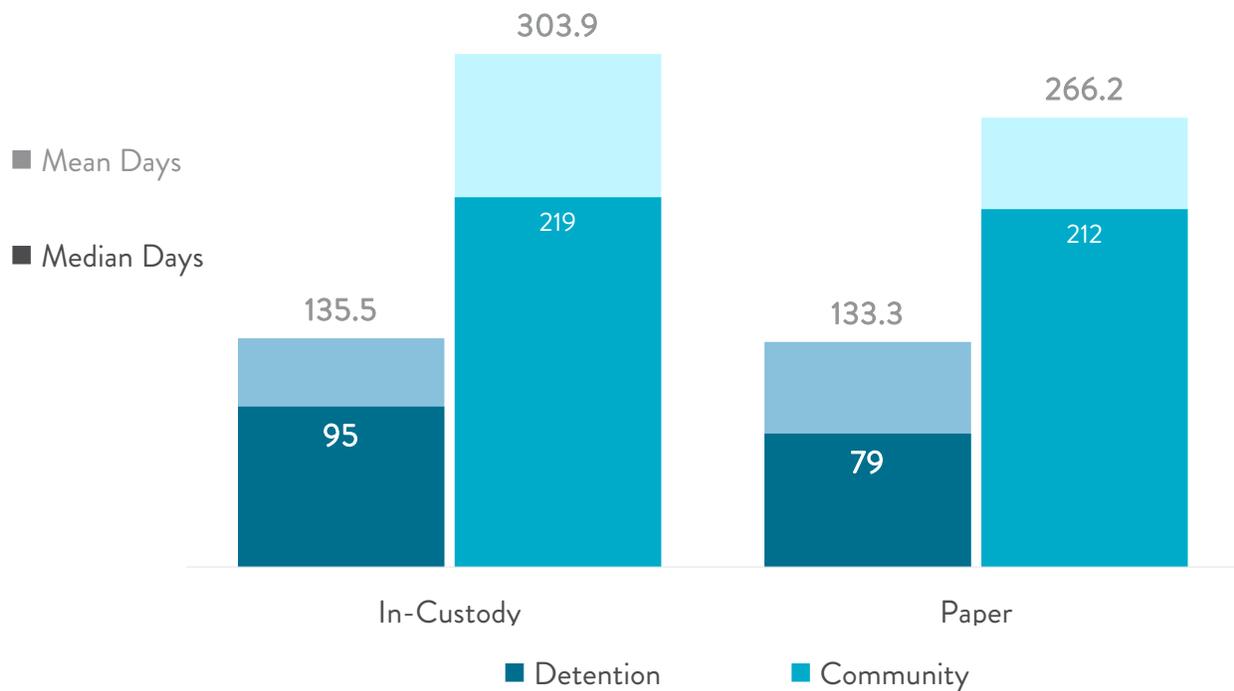


Of youth who were in detention at the point of the DA decisions, 64% returned to the community at disposition (e.g., dropped, non-suited, placed on deferred prosecution/adjudication, or adjudicated and placed on formal probation).

## TIME TO DISPOSITION

The next set of analyses examined time to disposition from petition for youth in detention at the point of petition and youth in the community at the point of petition. Figure 16 (Table A19 in Appendix A) provides an overview of those results.

**Figure 16**  
**Youth who were at home when the petition was filed had the longest disposition rate.**  
**( $p < .01$ )**



Note: Median days are represented in dark shades; mean days are represented in light shades.

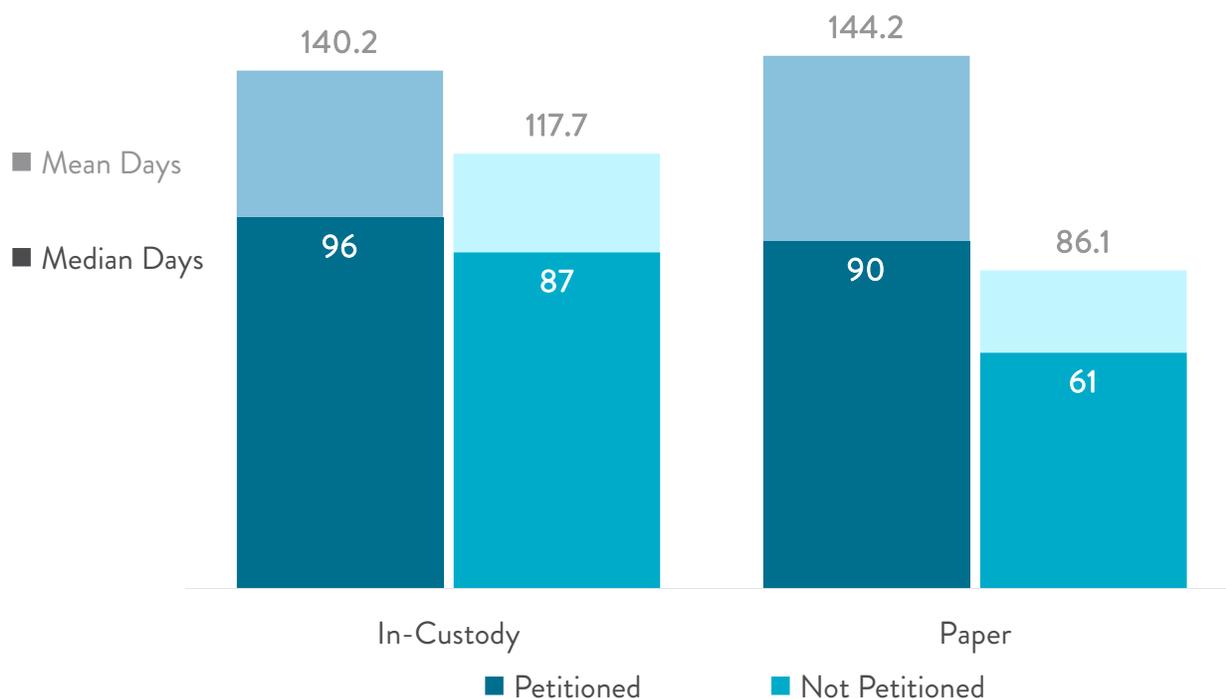
There was a statistically significant difference between groups. Youth who were paper-referred at intake and in detention when a petition was filed had the shortest time from petition to disposition, at a mean of 133 days and a median of 79 days. Meanwhile, youth who were arrested and detained and remained in custody at the time of petition had, on average, 135 days (a little over four months) between petition and disposition.

The group with the longest time between petition and disposition were youth who were detained at intake and then released to the community at the point of petition, with an average of 304 days (about 10 months) between petition and disposition. Of note, offense severity and risk level had no statistically significant influence on time between petition and disposition for youth in detention or for youth in the community at the point of petition.

Next, the research team examined the differences for time in detention for youth who were held in custody prior to disposition. Figure 17 (Table A20 in Appendix A) provides an overview of those results.

**Figure 17**

**Youth who were petitioned spent more time in detention compared with youth who were detained and not petitioned.**



Note: Median days are represented in dark shades; mean days are represented in light shades.

