

Intervention Services and Mental Health Programs for Youth with Intellectual and Developmental Disabilities (IDD) in the Texas Criminal Justice System

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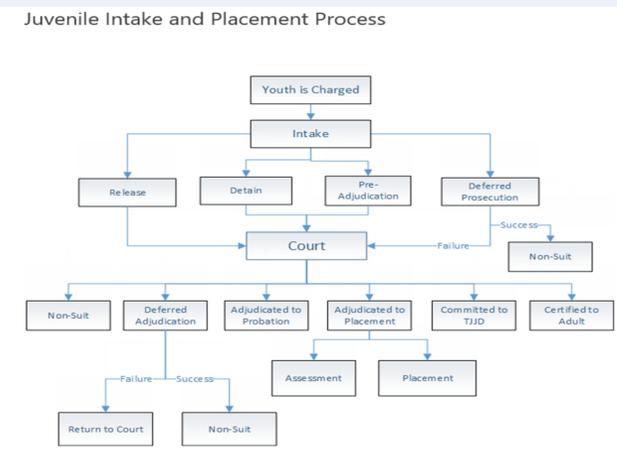


Introduction

There is an over-representation of people with intellectual and developmental disabilities IDD in the criminal justice system. Although most IDD patients are law-abiding citizens, some exhibit offending behaviors that are considered antisocial or socially inappropriate. Misinterpretation of such behaviors by law-enforcement professionals usually lead to incarceration. When properly handled, some IDD patients are diverted out of the criminal justice system thereby preventing imprisonment. This clinical project will examine the need for early identification and diagnosis of intellectual and developmental disability. It will also review various preventative and remedial plans that are being implemented in the state of Texas and in Harris County.

Overview of the Texas Juvenile Justice Intake Process and Disposition

Youth who commit offenses are usually brought in by law enforcement officers for an intake assessment where the decision to detain or release is made. According to the Texas Judicial Justice Department (TJJD), in fiscal year 2017, there were 53,860 formal referrals to juvenile probation departments throughout the state of Texas. This represents a 5% decrease from the 56,551 formal referrals in fiscal year 2016. Half of these referrals (50%) were for class A and B misdemeanor offenses, while felony offenses accounted for 27% of referrals, violations of probation accounted for 15% and Conduct Indicating a Need for Supervision (CINS) offenses accounted for 8% of referrals (TJJD, 2017).



Texas Juvenile probation Outcomes

Historically, youth with obvious intellectual disabilities are released to the custody of parents or guardians pending a court appearance, or they are placed on 'Deferred Prosecution' for observation for a set amount of time (90 or 180days). These youth are usually referred to the county and forensic mental health services division and to their specific community youth development services and their school districts for intervention services. Even though we are aware that 36% of youth referred to juvenile probation departments in fiscal year 2017, were identified with mental health needs. There is no statewide data nor local county data identifying juvenile youth with intellectual developmental disabilities. Regardless of the above limitations of substantial data, the TJJD acknowledges that there is a state wide need to divert youth with IDD through the Regional Diversion Alternatives program, while taking into account county resources (TJJD, 2017).

Regional Diversion Alternatives Program

In 2015, the 84th Texas Legislature passed Senate Bill (SB) 1630; which requires Texas Juvenile Justice Department (TJJD) to finalize a Regionalization Plan by August 31, 2016 for keeping children closet to home in lieu of commitment to TJJD. In addition, it was to ensure that the most severe juvenile justice dispositions are limited to youth with the highest risk of recidivism. Youth appropriate for diversion alternatives programs to rehabilitative services included:

- Younger offenders (those between the ages of 10-12);
- Youth with a serious mental illness;
- Youth with a developmental or intellectual disability;
- Youth with non-violent offenses; and
- Youth with low to moderate risk levels for re-offense.

Harris County Juvenile Department

For a more in-depth look at the data on IDD youths involved in the Texas juvenile justice system, we sampled the Harris County Juvenile Probation Department (HCJPD) for further insight. HCPD is one of the 166 juvenile boards that exist in the State of Texas. Information regarding youth with Intellectual developmental disabilities (IDD), coded as youth with 'Neuro-developmental disabilities' were obtained by the Justice, Equality, Human dignity and Tolerance (JEHT) database, which is utilized and maintained by master's level/ PhD mental health clinicians (HCJPD, 2017a & 2017b).

