



# Texas Juvenile Secure Facilities: 2020 Incident Trends

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## **TEXAS JUVENILE SECURE FACILITIES: 2020 INCIDENT TRENDS**

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### **To cite:**

Russell, K., & Ellington, S. (2020). *Texas juvenile secure facilities: 2020 Incident trends*. Texas Juvenile Crime Prevention Center, Prairie View A&M University.

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## I. Introduction

During the mid-1990s to 2007, the state of Texas witnessed a period of a dramatic increase in juvenile populations in secure state facilities. These changes were consistent with broader “tough on crime” policies and outcomes seen across the nation. This shift was accompanied by increases in allegations and investigations into abuse within the institutions.<sup>1</sup>

This period was quickly followed by sweeping reform efforts, culminating in the passage of Senate Bill 1630 in 2015.<sup>2</sup> The purpose of this bill was to shift the justice system in Texas to a regional model, which includes housing juveniles in secure facilities within their own communities rather than in state-run lockups. Further, this bill emphasized the use of rehabilitative practices over punitive ones. These efforts to focus more on community-based corrections in Texas has resulted in a substantial reduction in the population of incarcerated youth, as well as the closure of various facilities across the state.<sup>3</sup>

The Independent Ombudsman for Texas Juvenile Justice Department (TJJJ)<sup>4</sup> has been mandated with investigating, evaluating, and securing youth rights in the juvenile justice system. Ombudsman Investigating Officers (OIO) are designated by the office of the Independent Ombudsman to conduct interviews, facility visits, and gather data as part of this evaluation. Data collected includes an overview of incident rates, facility factors (e.g., population), and complaints (i.e., formal documented statements that require investigation reported by youth, staff, OIOs, parents/family, advocacy groups, or volunteers).

While it has only been 4.5 years since the bill went into effect, annual Independent Ombudsmen reports compiled for each of the TJJJ secure facilities provide insight into the impact of these efforts. Senate Bill 1630 led to the expansion of the responsibilities to include county post-adjudication facilities and contract post-adjudication facilities, in addition to the monitoring of incidents of abuse, neglect, and exploitation (ANE) reported at pre and post-adjudication facilities. The investigator is then mandated to make recommendations for the facilities that are in the best interest of youths’ safety, security, and human rights.

The information collected by the Ombudsmen includes an overview of incident reports at each facility between the years of 2016 and 2020. During this period, TJJJ included six (6) secure facilities, eight (8) TJJJ halfway houses, eight (8) contract care facilities in addition to various post-adjudication, parole, county-operated, and contract care facilities. This data report aims to summarize data compiled from the Ombudsmen reports to shed light on incident trends and the current state of TJJJ secure facilities today.

In this data brief, several terms are used to refer to various forms of incidents that occur at juvenile secure facilities. The term “**OC Pepper Spray**” refers to the use of Oleoresin Capsicum (OC) or “pepper spray” by a staff member during an incident at the facility. The term “**Restraints**” refers to a physical mechanism used by staff members to control juvenile behavior when those behaviors are creating an emergency or crisis situation (e.g., juvenile poses risk to self or others). There are also two terms used for assaults or physical attacks on a victim(s) in this

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<sup>1</sup> Gordon, S. A. (2016). Juvenile justice reform in Texas: The context, content, & consequences of senate bill 1630. *Journal of Legislation*, 42(2), 232-256.

<sup>2</sup> S.B. 1630, 84<sup>th</sup> Leg Reg. Sess. (Tex. 2015)

<sup>3</sup> Cate, S. (2016). Devolution, not decarceration: The limits of juvenile justice report in Texas. *Punishment & Society*, 18(5), 579-609.

<sup>4</sup> Independent Ombudsman for the Texas Juvenile Justice Department. *Quarterly Reports*, 2016-2019. Retrieved from: <https://www2.tjjd.texas.gov/ombudsman/reports.aspx>

report which include **“Youth on Youth Assault”** and **“Youth on Staff Assault.”** These are any unauthorized physical contact with staff or other youth (e.g., pushing) and may or may not result in injury. The term **“Escape/Attempted Escape”** is used to refer to instances in which a juvenile leaves, or attempts to leave, a TJJD facility or off-campus activity location without permission. **“Fleeing Apprehension”** is the term used when a juvenile disrupts the facility (dorm, campus classroom, or other operation) by running away from staff or refusing to come to them when they are being called.<sup>5</sup> The term **“Gang-Related”** refers to any incident associated with, resulting from, or ordered by a criminal or street gang. Last, **“Participation in Major Disruption”** is the term used to refer to incidents in which juveniles, in conjunction with at least two other youth, engage in behavior that threatens people or property causing a disruption of facility operations.<sup>5</sup>

This report covers only TJJD secure correctional facilities. These are Evins Regional Juvenile Center (RJC), Gainesville State School, Giddings State School, McLennan County State Juvenile Correctional Facility (SJCF), and the Ron Jackson State Juvenile Correctional Complex (SJCC). It should be noted that this report does not include incidents within the Phoenix program which was housed at the McLennan County SJCF campus until it was transferred to Evins RJC in August 2020. It should be noted that the average daily population of all TJJD institutions combined ranged from 590 to 796 in 2020, however, monthly population data for each individual facility is not publicly available.

Provided here are tables and figures to demonstrate incident trends in TJJD secure

facilities. The report is organized by first providing an outline of key findings from this project, followed by an overview of incidents in secure juvenile facilities in Texas between the months of January and August in 2020. Next, incident rates are examined by type and facility. Following these, incident rates in 2020 are compared with recent years.

As mentioned, all data in this report is summarized from the Independent Ombudsmen reports. These include quarterly reports from 2016-2020. It should be noted that in 2020, due to COVID19 visits of the Independent Ombudsman to the facilities were restricted and most of the interviews and data collection occurred remotely.

## II. Key Findings

- The most common type of incident reported across all TJJD juvenile facilities (January to August of 2020) was the use of restraints which was reported a total of 2,947 times.
- Despite ongoing reform efforts, incident rates do not appear to have declined meaningfully over the past several years.
- No consistent trends exist in incidents rates across the facilities.
- Additional research is needed to put these findings in context in relation to facility populations, to conduct comparative analyses with facilities from other states, and to understand the impact of reform efforts (e.g., staff trainings and population reductions).

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<sup>5</sup> The TJJD Youth Handbook (2016). Retrieved from: [https://www2.tjjd.texas.gov/programs/TJJD\\_Youth\\_Handbook\\_Text.pdf](https://www2.tjjd.texas.gov/programs/TJJD_Youth_Handbook_Text.pdf)