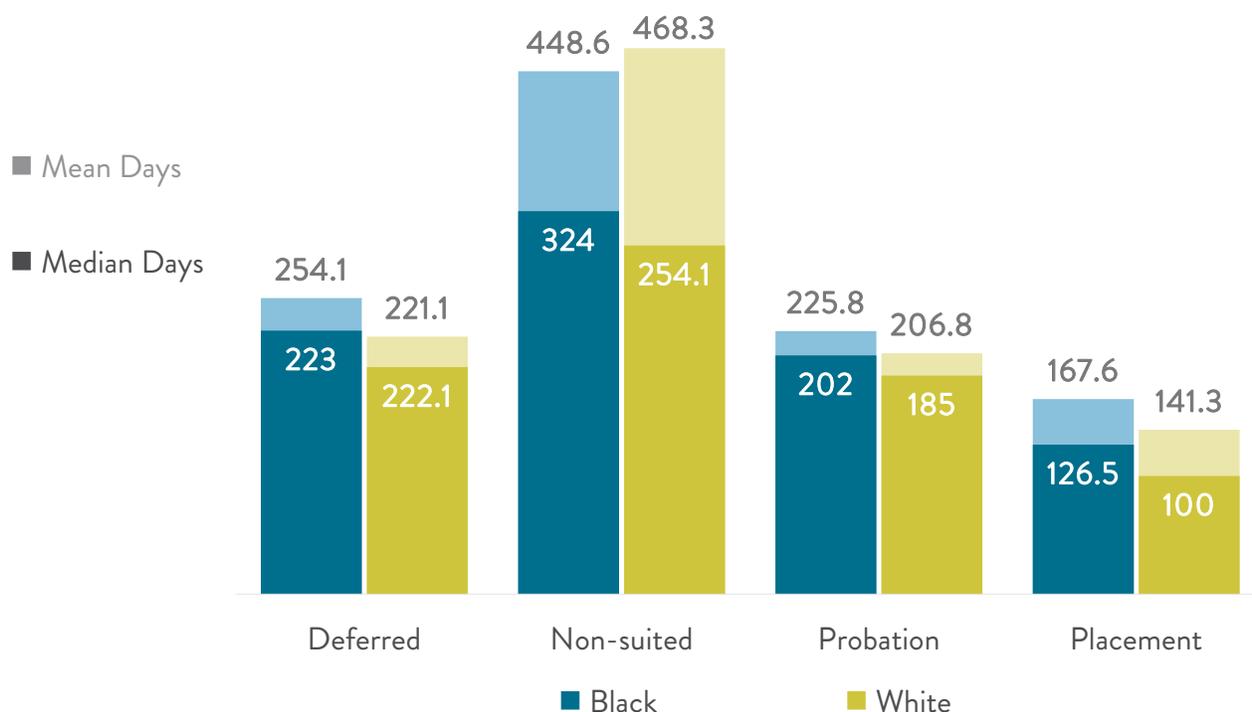
This analysis revealed that youth who were petitioned were held longer compared with youth who were not petitioned. Of note, the median length of time in detention ranged from 61 days (two months) to 96 days (three months).

Examination of the length of time between petition and disposition by race revealed some significant differences between White and Black youth. Figure 18 (Table A21 in Appendix A) provides an overview of those results.

Figure 18

White youth received quicker deferred dispositions compared with all other groups of youth.

(Deferred:  $p < .05$ ; non-suited:  $p < .602$ ; probation:  $p < .001$ ; placement:  $p < .054$ )



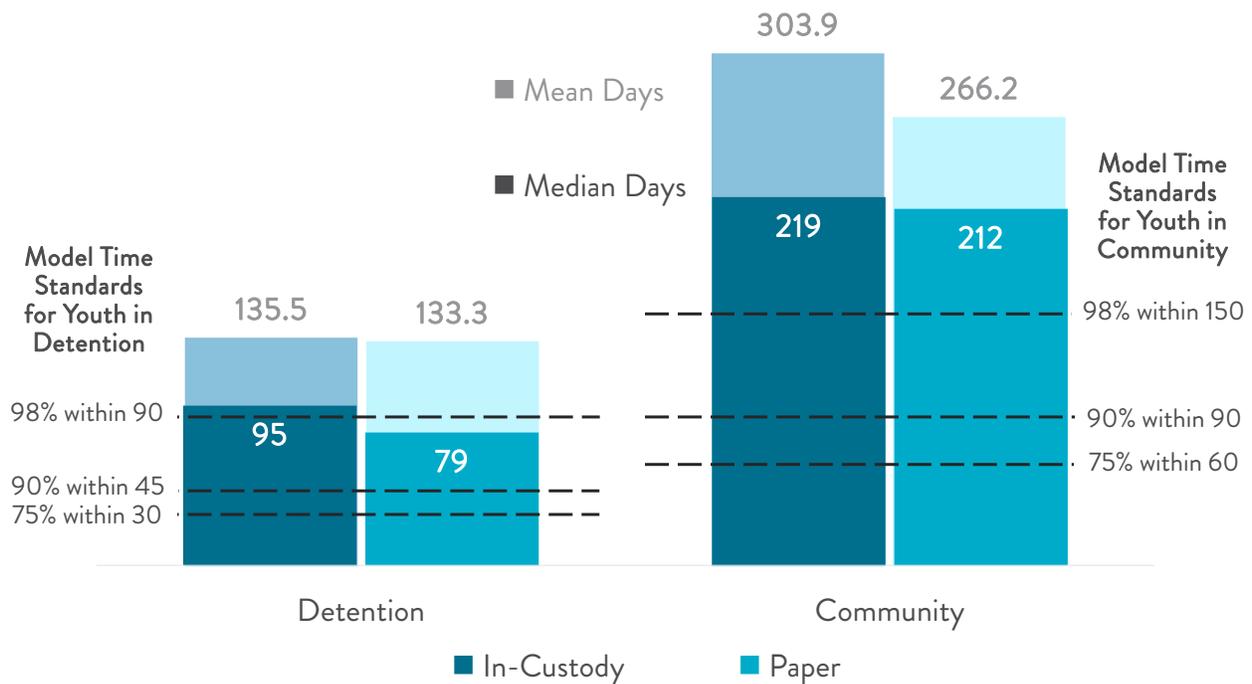
Note: Median days are represented in dark shades; mean days are represented in light shades. Eighty-one percent of White youth in the sample identified their ethnicity as Hispanic. Therefore, the comparison group of White youth is a comparison of youth with experiences that should be considered more like Hispanic youth than youth who are White non-Hispanic.

While overall disposition rates were slightly faster for White youth compared with Black youth, the differences were statistically significant for youth who were offered deferred prosecution and those who were court-ordered to probation. More specifically, the data suggest that youth who were identified as White achieved disposition in their case, on average, 30 days sooner than Black youth for deferred prosecution and about 20 days sooner for probation.

# DISCUSSION AND RECOMMENDATIONS

The evaluation results clearly indicate that in both the paper and in-custody pathways for justice-involved youth in Dallas County, time-to-disposition rates greatly exceeded the guidelines set by the Model Time Standards. Figure 19 compares the Model Time Standards with the Dallas County mean and median times for all youth processed through the local juvenile justice system from January 1, 2018, to July 11, 2022.