HCJPD 2014-2017 Mental Health Screening Data

	2014		2015		2016		2017	
	n	%	n	%	n	%	n	%
Total Tested	1320		1325		1443		1209	
Sex								
Female	195	14.77%	196	14.79%	234	16.2%	201	16.6%
Male	1125	85.23%	1129	85.21%	1209	83.8%	1008	83.4%
Diagnosis								
Any (SED or ED Combination)	829	62.80%	823	62.11%	871		729	60.3%
Diagnosis								
Emotional Disturbance	748	56.67%	725	54.72%	789	60.4%	670	55.4%
Serious Emotional Disturbance	248	18.79%	219	16.53%	194	13.4%	157	13.0%
Substance Abuse/Dependent	1024	77.58%	984	74.26%	1012	70.1%	895	70.7%
Learning Disorder	144	10.91%	127	9.58%	123	8.5%	115	9.5%
Behavior Disorder	1178	89.24%	1230	92.83%	1317	91.3%	1100	91.0%
Physical/Sexual Abuse	96	7.27%	78	5.89%	58	4.0%	49	4.1%
Neuro-Developmental Disorder	94	7.12%	93	7.02%	106	7.3%	95	7.9%

In FY 2017, 7% of youth with neurodevelopmental disabilities were actually diagnosed clinically in detention (HCJPD, 2017a). There are no data on the majority of youth with intellectual disabilities that were referred to Juvenile Justice, diverted out through probation or deferred prosecution due to minor offenses or deviant behaviors. We can only assume there is a larger representation of youth with IDD recorded/represented in the Law enforcement database and in the criminal justice system when compared to the general youth population.

Limitations to adequate data on IDD :

1. Lack of adequate training and time sufficient for Law enforcement officers to enter necessary data into law enforcement databases and mental health databases
2. Lack of integration between separate databases across each of the entities (juvenile boards, county juvenile probation departments and county mental health services division) that these individuals encounter in the juvenile system.
3. Juvenile probation records are sealed so that youth are given a second chance at life without the stigma of having been in trouble with the law. However, some exceptions include youth who have to register as sex offenders and youth who have committed serious enough offenses that require them to complete their sentences in the adult system (TJJD, 2017).

Harris County: TRIAD Prevention Program

TRIAD is a consortium of three county agencies: Harris County Protective Services (HCPS), Juvenile Probation, and the Harris County Center for Mental Health and IDD) working together. It provides countywide services to intervene with youth and families before involvement with the CPS, mental health and/or juvenile justice systems (HCPS, 2018). Nine programs that operate under the TRIAD program are described below:

1. Intake Diversion Program

HCPS and Harris County Juvenile Probation staff work side-by-side 24 hours a day at the Youth Services Center with at-risk youth who are either identified by law enforcement or through walk-ins to assist with Crisis intervention, referrals, comprehensive assessments and screening for placement in the Kinder Emergency Shelter.

2. Justice of the Peace Court (JP) Liaison

Liaisons work with youth and families who appear before the JP Court for various Class C misdemeanor offenses. Court Liaisons also work with community and faith-based organizations, help families with crises and recommend services. JP Court Liaisons help with offenses that include: Truancy, Shoplifting, Disorderly conduct, disruption of school classes

3. The Justice of the Peace (JP) Court Wraparound Program

Assists youth and their families with intensive follow-up services. Court Case Managers work closely with youth and their family to: Build a team, develop an individualized plan; and work together toward a common family goal. Court Case Managers use the Wraparound process to facilitate family team meetings.

4. TRIAD Mental Health

The TRIAD Mental Health program assists youth (ages 10 - 17) and their families with serious mental health issues, emotional difficulty and behavior problems. Services include mental health assessments, intensive family therapy, Liaison services for the Waco Center for Youth (state-sponsored treatment facility).

5. Youth & Family Resource Services

The Community Resource Coordination Group organizations and the parent or guardian meet to discuss needed services, talk about obstacles that have been experienced and create a plan for the future. Discussions include youth's prior history of services Where to seek further assistance, treatment options available and agencies can work together to benefit the youth.

6. Community Youth Development (CYD) : Pasadena and Gulfton

Aims to decrease existing juvenile crime in the communities. Available services include: After school programs, Summer programs, Mentoring, Self-esteem courses, sports, leadership development, life skills, support groups, youth Advisory Committee (YAC).

7. Parenting With Love and Limits (PLL) Center for Excellence

The evidence-based six-week program is a parenting education program for youth and their parents. through family and group classes.

8. Parent/Teen Survival Program

This curriculum-based course is a series of five (5) weekly two-hour sessions with parents and youth to learn new skills in understanding violence and conflict, negotiating and setting boundaries, understanding and managing anger, developing reasonable consequences, problem solving,

Conclusions

Past research has shown that individuals in the juvenile justice system have high rates of behavioral and mental diagnoses. However, there are few papers that examine the rates of contact youth with IDD have with the juvenile justice system and complementary resources and community referral programs offered to them. Possible reasons for lack of data on youth with intellectual disabilities in the state of Texas include lack of proper data integration between the several juvenile probation departments, boards and their referral sources in the community; lack of complementary resources and community referrals available to these youth across the board in the different counties. This is mainly as a result of unequal sources of funding provided by TJJD (appropriated by the Texas Legislature) through the State Aid and Targeted Grant Contract. The main funding source for community-based juvenile probation system are local county governments. Future directions include interacting with stakeholders in the juvenile justice system to determine areas where data can be streamlined and integrated. Future studies should investigate charges that youth with IDD are at risk to commit and which service systems are most likely to serve youth with IDD when they do have different types of co-occurring psychiatric disorders.

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2. Iris Lewis, MS, of Health Services Division. Harris County Juvenile Probation Department.

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[HCPS, 2018, Harris County Protective Services - TRIAD Prevention Program Website](#)