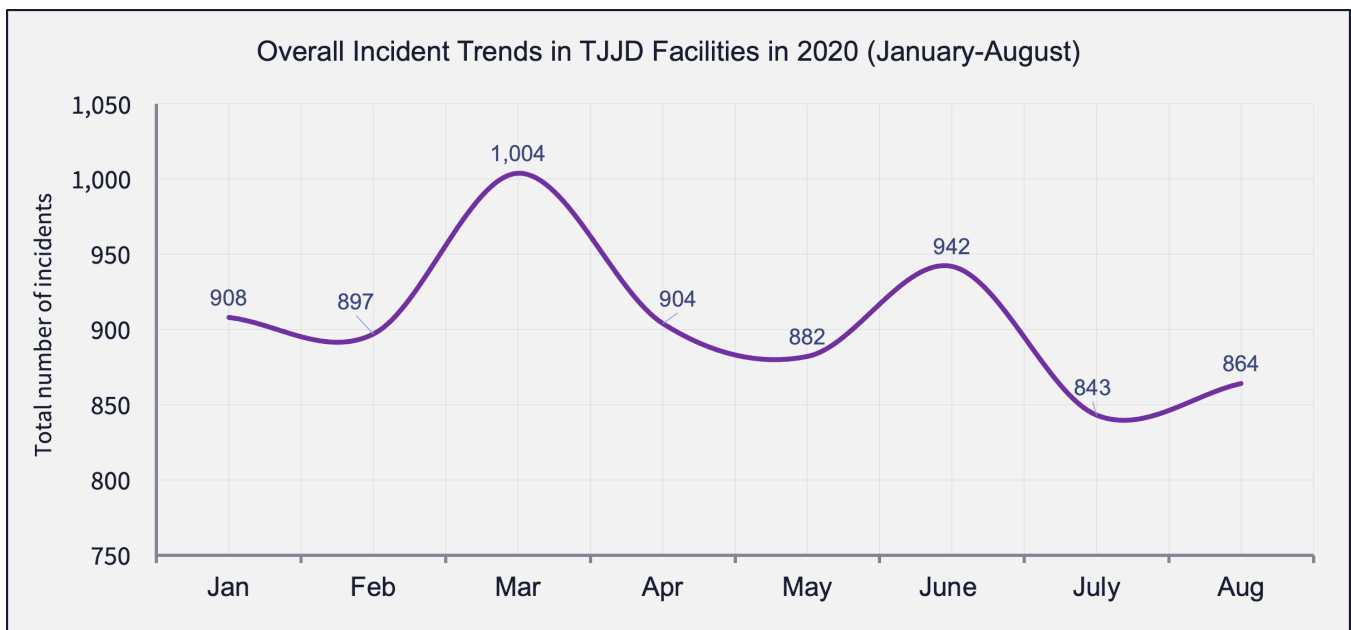
### III. Overview of Incidents at Secure Juvenile Facilities in Texas

#### How many total incidents have been reported across all TJJD secure facilities in 2020?

Data were compiled using the Independent Ombudsman reports for five facilities which include Evins RJC, Gainesville State School, Giddings State School, McLennan County SJCF, and the Ron Jackson SJCC. Data were available for 2020 between the months of January and August. Subsequently, all sections of this report referring to 2020 will cover these eight months.

In total, 7,244 incidents were reported across the five facilities during January-August 2020. These incidents include use of OC pepper spray, restraints, youth on youth assaults, youth on staff assaults, escape/escape attempts, fleeing apprehensions, gang-related incidents, and participation in major disruptions. Overall rates will be broken down by facility and incident type in the following sections. As Figure 1 highlights, total incident rates have remained fairly consistent (range = 161) across the year, with the exception of increases in March and June.

Figure 1. Overall Incident Trends in TJJD Facilities in 2020 (January-August)

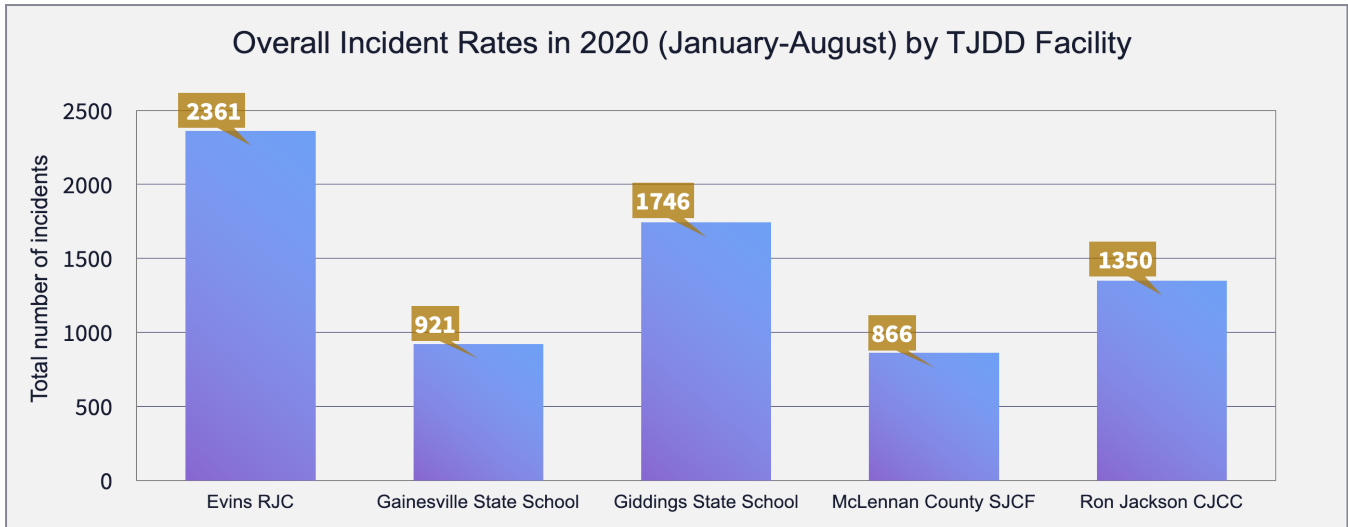


#### How many total incidents have been reported by each TJJD secure facility in 2020?

Of the 7,244 incidents reported in January-August 2020, 32.59% were from Evins RJC, 24.10% were

from Giddings State School, 18.64% were from Ron Jackson CJCC, 12.71% were from Gainesville State School, and the remaining 11.96% were from McLennan County SJCF. See Figure 2 for totals

**Figure 2. Overall Incident Rates in 2020 (January-August) by TJJD Facility**

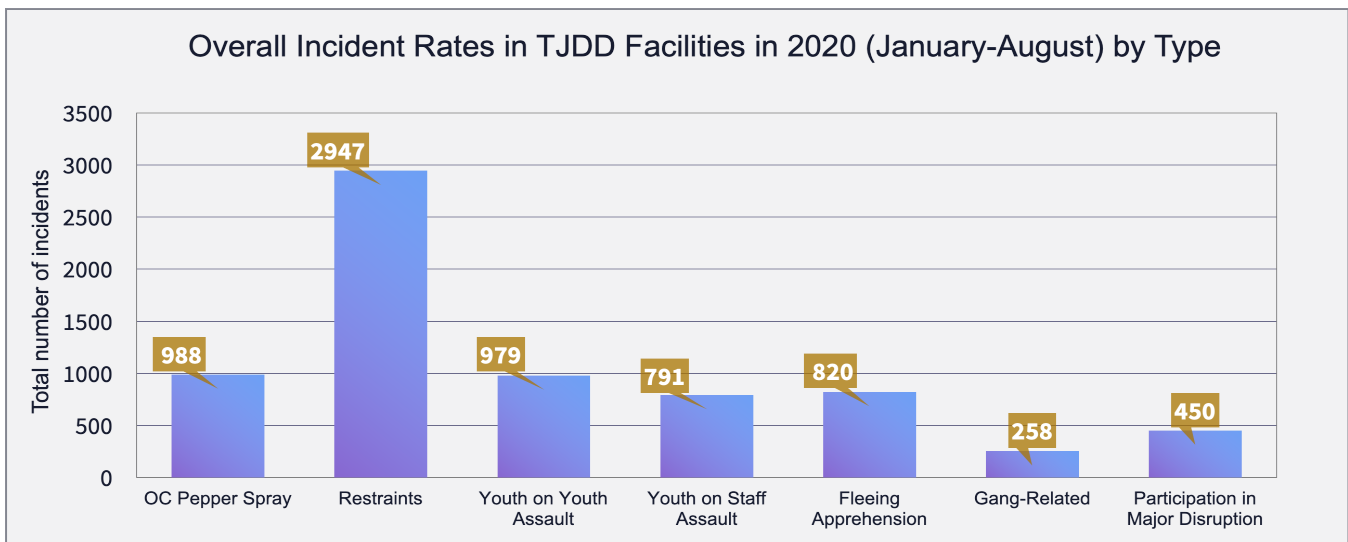


**What are the total incident rates by type in TJJD secure facilities in 2020?**

As demonstrated in Figure 3, the most frequently reported incident at TJJD facilities is the use of restraints which accounts for just over 40% of all incidents. This is followed by OC pepper spray

(13.64%), youth on youth assaults (13.52%), fleeing apprehension (11.32%), youth on staff assaults (10.92%), participation in major disruptions (66.21%), and gang-related incidents (3.56%). Escapes and escape attempts (.15%) were not displayed in Figure 3 as only eleven total incidents were reported across the quarter.