**Figure 19**  
**Dallas County means and medians compared with Model Time Standards.**



Note: Median days are represented in dark shades; mean days are represented in light shades.

Overall, the evaluation revealed that the current juvenile case processing model in Dallas County may be operating more within an adult criminal justice framework (e.g., over 90% of cases receiving formalized petition, youth remaining in detention for over 130 days compared with adult bail reform models, the use of multiple pretrial hearings and formalized court processes to determine disposition options) than the more rehabilitative and less formalized model designed to guide juvenile justice systems (e.g., using deferred or court diversion disposition strategies before formal adjudication and disposition, beginning disposition discussions upon intake with key decision makers across agencies at intake or earlier in the case process than adjudication).

## MOVING TOWARD AN EVIDENCE-BASED DECISION-MAKING PROCESS

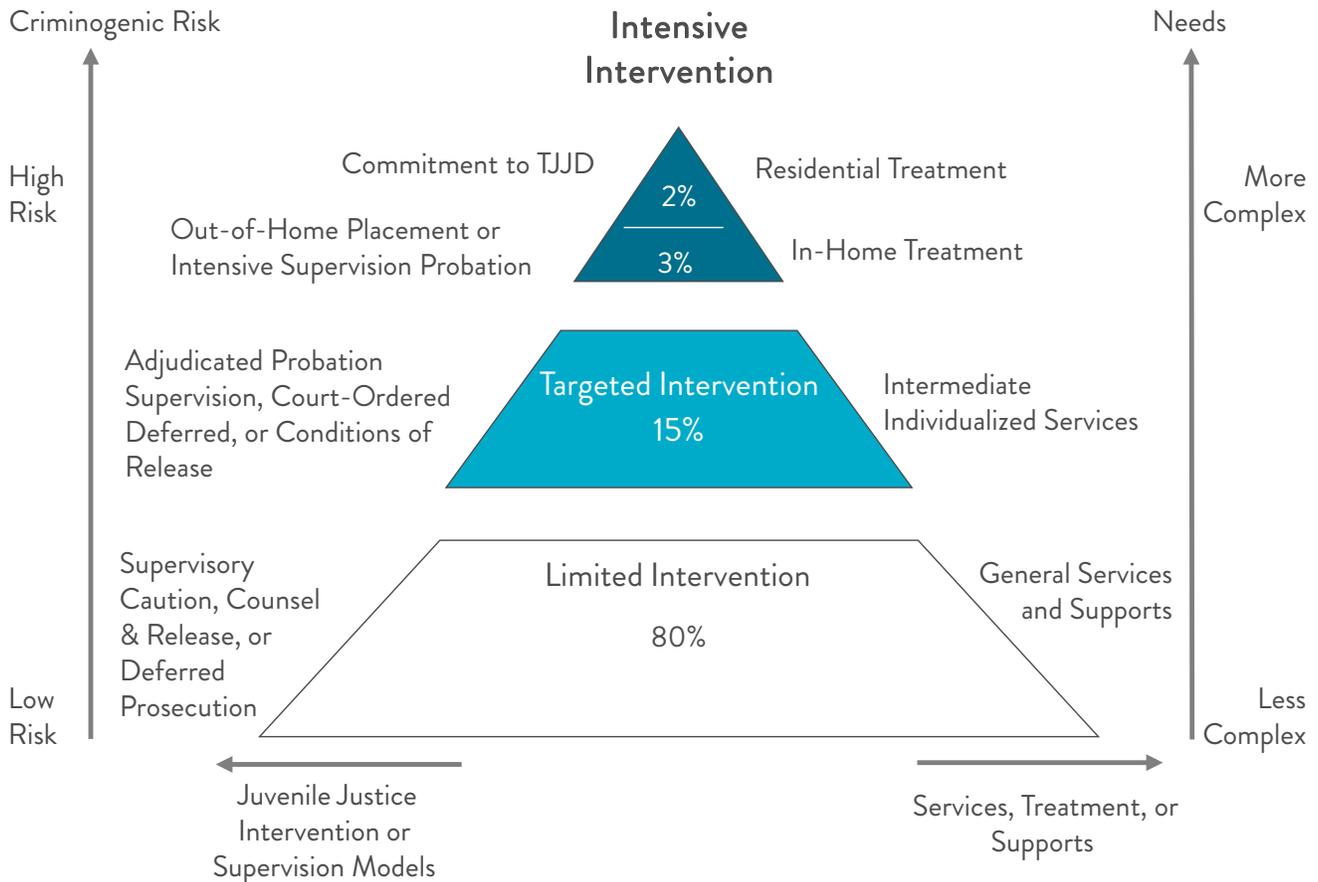
Results of this process evaluation suggest that Dallas County would benefit from developing and integrating an evidence-based decision-making model, approach, or platform to guide decisions across key intercepts or decision points into the local juvenile case processing system.

An evidence-based decision-making approach in juvenile justice includes (but is not limited to) assessing factors related to a youth's risk and needs; including disposition decisions related to matching youth to appropriate levels of supervision and programming, services and supports; ensuring access to effective program options; and ongoing assessment of the effectiveness of the overall system within youth and system-level outcomes (Lipsev et al., 2017; Vincent et al., 2021).

Similar to Viglione (2019), the findings from this evaluation indicate that although probation officers administered a state-mandated risk assessment, those assessment scores are rarely considered in disposition decisions (e.g., diversion versus adjudication). In addition, interviews with Dallas County stakeholders mirrored the findings of Shook and Saari (2007) in which juvenile case processing decision makers tended to undervalue—and, consequently, underuse or not use at all—the results of risk assessments to inform disposition decisions and related supervision strategies.

Therefore, the recommendations included in this report are anchored within the context of evidence-based decision making using the risk–needs–responsivity (RNR) model as a design framework. Figure 20 provides an overview of the proposed RNR design framework for Dallas County, and it is included here to serve as a visual guide for the recommendations section of this report.

**Figure 20**  
**RNR design framework.**



While the RNR framework intends that youth with the highest **risk and needs** should receive the most intensive programming to reduce their risk of reoffending (the risk principle), it is often misunderstood or conflated with the myth that programming should be considered based only on risk (e.g., decisions are based solely on risk levels and not on needs or other factors).

It should be emphasized that in addition to risk, the RNR framework includes key considerations that also relate to a youth’s **needs** and their **responsivity** to the corresponding supervision services and supports. In other words, in addition to risk, true evidence-based decision making and disposition considerations in juvenile justice anchored in the RNR framework must include all factors related to risk, needs, and responsivity.

Evidence-based disposition programming should target a youth’s dynamic factors contributing to variable elements that contribute to their behavior placing them at risk. These are malleable attributes of the youth, such as poor anger control, impulsivity, or hanging out with negative peers. Subsequently, disposition decisions should include supervision models and service coordination that are tailored to the specific

characteristics of the youth and their families, including the circumstances that may impact or support their response (the responsivity principle) to the rehabilitation efforts provided while they are involved with the juvenile justice system.

Most youth who become involved with the juvenile justice system do not need a lot of supervision or services and supports. In fact, when systems provide more supervision or services and supports than are needed, they can increase the likelihood of negative outcomes for that youth, such as increased risk for self-destructive behavior (Duke et al., 2010); create challenges to educational attainment (Geenan, et. al., 2015); increase risk to dropping out of school (Johnson, 2018); and increase the likelihood of recidivism and future involvement in the justice system, especially incarceration (Espinosa, Sorensen, & Walfield, 2020; Ogle et al., 2019; Petittclerc, 2012; Stevens & Morash, 2015; Trulson et al., 2016).

In Texas, on any given day, about 80% of youth involved with the juvenile justice system need a limited amount of system involvement to be successful (Texas Juvenile Justice Department, 2021; Pires et al., 2018; see limited intervention portion of Figure 20). Subsequently, a jurisdiction thinking through the development of an evidence-based decision-making approach should consider diversion strategies for youth who fall into the low risk (bottom-left side of Figure 20) and low need (bottom-right side of Figure 20) categories of the RNR framework.

Alternatively, some youth who come into the justice system fall into moderate risk and needs and should receive more targeted interventions to be successful in response. With an evidence-based decision-making approach, jurisdictions should consider formal probation or court involvement for youth who fall into moderate risk (middle-left side of Figure 20) and moderate need (middle-right side of Figure 20). In Texas, about 15% of justice-involved youth would fall within this range of risk and need (Texas Juvenile Justice Department, 2021).

At the top of the RNR design framework, about 5% of justice-involved youth come to the system with the highest amount of risk (top-left side of Figure 20) and needs (top-left side of Figure 20). These youth should get the most intensive interventions and supervision strategies available to the community. This may include, for example, intensive in-home supervision and/or in-home treatment supports, out-of-home placement, or even commitment to TJJD (Espinosa et al., 2020; Pappas & Dent, 2021).

## RECOMMENDATIONS

### RECOMMENDATION 1

Conduct a systematic examination of the utility, reliability, and validity of the risk and needs assessment used by the DCJD (PACT) in relation to both risk (e.g., predicting youth offending) and needs. Results of the analysis should be considered as a part of the consensus-building process for the disposition matrix development and implementation (see below).

### RECOMMENDATION 2

- Convene a community stakeholder meeting to review the results and facilitate consensus planning to address some of the findings.
- Develop a disposition decision matrix to consider and/or address (at a minimum and not limited to) the following questions.
  - » How can the number of youth coming into the formal court process in Dallas County be shortened (e.g., what considerations should be addressed to shrink the number of cases formally petitioned by the DA's office)?
  - » What assessments (including risk) are critical for inclusion in the disposition matrix?
  - » What should the initial target population be to demonstrate the use of a disposition matrix to shorten the "funnel" and shorten time to disposition (e.g., opportunities within the juvenile intake process at the DCJD, considerations for diversion for specific youth rather than filing a petition)?
  - » How can conditions of release and deferred prosecution be incorporated into the disposition matrix to divert youth from formal court processing (e.g., what commitments, understandings, and considerations do different stakeholders within the agencies responsible for those decisions need to have to consider diversion instead of processing through the formal processes that currently occur)?
  - » How could youth and families be engaged earlier in the process (e.g., formal intake processes include the development of disposition recommendations by the probation department prior to sending to the DA for a petition consideration)?
- Develop and initiate agreements across stakeholder agencies on the implementation of the disposition matrix.
- Use a continuous quality improvement approach to routinely examine and adjust strategies for the successful implementation of the disposition matrix.

## **OTHER RECOMMENDATIONS**

- Training and consultation to local decision makers and stakeholders across key intercepts or decision points on evidence-informed decision-making, including risk, needs, and responsivity models/approaches (should be incorporated as part of the planning, design, and implementation of the disposition decision matrix).
- Assess need and utility for assessments conducted on youth in detention related to case processing and disposition decisions and location (e.g., are the assessments necessary for disposition and, if so, can you access them outside of detention).
- Conduct a workload study of staff time across intercepts or decision points on case processing efforts (e.g., efforts related to youth in detention versus community) related to disposition.
- Examine programming offered to youth pending disposition and how those services may be considered in disposition decisions (e.g., is time to disposition extended to access services? Can services be offered in lieu of adjudication?).

# CONCLUSION

The results of this evaluation suggest that the juvenile case processing model or approach in Dallas County is operating within a formalized process (similar to adult court system models) with a heavy reliance on prosecution (through the filing of petitions, modifications, grand juries, etc.) and formal pretrial court proceedings to dispose of cases.

Various factors within that process (resetting of pretrial hearings, requiring a court order for a PDR, multiple assessments for youth in detention, etc.) cause the length of time to disposition for youth in Dallas County to far exceed the length of time to disposition for youth in the comparison counties and exceed the time-to-disposition guidelines set by the Model Time Standards.

Targeting opportunities to divert youth from petition and/or to examine ways to expedite their time spent pending disposition while in detention would not only bring the county closer in alignment to the comparison jurisdictions and the federal standards, it also could improve youth and system-level outcomes.

For example, for youth who are held in detention at the point of petition decision, the length of time in detention may increase the likelihood of negative outcomes for them and pose a significant challenge to them when returning to the community. Research shows that youth involved with the juvenile justice system who are supported by community-based services have lower re-offense rates than youth who are not supported by community-based services. These youth have lower rates of pretrial detention and fewer follow-up arrests, and they are less likely to be adjudicated or placed deeper within the juvenile justice system (Colwell et al., 2012; Cuellar, McReynolds, & Wasserman, 2006; Espinosa et al., 2021).

On the other hand, research on the impact of pre-disposition detention and institutionalization in secure settings on justice-involved youth has found it to be detrimental to their social and psychosocial development. Some examples of that research follow.

- Dmitreiva et al. (2012) found that the amount of time a justice-involved youth remained in a secure institution was associated with a decline in their ability to temper their anger and accept responsibility.
- Aizer & Doyle (2015) conducted a study in Cook County, Illinois, and found that pre-disposition detention reduced the likelihood of high school graduation by 13% and that just 38% of youth who were held in detention pre-disposition returned to their local public school.
- Hjalmarsson (2008) found that being placed in a secure institution before the age of 17 reduced the likelihood of graduation from high school by almost 40%.

In addition, studies have found that the decision to hold youth in detention pending disposition substantially increases the likelihood of those youth becoming further involved in the justice system. Some of those studies follow.

- A study in Washington state examining over 46,000 juvenile cases where youth were held in detention pre-disposition found that detention was associated with a 33% increase in felony recidivism when compared with youth in the community (Walker & Herting, 2020).
- Lovins (2013) found that the likelihood of reincarceration for a new offense increased the longer a justice-involved youth remained in an institution for their initial offense. While 34% of youth who were in an institution for one month or less were later reincarcerated, that proportion climbed significantly to 61% for youth who were institutionalized longer than three months.
- Jordan (2012) found that youth who were held in detention pre-disposition were three times more likely to be placed in out-of-home placement than comparable youth who were in the community (46% for youth in detention compared with 15% of youth in the community, controlling for offense history and other key variables).