**Figure 3. Overall Incident Rates in TJJD Facilities in 2020 Second Quarter by Type**

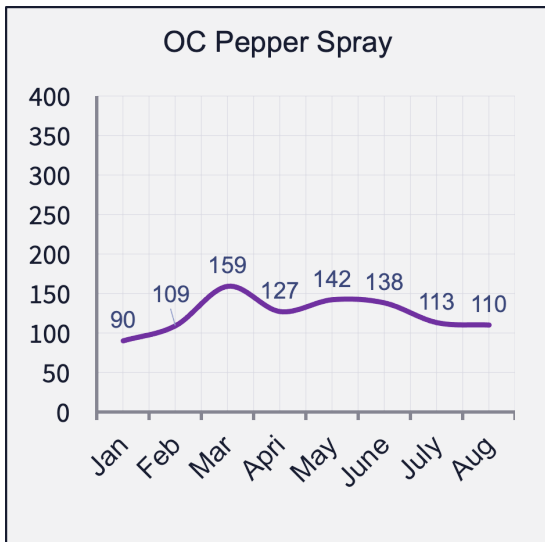


**How have incidents rates changed across the quarter for each type of incident in TJJJ secure facilities in 2020?**

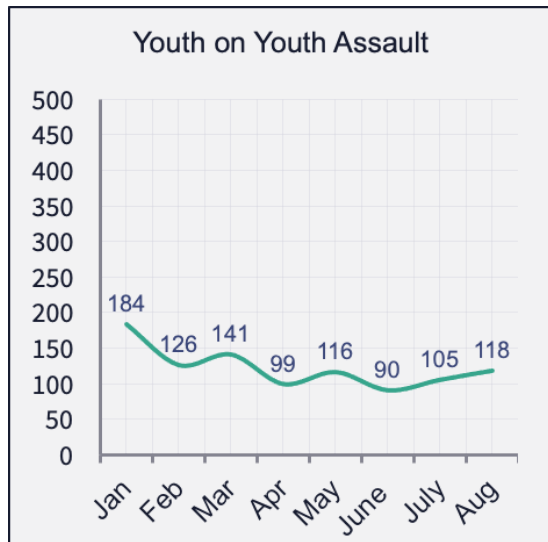
Figured 4-10 provide a more nuanced examination of trends across January-August in 2020. Please note that axes are consistent across all figures. While this may reduce the ease of viewing, it permits more accurate comparisons of variance across trend figures.

These trends suggest that rates for individual incident types followed a similar pattern to overall incident rates. Overall, use of OC pepper spray, restraints, assaults, fleeing apprehensions, gang-related incidents, and participation in major disruptions remained consistent from January to August in 2020. Once again, the data for escapes and attempted escapes was omitted due to limited data. Please see the sections below for a comparison of incidents rates in TJJJ facilities across recent years for longitudinal trends.

**Figure 4. OC Pepper Spray in TJJJ Facilities January-August 2020**



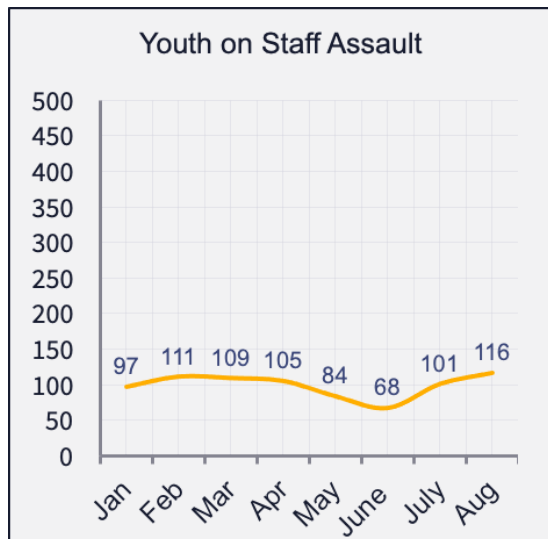
**Figure 6. Youth on Youth Assault in TJJJ Facilities January-August 2020**



**Figure 5. Restraints in TJJJ Facilities January-August 2020**

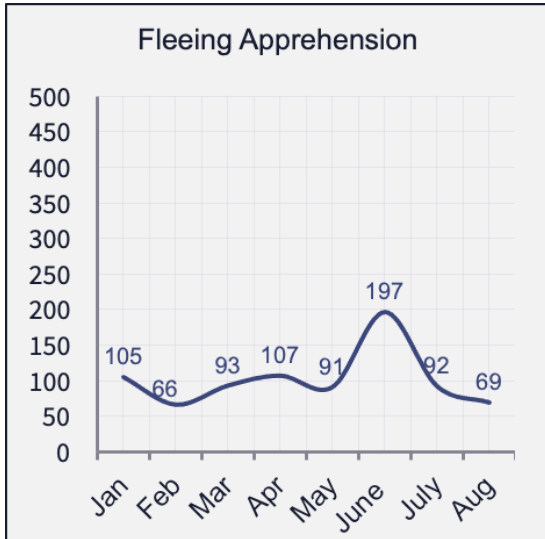


**Figure 7. Youth on Staff Assault in TJJJ Facilities January-August 2020**

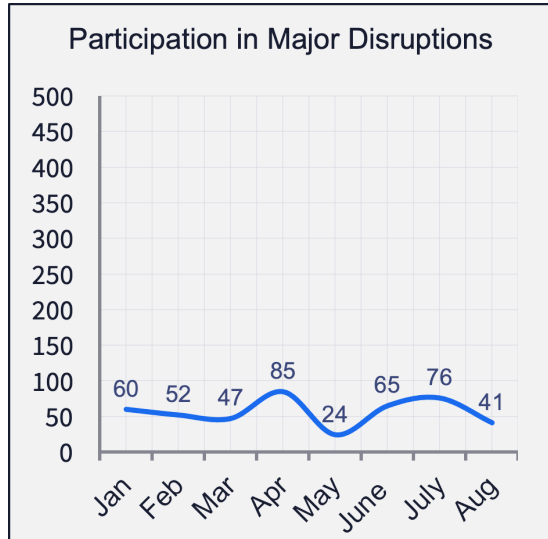




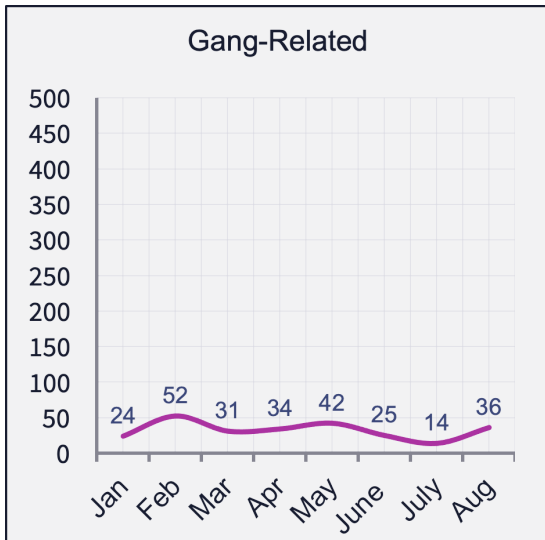
**Figure 8. Fleeing Apprehension in TJJD Facilities January-August 2020**



**Figure 10. Participation in Major Disruption in TJJD Facilities January-August 2020**



**Figure 9. Gang-Related Incident in TJJD Facilities January-August 2020**



## IV. Incident Type by Facility

How many of each type of incident has been reported to each TJJD secure facility in 2020?