Fiscally, the length of time a youth spends in detention pending a disposition decision may be causing a burden to county taxpayers, especially if youth are being held in detention to access mental health or physical health assessments, services, or treatment. For example, youth who use Medicaid for their health care will likely lose access to their Medicaid coverage due to being designated as an “inmate of a public institution” once they are held in detention for longer than 30 days. Set by federal law, this exclusion blocks states from using Medicaid funds to pay for care provided to individuals who are incarcerated (including juvenile justice-involved youth).<sup>34</sup> Therefore, all health care costs associated with youth while they are in detention will fall on the county to pay.

Targeting the development of strategies to divert and dispose cases for youth earlier in the process may not only improve Dallas County’s time-to-disposition rate, but it may also improve outcomes for justice-involved youth overall in the county. Furthermore, by incorporating evidence-based decision making into that process, Dallas County can ensure that local juvenile justice decision makers are applying the extensive body of what works to reduce recidivism and use structured decision-making efforts to improve the equity and efficiency in both access to services and supports and outcomes for justice-involved youth and their families.

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<sup>34</sup> Medicaid and Financing Health Care for Individuals Involved with the Criminal Justice System, retrieved from <https://csgjusticecenter.org/wp-content/uploads/2020/02/ACA-Medicaid-Expansion-Policy-Brief.pdf>

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## APPENDIX A: DATA TABLES

TABLE A1 MODEL TIME STANDARDS FOR JUVENILE CASE DISPOSITIONS. <sup>35</sup>		
Standard	Youth in Detention	Community
75% within	30 days	60 days
90% within	45 days	90 days
98% within	90 days	150 days

TABLE A2 TIME FROM PETITION TO DISPOSITION AS REPORTED TO THE TEXAS OFFICE OF COURT ADMINISTRATION, CALENDAR YEAR 2022. <sup>36</sup>						
County	Total Cases	Days				
		≤ 30	31–90	Total ≤ 90	91–180	Total ≤ 180
Bexar	205,769	14%	38%	52%	25%	77%
Dallas	178,340	1%	20%	21%	39%	60%
Harris	328,116	19%	19%	38%	25%	63%
Tarrant	207,792	27%	35%	62%	25%	87%
Travis	51,060	10%	54%	54%	23%	77%

Note: This table depicts the original analysis conducted by the Dallas County DA's office that resulted in the request for the process evaluation by Evident Change. This figure does not include original data collected or analyzed by the Evident Change research team.

TABLE A3 STATEWIDE AGGREGATE DISPOSITIONS, 2019–20.	
Type	%
Supervisory Caution	28.9%
Deferred	36.8%
Probation	31.9%
Commitment	2.1%
Adult Certification	0.3%

Note: Data pulled from: [State of Juvenile Probation Activity in Texas](#)  
Published by TJJD 2021

<sup>35</sup> National Center for State Courts, Model Time Standards for State Trial Courts. Retrieved from [https://www.ncsc.org/\\_data/assets/pdf\\_file/0032/18977/model-time-standards-for-state-trial-courts.pdf](https://www.ncsc.org/_data/assets/pdf_file/0032/18977/model-time-standards-for-state-trial-courts.pdf)

<sup>36</sup> The Texas Office of Court Administration, Court Activity Reporting and Directory System. Retrieved from <https://card.txcourts.gov/ReportCriteria.aspx?ddlReportName=143&ddlReportType=5022&ddlReportPeriod>

TABLE A4 COUNTY SIDE-BY-SIDE DISPOSITIONS, 2019–20.						
County	Supervisory Caution	Deferred	Probation	Commitment	Adult Certification	Total
Bexar	50.0%	29.8%	19.2%	1.0%	0.1%	1,491
Dallas	28.8%	20.0%	48.0%	3.2%	0.3%	1,543
El Paso	6.6%	25.5%	66.0%	1.9%	0.3%	624
Harris	0.1%	79.4%	19.5%	0.9%	0.2%	2,645
Hidalgo	6.5%	62.5%	28.1%	2.9%	0.2%	581
Tarrant	48.8%	18.5%	31.4%	1.2%	0.3%	1,816
Travis	20.3%	52.5%	27.0%	0.2%	0.0%	611

Note: These data reflect the data as reported to TJJJ based on statewide guidelines and may not fully reflect local processes and policies. Staff from the Juvenile Department indicate that the supervisory caution dispositions reported to TJJJ are largely attributed to youth who are brought to the Letot Center for runaway.

TABLE A5 A LARGER PROPORTION OF FEMALES WERE IDENTIFIED AS BLACK COMPARED WITH A LARGER PROPORTION OF MALES BEING IDENTIFIED AS WHITE.									
Gender	Race								Total
	American Indian or Alaska Native		Asian or Pacific Islander		Black		White		
	n	%	n	%	n	%	n	%	
Female	2	0.10%	11	0.80%	751	52.60%	664	46.50%	1,429
Male	3	0.10%	40	0.90%	2,093	46.90%	2,326	52.10%	4,463
Total	5	0.08%	51	0.90%	2,844	48.27%	2,990	50.75%	5,892

Note: Percentages will not total 100% due to rounding; total of cell counts will not match total within gender because “unknown” was removed due to low cell count. Eighty-one percent of White youth in the sample identified their ethnicity as Hispanic. Therefore, the comparison group of White youth is a comparison of youth with experiences that should be considered more like Hispanic youth than youth who are White non-Hispanic.

TABLE A6 MOST YOUTH WERE REFERRED THROUGH THE FORMAL IN-CUSTODY PATHWAY.		
Referral Pathway	Gender	
	Female	Male
In-Custody	765	2,319
Paper	574	17,50

Note: Numbers reflect individual youth with specific delinquent referrals and not those related to status offenses or violations of probation.

TABLE A7 MOST YOUTH HAD LESS THAN TWO PRIOR REFERRALS. ( $p < .000$ )		
Number of Referrals	Gender	
	Female	Male
1	1,429	4,463
2	335	1,308
3	132	627
4	50	291
5	17	123
6	7	55
7	1	20
8	1	4
9	1	2

TABLE A8 MALES HAD A LARGER PROPORTION OF FELONY AND VOP OFFENSES. ( $p < .000$ )										
Gender	Primary Offense									
	CINS		Misdemeanor		Felony		VOP		Total	
	n	%	n	%	n	%	n	%	n	%
Female	22	54%	764	31%	532	19%	111	19%	1,429	24%
Male	19	46%	1,700	69%	2,262	81%	482	81%	4,463	76%
Total	41	100%	2,464	100%	2,794	100%	593	100%	5,892	100%

TABLE A9 WHITE YOUTH REFLECTED A LARGER PROPORTION OF MOST FELONY OFFENSES COMPARED WITH OTHER YOUTH.										
Race	Primary offense									
	CINS		Felony		Misdemeanor		VOP		Total	
	n	%	n	%	n	%	n	%	n	%
American Indian or Alaska Native	0	0.0%	4	0.1%	1	0.04%	0	0.0%	5	0.1%
Asian or Pacific Islander	0	0.0%	29	1.0%	19	0.8%	3	0.5%	51	0.9%
Black	22	53.7%	1,312	47.0%	1,217	49.4%	29	49.4%	2,844	48.3%
White	19	46.3%	1,448	51.8%	1,226	49.8%	297	50.1%	2,990	50.7%

<b>TABLE A10</b> <b>DESPITE LEVEL OF OFFENSE, MOST OFFENSES WERE PETITIONED.</b> <b>(<math>p &lt; .000</math>)</b>														
Offense Category	Prosecutor action													
	Determinate Sentence		Modification		Grand Jury		Away		Petition		Waiver Motion		Total	
	n	%	n	%	n	%	n	%	n	%	n	%	n	%
CINS	0	0%	0	0%	0	0%	0	0%	25	100%	0	0%	25	100%
Felony	784	28%	16	.57%	59	2%	310	11%	1,559	56%	57	2%	2,785	100%
Misdemeanor	20	.65%	604	22%	0	0%	200	7%	2,248	73%	8	.26%	3,080	100%
Total	804	14%	620	11%	59	1%	510	9%	3,832	65%	65	1%	5,890	100%

“Away” indicates cases that were dismissed, dropped, non-suited or dismissed, taken into consideration, or sent to deferred prosecution.

<b>TABLE A11</b> <b>91% OF PROSECUTOR DECISIONS WERE SENT TOWARD FORMAL COURT PROCESSES.</b>	
Determinate Sentence	14%
Modification	11%
Grand Jury	1%
Petition	65%
Waiver Motion	1%
Away	9%

<b>TABLE A12</b> <b>OF THE YOUTH PETITIONED, 34.29% (1,314) WERE ULTIMATELY SENT AWAY FROM COURT PROCESSES.</b> <b>(<math>p &lt; .000</math>)</b>		
Petition Disposition	n	%
Dismissed	781	20.38%
Deferred	528	13.78%
Supervisory Caution	1	0.03%
Not Guilty	4	0.10%
Adjudicated—Probation	1,928	50.31%
Adjudicated/Modified—Placement	268	6.99%
Consolidated	207	5.40%
TJJD	8	0.21%
Transferred Dispo	96	2.51%
Deceased	2	0.05%

Note: Percentages are based on 3,832 overall disposition opportunities, including eight with no disposition.

TABLE A13 MOST YOUTH WERE IN CUSTODY AT THE POINT OF PROSECUTOR DECISION.		
Gender	Community	Detention
Female	66%	34%
Male	50%	50%
Total	46%	54%

TABLE A14 OVERVIEW OF RACE BY DETENTION AT POINT OF DA DECISION. ( $p < .188$ )		
Race	Community	Detention
American Indian or Alaska Native	0	100%
Black	51%	48%
White	48%	51%

TABLE A15 MOST OF THE YOUTH IN DETENTION AT THE POINT OF DA DECISION WERE LOW RISK.	
Risk Level	%
High	15%
Medium	32%
Low	47%
Unknown	6%

TABLE A16 YOUTH REFERRED FOR MISDEMEANOR OFFENSES WERE LESS LIKELY TO BE IN DETENTION AT THE POINT OF DA DECISION.		
Offense Level	Community	Detention
CINS	100%	0%
Felony	38%	62%
Misdemeanor	74%	26%
VOP	15%	85%
Total	54%	46%

**TABLE A17**  
**YOUTH WITH A HIGH RISK LEVEL WERE MORE LIKELY**  
**TO BE IN DETENTION AT THE POINT OF DA DECISION.**  
*(p < .01)*

Risk Level	Community	Detention
High	36%	64%
Medium	46%	54%
Low	60%	40%
Unknown	91%	9%
Total	54%	46%

**TABLE A18**  
**MOST YOUTH (64%) WHO WERE IN DETENTION AT POINT OF DA DECISION**  
**RETURNED TO THE COMMUNITY AT DISPOSITION.**  
*(p < .01)*

Disposition	n	%
<b>Community</b>		
Deferred	82	6%
Dropped	1	0.10%
Non-suited	121	9%
Probation	696	49%
<b>Non-Community Dispositions</b>		
Certified Adult	8	0.60%
TJJD	16	1.10%
Determinate Sentence	20	1.40%
Placement	411	29%
<b>Other</b>		
Adjudicated—No Disposition	9	0.60%
Dismissed	14	0.90%
Grand Jury—NPC	1	0.10%
Transfer	32	2%

**TABLE A19**  
**YOUTH WHO WERE AT HOME WHEN THE PETITION WAS FILED**  
**HAD THE LONGEST DISPOSITION RATE.**  
*(p < .01)*

Referral Path	Location at Petition	Mean	Median
In-Custody	Detention	135.5 days	95 days
Paper	Detention	133.3 days	79 days
In-Custody	Community	303.9 days	219 days
Paper	Community	266.2 days	212 days

Note: Neither offense severity nor risk was significantly related to time to disposition.

**TABLE A20**  
**YOUTH WHO WERE PETITIONED SPENT MORE TIME IN DETENTION**  
**COMPARED WITH YOUTH WHO WERE DETAINED AND NOT PETITIONED.**

Referral Path	Days in Detention	
	Mean	Median
<b>Petitioned</b>		
In-Custody	140.2	96
Paper	144.2	90
<b>Not Petitioned</b>		
In-Custody	117.7	87
Paper	86.1	61

**TABLE A21**  
**WHITE YOUTH RECEIVED QUICKER DEFERRED DISPOSITIONS**  
**COMPARED WITH ALL OTHER GROUPS OF YOUTH.**  
*(Deferred: p < .05; non-suited: p < .602; probation: p < .001; placement: p < .054)*

Disposition	White		Black	
	Mean	Median	Mean	Median
Deferred	222.1 days	192 days	254.1 days	223 days
Non-suited	468.3 days	295 days	448.6 days	324 days
Probation	206.8 days	185 days	225.8 days	202 days
Placement	141.3 days	100 days	167.6 days	126.5 days

## APPENDIX B: TIMELINE OF STAKEHOLDER INTERVIEWS— DALLAS COUNTY AND COMPARISON COUNTIES

DATE	COUNTY	PURPOSE
3/4/2022	Dallas	Kickoff call to introduce the Evident Change team and the Dallas County team (including and not limited to key administrators from the Dallas County Juvenile Department, prosecutors from the District Attorney’s office and the District Attorney, judges from the 304th and 305th courts), discuss the purpose of the evaluation, gather preliminary perceptions of facilitators and barriers to the juvenile disposition process, and plan for next steps in the evaluation.
4/15/2022	Dallas	Understand what the Dallas County juvenile processes look like for the pre-adjudication manager. Understand the process for a paper referral compared with an in-custody formal referral. Review process and procedure documents, including flow charts for Dallas County.
4/19/2022	Dallas	Understand what the Dallas County processes look like for the deputy director of Executive and Administrative Services. Review process and procedure documents, including flow charts for Dallas County.
4/22/2022	Dallas	Understand what the Dallas County processes look like for the deputy director of Probation Services. Review process and procedure documents, including flow charts for Dallas County.
4/27/2022	Dallas	Understand what the Dallas County processes look like for the post-adjudication probation manager. Review process and procedure documents, including flow charts for Dallas County.
4/28/2022	Dallas	Understand what the Dallas County processes look like for the DA liaison.
6/6/2022	El Paso	Understand El Paso County’s juvenile processes and see how they compare with Dallas. This interview included the chief juvenile probation officer, several members of the Juvenile Probation administrative team representing both pre- and post-adjudication processes, and the juvenile prosecutor.
6/7/2022	Hidalgo	Understand Hidalgo County’s juvenile processes and see how they compare with Dallas. This interview included the chief juvenile probation officer, several members of Juvenile Probation, and members of the administrative team representing both pre- and post-adjudication processes.
6/8/2022	Bexar	Understand Bexar County’s juvenile processes and see how they compare with Dallas. This interview included the chief juvenile probation officer and members of the Juvenile Probation administrative team representing both pre- and post-adjudication processes.
6/27/2022	El Paso	Follow-up questions with El Paso County’s Juvenile Probation Department. Review process and procedure documents, including flow charts for El Paso County.
7/21/2022	Bexar	Follow-up questions with Bexar County’s Juvenile Probation Department. Review process and procedure documents, including flow charts for Bexar County.