### Evins Regional Juvenile Center.

As mentioned previously, a total of 2,361 incidents were reported at this facility in the months of January to August in 2020. As Figure 11 shows, incident rates remained fairly consistent across the year with declines in April and July.

As demonstrated in Figure 12, the most frequent incident type was the use of restraints, accounting for 43.67% (n=1,031) of the total incidents between January and August. This was followed by the use of OC pepper spray (19.10%, n=451), youth on staff assault (12.24%, n=289), youth on youth assault (9.28%, n=219), fleeing apprehension (8.85%, n=209), gang-related incidents (4.62%, n=109), and participation in major disruptions (2.20%, n=52). Escapes and escape attempts were not included in the figure as there was only one case reported (.04%).

Figure 11. Overall Incident Trends in Evins RJC in 2020 (January-August)

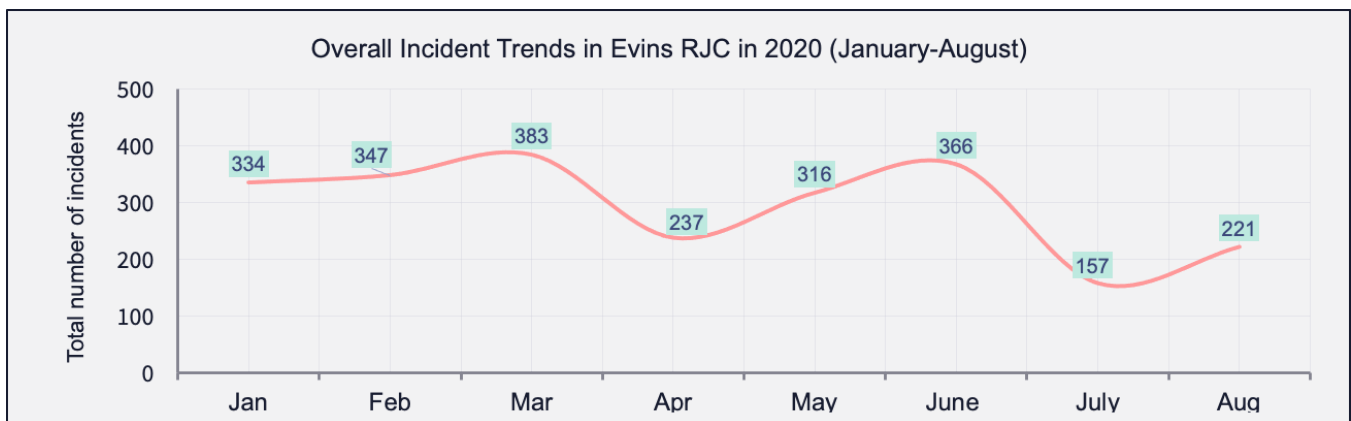
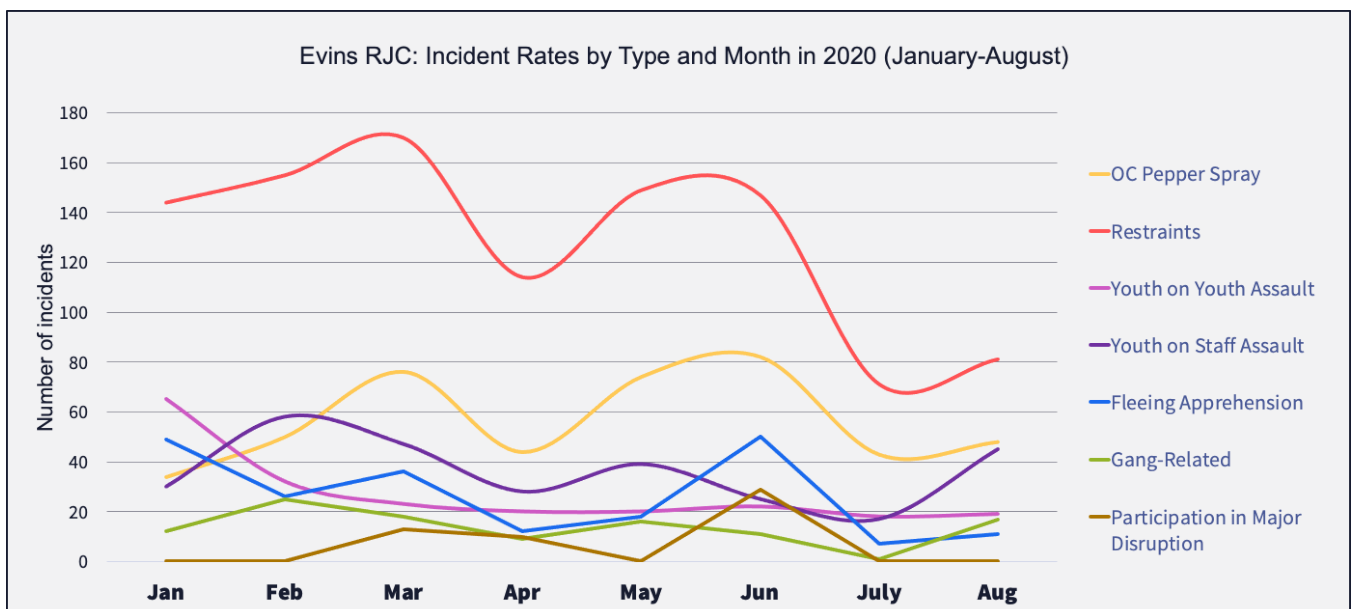


Figure 12. Evins RJC: Incident Rates by Type and Month in 2020 (January-August)



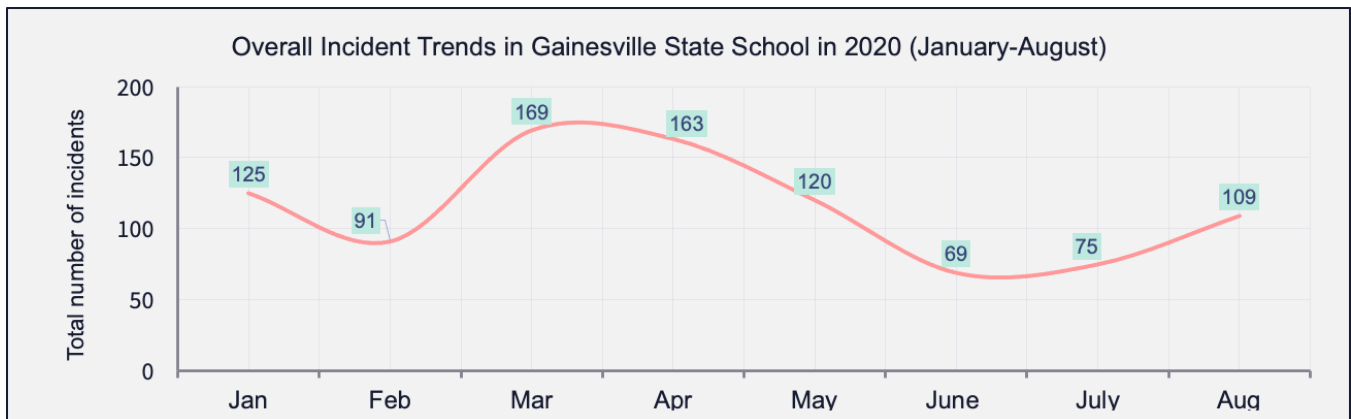
### Gainesville State School.