DATE	COUNTY	PURPOSE
7/22/2022	Tarrant	Understand Tarrant County's juvenile processes and how they compare with Dallas.
8/2/2022	Tarrant	Follow-up on Tarrant County processes and how they compare with Dallas. Review process and procedure documents, including flow charts for Tarrant County.
8/5/2022	Dallas	Understand the Dallas County processes from the perspective of the 305th Juvenile District Court.
8/9/2022	Dallas	Follow-up questions with the 305th Juvenile District Court from the previous interview.
8/10/2022	Dallas	Follow-up with the Dallas County DA's office, based on questions and clarifications raised during other stakeholder interviews.
8/10/2022	Hidalgo	Follow-up with Hidalgo County Juvenile Probation for clarification on process and procedures. Review process and procedure documents, including flow charts for Hidalgo County.
8/13/2022	Tarrant	Follow-up meeting to discuss Tarrant County.
8/15/2022	Dallas	Understand Dallas County's processes from the perspective of the Juvenile Department's Court Unit.
8/17/2022	Dallas	Understand Dallas County's process from the perspective of the Intake Screening unit.
8/18/2022	Dallas	Understand Dallas County's processes from the perspective of the facility expeditor at the Juvenile Department.
1/31/2023	Dallas	Understand the perspective of court processes impacting juvenile dispositions from the 304th Juvenile District Court.

NOTE: The table represents the timeline of formal interviews with stakeholders and does not include a comprehensive accounting for iterative discussions and conversations related to processes and engagement strategies between the research team and the stakeholders informing the study.

# APPENDIX C: COMPARISON COUNTY PROCESS MAPPING— KEY FINDINGS, SIDE BY SIDE

Dallas and El Paso appear most similar in petition processing.

COUNTY	BEXAR	DALLAS	EL PASO	HIDALGO	TARRANT
<b>Pre-Adjudication Process</b>					
Intake	<ul style="list-style-type: none"> <li>• Dedicated Intake Unit for formal (detention) and paper referrals</li> <li>• Operates 24/7/365</li> </ul>	<ul style="list-style-type: none"> <li>• Formal referrals go to a Detention Intake Unit.</li> <li>• Paper referrals go to DA liaison.</li> <li>• If detained on initial offense, the case goes to Court Assessment unit. (If a youth under supervision comes into detention on a new offense, the case remains with the assigned field officer.)</li> </ul>	<ul style="list-style-type: none"> <li>• Dedicated Intake Unit processes formal and paper referrals.</li> </ul>	<ul style="list-style-type: none"> <li>• Dedicated Intake Unit for all cases other than sex offenses</li> <li>• Separate Intake Unit for sex offender</li> </ul>	<p>There are two Intake Units.</p> <ul style="list-style-type: none"> <li>• <b>Detention Intake</b> initially processes formal referrals. These cases are then assigned to a court intake probation officer or the assigned deferred-prosecution or court-ordered probation officer (when already on supervision).</li> <li>• <b>Diversion/Court Intake</b> handles paper referrals. Detention Intake uses Pre-PACT, Family Code, and department policy to decide on detention or release.</li> </ul>
Intake PACT	Pre-PACT is conducted on any case being considered for Assess, Counsel and Release (ACR; supervisory caution). If the child 's risk	<ul style="list-style-type: none"> <li>• Not done at paper referral intake</li> <li>• Pre-PACT done at formal intake.</li> </ul>	Pre-PACT for all youth at intake	Not at intake	<ul style="list-style-type: none"> <li>• Detention Intake probation officer completes the PACT pre-screen (risk and needs).</li> </ul>

COUNTY	BEXAR	DALLAS	EL PASO	HIDALGO	TARRANT
	level is medium or high, a full PACT is conducted and ACR is still considered.				<ul style="list-style-type: none"> <li>• Court Intake completes full PACT.</li> </ul>
Counsel and Release (Supervisory Caution) and Deferred Decisions	<ul style="list-style-type: none"> <li>• Intake can close only via ACR on low-level first-time non-violent misdemeanor cases.</li> <li>• All cases referred to intake that are not closed via ACR are transferred to court or field units for disposition.</li> <li>• Supervising probation officer has discretion to offer deferred for cases not requiring DA decision.</li> <li>• Probation uses Full PACT results to recommend to DA.</li> <li>• Probation can make recommendations for deferred based on PACT for cases in which a petition request has been submitted.</li> </ul>	<ul style="list-style-type: none"> <li>• Family Code guides</li> <li>• Defer to DA liaison and DA's office</li> </ul>	<ul style="list-style-type: none"> <li>• Family Code guides</li> <li>• Probation may ask county counsel to divert or file a petition.</li> <li>• If a case does not require forwarding to the prosecutor per the Family Code and there is a high amount of restitution that the family cannot pay within three to six months, then recommend petition.</li> </ul>	<ul style="list-style-type: none"> <li>• Family Code Guides</li> <li>• Probation can divert or recommend to DA to divert or petition.</li> </ul>	Offering deferred prosecution to youth is determined by PACT results, Alternative Offense Referral Plan (mandatory versus discretionary), and other considerations such as seriousness of offense, restitution, and family dynamics.
<b>Petition-Driven Processes</b>					
Petition Decisions <b>Note:</b> Per Texas Family Code	<ul style="list-style-type: none"> <li>• Assigned probation officer can consult with DA on any case to</li> </ul>	For formal referrals resulting in detention: decided by DA, no probation recommendation	<ul style="list-style-type: none"> <li>• County attorney decides; however, Probation can</li> </ul>	Probation submits memo with recommendation	Cases are referred to DA to decide based on an