In January-August 2020, a total of 921 incidents were reported at this facility. As Figure 13 shows, incident rates remained fairly consistent across the year with increased rates in March and April and declines during June and July.

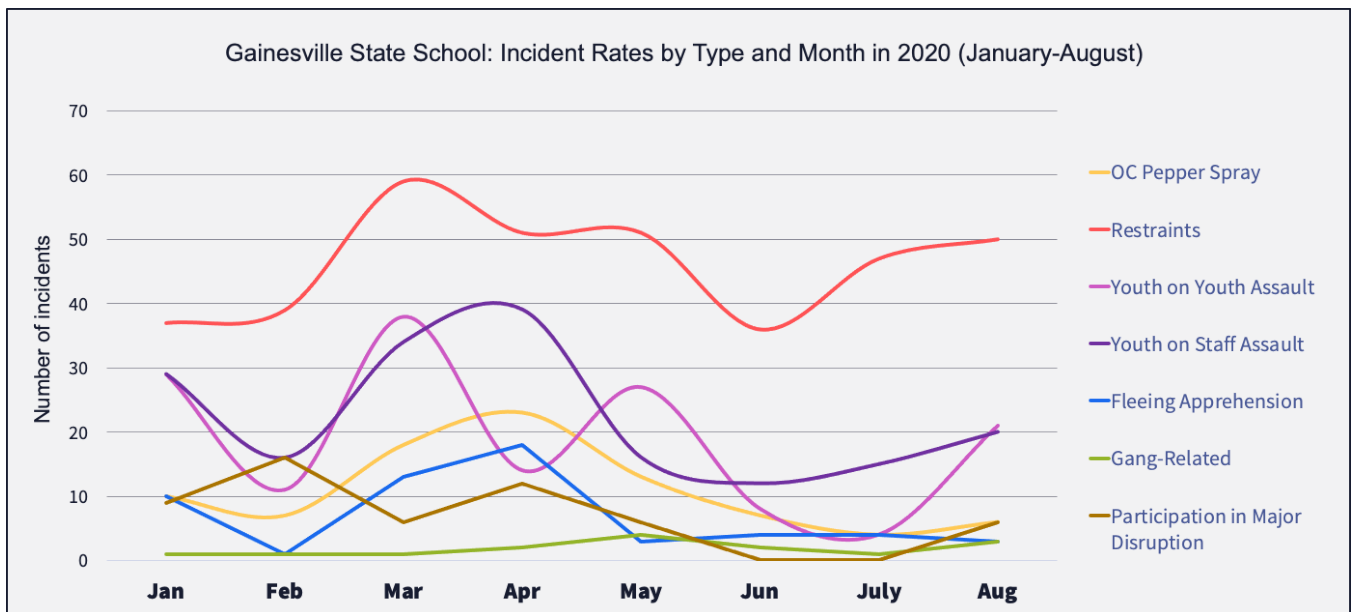
Further, the most frequent incident type was the use of restraints, accounting for 40.17% (n=370)

of the total incidents between January and August. This was followed by youth on staff assault (19.65%, n=181), youth on youth assault (16.50%, n=152), the use of OC pepper spray (9.56%, n=88), fleeing apprehensions (6.08%, n=56), participation in major disruptions (5.97%, n=55), and gang-related incidents (1.63%, n=15). Escapes and escape attempts were not included in the figure, however, there were four total incidents in April (.44%). See Figure 14.

**Figure 13. Overall Incident Trends in Gainesville State School in 2020 (January-August)**



**Figure 14. Gainesville State School: Incident Rates by Type and Month in 2020 (January-August)**



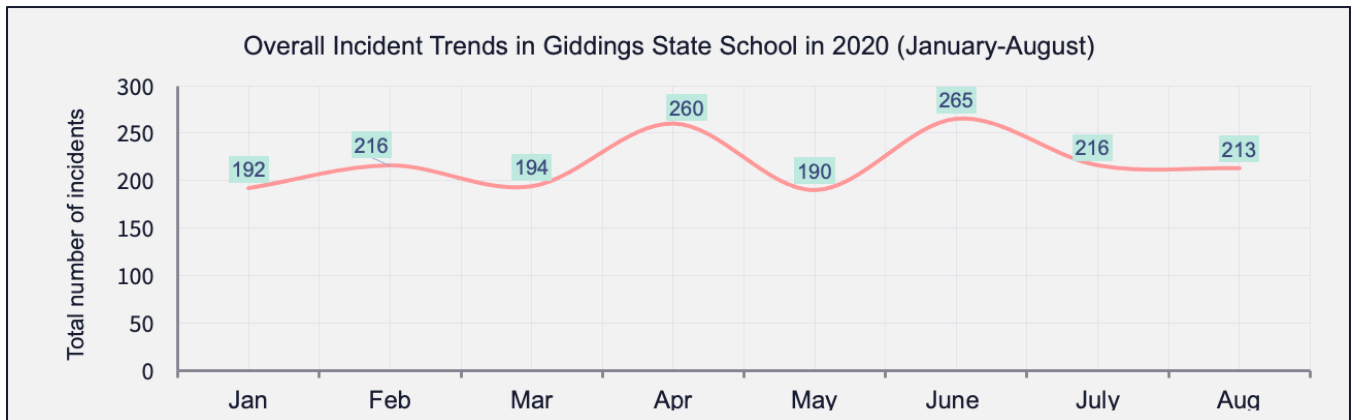
**Giddings State School.**

As mentioned previously, a total of 1,746 incidents were reported at this facility in the January through August of 2020. As suggested by Figure 15, incident rates remained fairly consistent across the year with slightly increased rates during April and June.

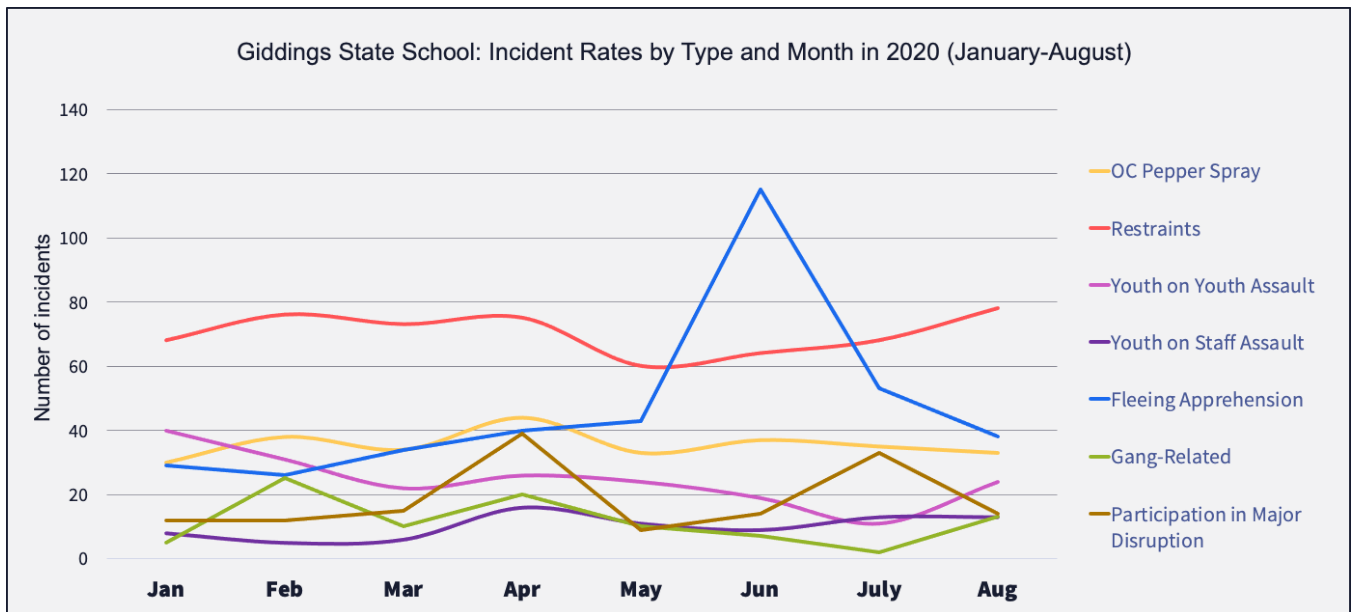
Figure 16 shows the most frequent type of incident at this facility was the use of restraints (32.19%,

n=562). Fleeing apprehensions were the second most frequent (21.65%, n=378) driven largely by an increase of reports in June. These were followed by the use of OC pepper spray (16.26%, n=284), youth on youth assault (11.28%, n=197), participation in major disruptions (8.48%, n=148), gang-related incidents (5.27%, n=92), and youth on staff assault (4.64%, n=81). Escapes and escape attempts were not included in the figure as there were only four incidents reported (.23%).

**Figure 15. Overall Incident Trends in Giddings State School in 2020 (January-August)**



**Figure 16. Giddings State School: Incident Rates by Type and Month in 2020 (January-August)**



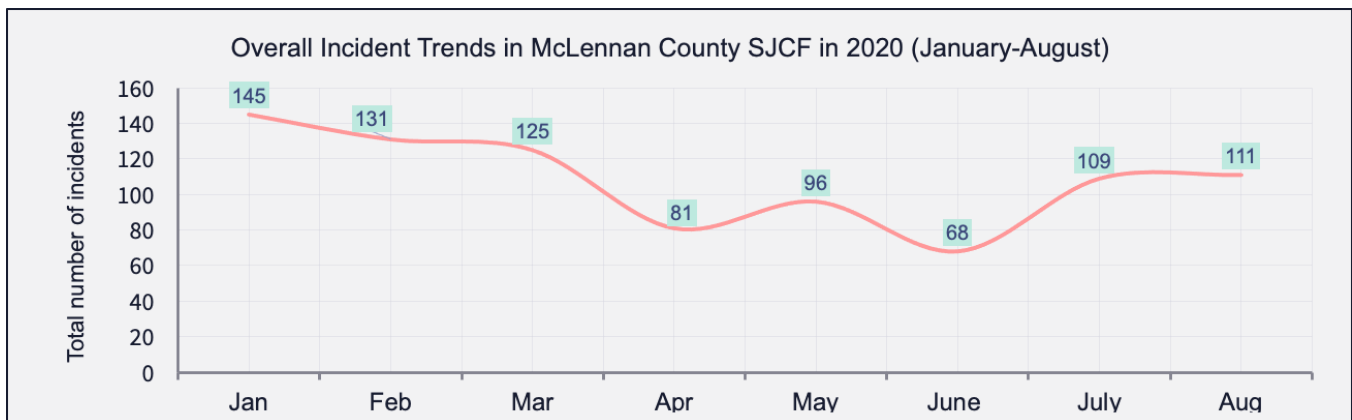
## McLennan County SJCF.

From January to August 2020, there were a total of 866 incidents were reported at this facility. As Figure 17 indicates, incident rates remained fairly consistent across the year with declines in April and July.

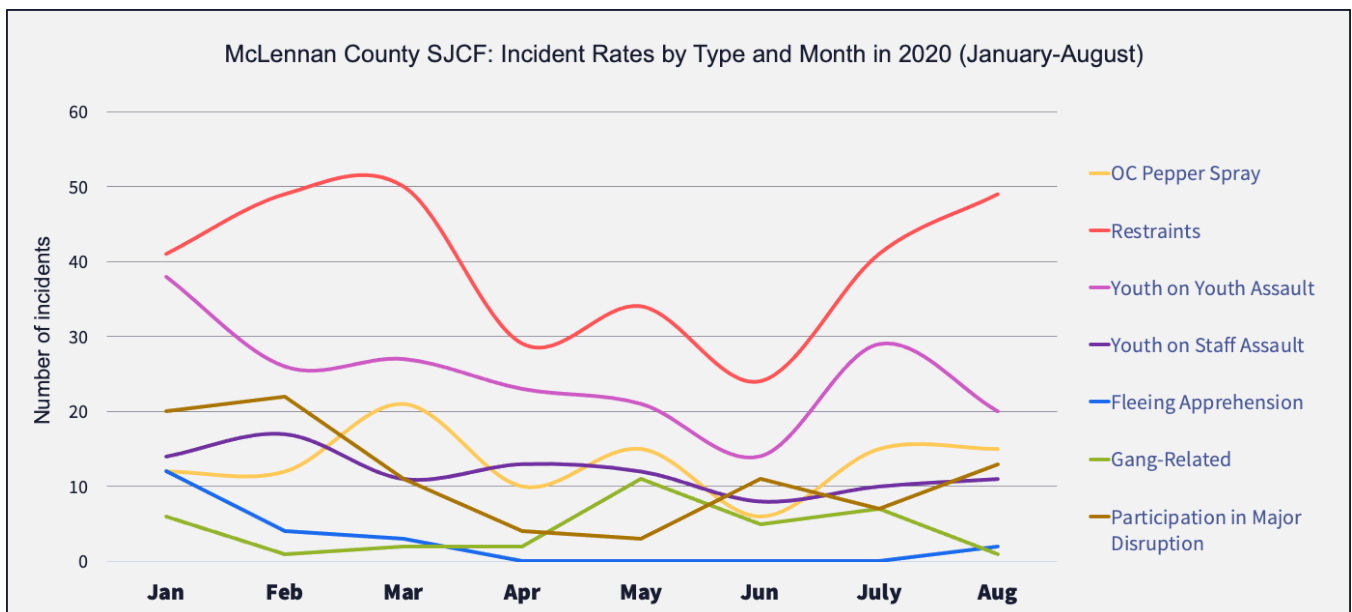
The most frequent incident type was the use of restraints, accounting for 36.61% (n=317) of the total incidents between January and August. This

was followed by youth on youth assault (22.86%, n=198), the use of OC pepper spray (12.24%, n=106), youth on staff assault (11.09%, n=96), participation in major disruptions (10.51%, n=91), gang-related incidents (4.04%, n=35), and fleeing apprehensions (2.42%, n=21). Escapes/escape attempts were not included in the figure as there were only two incidents reported (.23%). See Figure 18.