COUNTY	BEXAR	DALLAS	EL PASO	HIDALGO	TARRANT
section 53.01 (d), all felony offenses, violent misdemeanors, use or possession of certain weapons must be forwarded to the juvenile prosecutor.	consider ACR or deferred prosecution prior to adjudication.		request a petition or make recommendations.	to DA to review or revise.	Alternative Offense Referral Plan and policy.  Per the Michael Morton Act, all information, including PACT scores, is shared with the DA and defense attorney.
Notice of Petition to Family	Served by supervising probation officer	Served by constable	Served by a summons server within 10 days before pretrial	Served by supervising (field or court) probation officer	Served by assigned probation officer (court intake or field). The Intake Unit also has a liaison to support serving petitions. Detention Intake assists with serving petitions for youth in detention.
Assignment of counsel	<ul style="list-style-type: none"> <li>Detained youth are assigned counsel at initial detention hearing.</li> <li>For non-detained youth, family requests a defense attorney from Pretrial Services Department or retains an attorney.</li> </ul>	<ul style="list-style-type: none"> <li>Counsel assigned at detention hearing.</li> <li>Counsel for adjudication and disposition hearings is assigned at the announcement hearing.</li> <li>Youth in detention may have different counsel for detention hearings and adjudication or disposition hearings.</li> </ul>	If not detained, assigned at first pretrial by judge	<ul style="list-style-type: none"> <li>Judge holds hearing to officially assign.</li> <li>District clerk assigns defense attorney.</li> <li>Attorney gets notice from district clerk.</li> </ul>	<ul style="list-style-type: none"> <li>Youth who are detained are assigned an attorney before detention hearing.</li> <li>Non-detained youth are assigned an attorney by the Court Coordinator's office once a petition is filed and the parent/guardian submits a form requesting a court-appointed attorney.</li> </ul>
Pretrial Hearings	<ul style="list-style-type: none"> <li>No official pretrials are held.</li> <li>Defense attorney and DA, with input from assigned probation</li> </ul>	<ul style="list-style-type: none"> <li>Announcement hearing held.</li> <li>Pretrial hearings held in addition to detention hearings for youth in detention.</li> </ul>	<ul style="list-style-type: none"> <li>Set by sitting judge</li> <li>Two to three hearings</li> </ul>	<ul style="list-style-type: none"> <li>No hearings unless youth is in detention</li> <li>Detention hearings only</li> </ul>	<ul style="list-style-type: none"> <li>Defense attorney and DA work together outside of formal hearings to establish agreements, stipulations,</li> </ul>

COUNTY	BEXAR	DALLAS	EL PASO	HIDALGO	TARRANT
	<p>officer, work together outside of formal hearings to establish disposition options prior to adjudication.</p>	<ul style="list-style-type: none"> <li>• Youth in the community only get pretrial hearings.</li> <li>• Set by sitting judge</li> <li>• Initial hearing for youth and counsel</li> <li>• Held to coordinate and communicate between prosecutor and defense counsel</li> </ul>	<ul style="list-style-type: none"> <li>• Held so county attorney and defense counsel meet, communicate, and make decisions</li> </ul>		<p>and recommendations for the court.</p> <ul style="list-style-type: none"> <li>• Sometimes conduct pretrial/judicial reviews/status conference hearings for pre- and post-adjudication youth for serious offenses to address youth who may be struggling, to address the DA and defense attorney jointly, and to facilitate case movement.</li> <li>• Pretrials not mandated.</li> </ul>
Disposition Processes					
Disposition Reports	<ul style="list-style-type: none"> <li>• Probation officer gathers social history information, completes a PACT, and develops a pre-disposition report.</li> <li>• Discussions between Juvenile Probation Department, DA, and defense counsel can occur prior to case filing and/or prior to adjudication.</li> </ul>	<ul style="list-style-type: none"> <li>• Probation starts developing once a pre-disposition report (PDR) is requested and court-ordered.</li> <li>• Recently, Probation has begun the report earlier in the process or without court order.</li> </ul>	<ul style="list-style-type: none"> <li>• Starts once a case is assigned to a probation officer</li> <li>• Disposition hearing is held separately from adjudication and is held about two to four weeks after adjudication.</li> </ul>	Starts once a case is assigned to a court probation officer	<ul style="list-style-type: none"> <li>• Starts once assigned to a probation officer and formalized once the case is set for a hearing</li> <li>• Community-based dispositions are staffed by the resource staffing team (includes resource development and placement supervisors, CPS liaison, MHMR liaison, assigned probation officer) to determine applicable resources, or the probation officer develops</li> </ul>

COUNTY	BEXAR	DALLAS	EL PASO	HIDALGO	TARRANT
					<p>recommendation, approved by supervisor, considering youth and family needs.</p> <ul style="list-style-type: none"> <li>For placement, the court orders a general placement search/order, and the Placement Unit looks for placements that fit the youth's needs.</li> </ul>
Full PACT	<ul style="list-style-type: none"> <li>Conducted prior to disposition on all youth unless case is closed via ACR</li> <li>The full PACT is administered by the assigned probation officer.</li> <li>PACT reassessment is conducted every 90 days or after re-referral.</li> <li>Results of the assessment are not shared outside the probation department and are used to inform probation-based recommendations</li> </ul>	<ul style="list-style-type: none"> <li>Conducted for youth disposed to deferred only if the youth's case is court ordered to deferred.</li> <li>Conducted once a PDR is ordered or the Probation Department initiates the PDR.</li> <li>Some information is included in the PDR.</li> <li>Per staff interviewed, disposition decisions typically do not include PACT results.</li> </ul>	<ul style="list-style-type: none"> <li>Conducted under deferred if moderate risk or in a special program</li> <li>Conducted after adjudication and before disposition</li> </ul>	Completed once petition is filed or placed on deferred	Court Intake conducts full PACT on all youth pending court or deferred prosecution.
<b>Probation Officer Assignment</b>					
Supervision Across Court	Probation officer assigned at intake (field or court) handles the youth's case	<ul style="list-style-type: none"> <li>If a youth does not come in through Probation (i.e., through formal referral or</li> </ul>	<ul style="list-style-type: none"> <li>Probation officer is assigned only for youth who are</li> </ul>	Probation officer assigned at intake (field or court)	<ul style="list-style-type: none"> <li>Probation officer assigned at intake (field or court) handles the youth's case</li> </ul>

COUNTY	BEXAR	DALLAS	EL PASO	HIDALGO	TARRANT
Processing Intercepts	throughout its duration (e.g., through to disposition).	<p>previous supervision), they will not interact with the department until after being served a petition by the constable.</p> <ul style="list-style-type: none"> <li>• For new youth: If court-ordered detention with no previous probation officer, assigned to Court Assessment unit. If they are home or go home from detention, they go to a field unit probation officer.</li> <li>• For all youth: A separate court officer (court liaison officer) represents the Probation Department's recommendation in court.</li> <li>• If the youth's case includes a recommendation of contract placement, the Placement Unit seeks out that placement.</li> <li>• If the youth's case includes a recommendation for internal placement, a referral is sent to the internal placement for acceptance.</li> <li>• If the judge orders a placement match at the request of the youth's representing counsel,</li> </ul>	<p>placed on pre-conditional (home detention) or post-adjudication supervision.</p> <ul style="list-style-type: none"> <li>• Paper-referred cases will only have a probation officer assigned for the assessment and intake interview.</li> </ul>	handles the youth's case throughout its duration (e.g., through to disposition).	<p>throughout its duration (e.g. through to disposition).</p> <ul style="list-style-type: none"> <li>• Exception: After intake, intake probation officers transfer court-directed cases within their team to a court intake probation officer.</li> </ul>

COUNTY	BEXAR	DALLAS	EL PASO	HIDALGO	TARRANT
		DA, or judge, the Placement Unit processes that request. <ul style="list-style-type: none"> <li>• If the youth's case is disposed to placement, the case is transferred to the placement expeditor.</li> </ul>			