**Figure 17. Overall Incident Trends in McLennan County SJCF in 2020 (January-August)**



**Figure 18. McLennan County SJCF: Incident Rates by Type and Month in 2020 (January-August)**

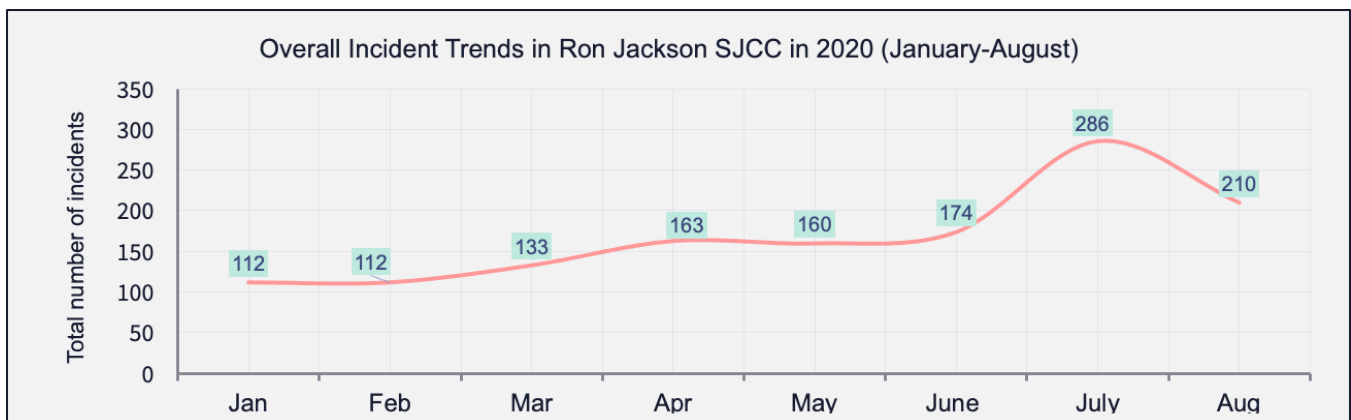


**Ron Jackson SJCC.**

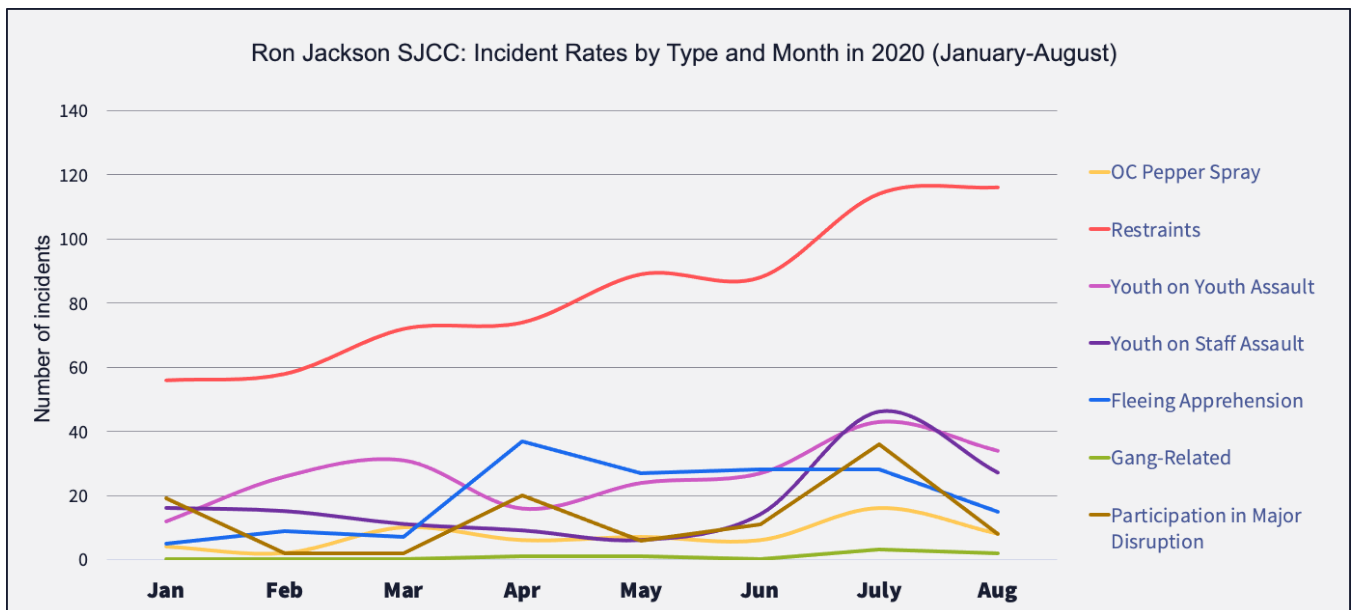
As mentioned previously, a total of 1,350 incidents were reported at this facility between January and August of 2020. As figure 17 shows, incident rates increased slightly across the year with the exception of an incremental decline in May and another decline in August.

The most frequent incident type was the use of restraints, accounting for 49.41% (n=667) of the total incidents. This was followed by youth on youth assault (15.78%, n=213), fleeing apprehensions (11.55%, n=156), youth on staff assault (10.67%, n=144), participation in major disruptions (7.7%, n=104), the use of OC pepper spray (4.37%, n=59), and gang-related incidents (.52%, n=7). Escapes and escape attempts were not included in the figure as there were no incidents reported during this time period.

**Figure 19. Overall Incident Trends in Ron Jackson SJCC in 2020 (January-August)**



**Figure 20. Ron Jackson SJCC: Incident Rates by Type and Month in 2020 (January-August)**



## V. Examining Trends from 2017 to 2020

In this section we conduct a brief examination of how incident rates in 2020 compare to the rates of incidents in previous years. Due to the COVID19 pandemic, many youth facilities across the country including those in Texas reduced their total populations to quell the potential spread of the virus amongst this vulnerable population. This should be taken into consideration when examining trends across years as reduced populations could impact the number of incidents overall. More nuanced statistical analyses are necessary in the future to control for population effects.

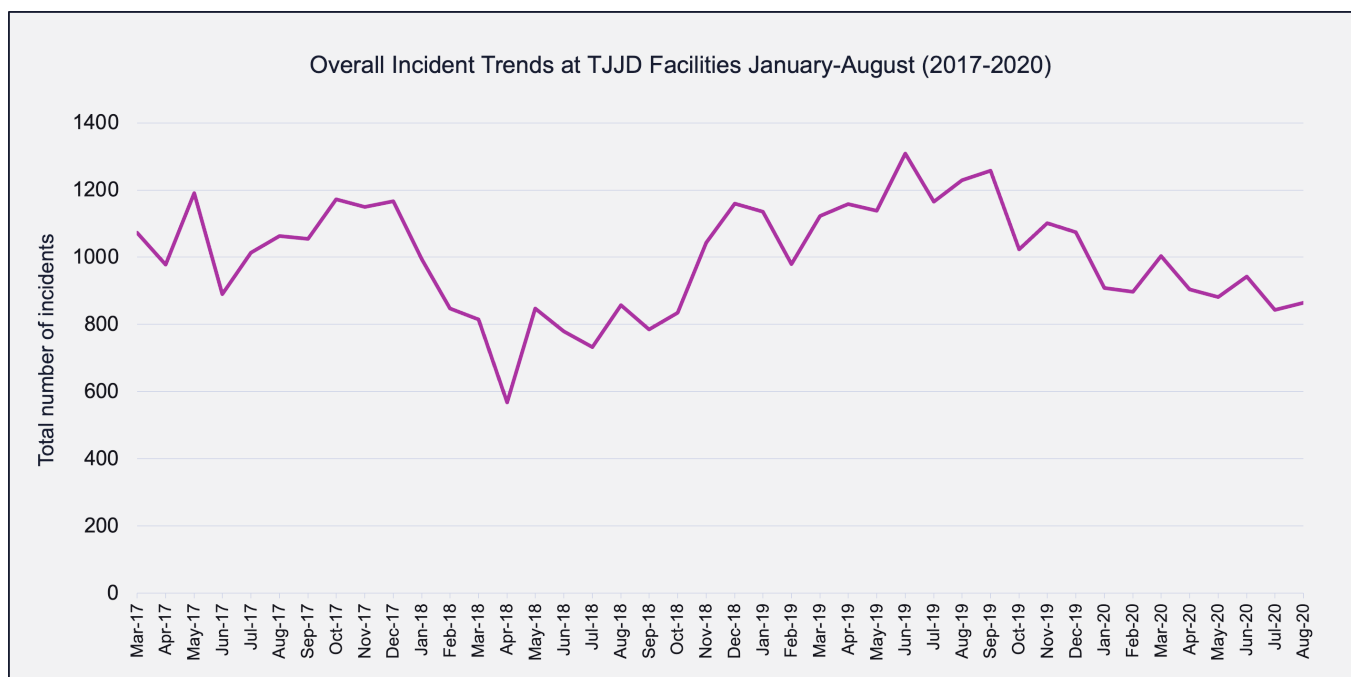
### How have the overall rates of incidents at TJJD secure facilities changed in recent years?

Given ongoing reform efforts, we expected to see a steady decline of incident rates across facilities between 2017-2020. As evident from Figure 21, this is not the case. Incident rates remain largely consistent across the past several years with minor fluctuations. Note that data were not available for January and February of 2017 or the remainder of 2020.

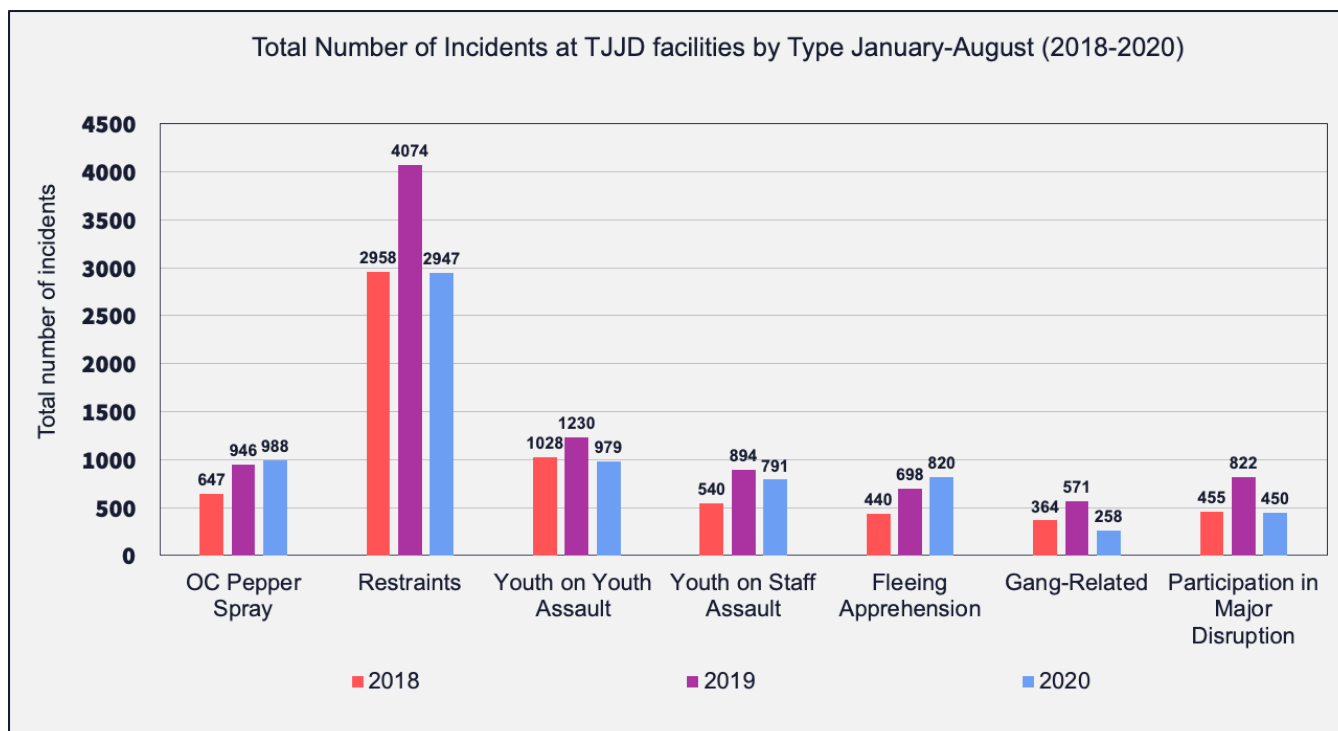
### How have the rates of various incident types changed in recent years across all TJJD facilities?

To gain further perspective on how incidents rates have changes in recent years, data were examined by type of incident between January and August for the years 2018, 2019, and 2020. Data from 2017 were not included due to missing data for Jan-Feb which would have impacted the totals. As evident in Figure 22, the use of restraints has consistently remained the most common incident occurrence in recent years. There was a substantial increase in reports of restraints across the TJJD facilities in 2019, which dropped back down again in 2020. Further, the use of OC pepper spray and fleeing apprehensions have steadily, but slightly, risen across the past three years within the January-August timeframe. Youth on youth assaults, youth on staff assaults, gang-related incidents, and participation in major disruptions have seen slight increases and decreases in recent years with no clear patterns emerging.

**Figure 21. Overall Incident Trends at TJJD Facilities January-August (2017-2020)**



**Figure 22. Total Number of Incidents at TJJD Facilities by Type January-August (2018-2020)**



## VI. Conclusions

These data can aid in policy discussions of TJJD facilities regarding the impact of reform efforts on incident rates in recent years. Further, this report provides contextual data to guide these conversations around the most pressing issues and most frequent incidents. This report and included data should serve as a starting point to discuss the impact of legislative actions and future policy solutions. Given that incidents rates appear to have remained consistent in recent years despite reform efforts, additional efforts should be made. Our recommendations are as follows:

- Additional crisis prevention training should be provided to staff to inform practices and improve de-escalation skills.
- Staff training should be trauma-informed, emphasize developmental considerations, and promote coercion-free care.
- Behavior management practices should undergo continuous reassessment to ensure multi-tiered approaches that include building positive relationships between youth and staff; fostering environments, processes, and schedules that facilitate positive behavior; using therapeutic interventions and strength-based rewards and consequences in lieu of sanction-based responses when possible; and providing opportunities for youth to express concerns or file complaints.
- Comprehensive evaluations should be conducted to assess incident occurrences from the perspectives of staff, youth, and families. By including these populations, staff-perspectives of obstacles and current challenges will be highlighted while allowing the opportunity for innovative solutions by staff, youth, and their families to be proposed.
- A review of current practices, facility culture that contributes to these practices, and of staff training should be implemented to better determine how efforts to reduce incident rates at TJJD facilities can be expanded upon and improved.



The data reviewed in this brief should be viewed as a snapshot of incidents occurring at TJJD facilities across recent years. The data here are restricted to publicly available information through the Independent Ombudsman annual and quarterly reports which lack a comprehensive overview of average monthly populations by facility. Increased media attention surrounding abuse and violence taking place at secure facilities<sup>6</sup> further highlights the need for more in-depth analyses and examinations into incident

trends. As such, future research studies should work in cooperation with TJJD to obtain a more comprehensive sample of all incident types (e.g., staff on youth assault) and incident-related details to perform more nuanced analyses. This approach will lead to an enriched understanding of the incidents taking place at TJJD facilities and can be used to make data-driven recommendations on how to address these issues through policy and practice.

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<sup>6</sup> Rosenzweig-Ziff, D. (October, 2020). *"They are hurting them": Advocacy groups ask for feds to investigate. Sexual assaults, gang violence in Texas youth lockups.* The Texas Tribune. Retrieved from: <https://www.texastribune.org/2020/10/21/texas-juvenile-justice-department-abuse/>